

<b>Tab 1</b>		<b>CS/SB 290</b> by <b>AG, Truenow</b> ; Similar to H 00433 Department of Agriculture and Consumer Services				
563518	D	S	FP, Truenow	Delete everything after	01/13 08:46 AM	
199546	A	S	WD	FP, Truenow	btw L.237 - 238:	01/13 09:02 AM

<b>Tab 2</b>		<b>SB 320</b> by <b>Simon</b> ; Identical to H 00963 Administrative Efficiency in Public Schools				

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**FISCAL POLICY**  
**Senator Gruters, Chair**  
**Senator Osgood, Vice Chair**

**MEETING DATE:** Wednesday, January 14, 2026

**TIME:** 9:00—11:00 a.m.

**PLACE:** *Toni Jennings Committee Room, 110 Senate Building*

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

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 290</b> Agriculture / Truenow (Similar H 433, Compare CS/H 607)	Department of Agriculture and Consumer Services; Prohibiting counties and municipalities, respectively, from enacting or enforcing any law that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment or that distinguishes such equipment from any other equipment under certain circumstances; requiring the Acquisition and Restoration Council to determine whether certain surplus lands are suitable for bona fide agricultural purposes; establishing the Food Animal Veterinary Medicine Loan Repayment Program; revising the Florida Forest Service powers, authority, and duties; authorizing the Forest Service to manage the Welaka Training Center; establishing the Farmers Feeding Florida Program for specified purposes; limiting the number of incorporated state fair associations per county; prohibiting the possession, manufacture, sale, importation, distribution, or use of a signal jamming device, etc.	AG 12/02/2025 Fav/CS FP 01/14/2026 RC
2	<b>SB 320</b> Simon (Identical H 963, Compare H 1321)	Administrative Efficiency in Public Schools; Exempting district school boards from requirements for adopting certain rules; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; prohibiting a school from being required to use a certain parameter as the sole determining factor to recruit instructional personnel; specifying requirements for advanced degrees that may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program, etc.	ED 12/09/2025 Favorable FP 01/14/2026

**COMMITTEE MEETING EXPANDED AGENDA**

Fiscal Policy

Wednesday, January 14, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Other Related Meeting Documents			

The Florida Senate

## BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 290

INTRODUCER: Agriculture Committee and Senator Truenow

SUBJECT: Department of Agriculture and Consumer Services

DATE: January 13, 2026      REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Stokes-Ramos	Becker	AG	<b>Fav/CS</b>
2. Stokes-Ramos	Sipes	FP	<b>Pre-meeting</b>
3. _____	_____	RC	_____

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

### I. Summary:

CS/SB 290 makes a number of changes to laws related to the Department of Agriculture and Consumer Services (department) and related topics. Specifically, the bill:

- Prohibits a county or municipality from enacting a local policy to restrict the use of gasoline-powered farm or landscape equipment.
- Requires the Acquisition and Restoration Council to determine whether any lands surplus to a local governmental entity are suitable for bona fide agricultural purposes, and prohibits local governments from transferring future development rights for such lands.
- Requires the Department of Environmental Protection (DEP) to determine whether any state-owned conservation lands are suitable for bona fide agricultural purposes, and to retain a rural-lands-protection easement for all such lands.
- Removes the Babcock Ranch Advisory Group.
- Adds criminal penalties for receiving or providing unauthorized assistance on a commercial driver license (CDL) exam.
- Repeals statutes requiring Florida's participation in the Southern States Energy Compact.
- Prohibits land application of classes of biosolids besides Class AA biosolids, and removes the requirement that rules adopted by the department with respect to biosolids be ratified by the Legislature.
- Repeals the Healthy Food Financing Initiative.
- Prohibits commercial solicitation on properties that comply with "no solicitation" signage requirements and provides penalties for violation.

- Allows the department to reorganize itself upon approval of the commissioner.
- Modifies eligibility requirements for the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.
- Creates the Food Animal Veterinary Medicine Loan Repayment Program to help offset loans incurred for studies leading to a veterinary degree with a specialization in food animal veterinary medicine.
- Adds the Welaka Training Center as a site that the Florida Forest Service (FFS) may operate to train fire and forest resource managers, and adds that the FFS may assess appropriate fees to meet its operational costs regardless of the training location.
- Allows the FFS to pay the CDL renewal costs for employees whose positions require them to operate equipment requiring a CDL.
- Establishes the Farmers Feeding Florida Program and restricts Feeding Florida from allowing an opposed candidate for elective office to host a food distribution event.
- Prohibits the department from renewing a certificate of registration for an aquaculture facility that is not in compliance, and imposes a 3-year waiting period for reapplication.
- Revises various regulations of fairs and fair associations.
- Adds “concealed weapon permit” or “concealed weapon permitholder” to the list of words a person is prohibited from wearing or displaying with the intention to mislead, and provides criminal penalties for violation.
- Removes the word “perishable” from the agricultural food products for which agricultural producers can seek to recover damages for disparagement, and adds that the term “agricultural food product” includes any agricultural practices used in the production of such products.
- Prohibits the possession, use, manufacture, import, sale, or distribution of signal jamming devices.

Overall, the bill has an indeterminate, yet likely insignificant impact to the department. See **Section V. Fiscal Impact Statement**.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

The present situation for each issue is described below in Section III, Effect of Proposed Changes.

## **III. Effect of Proposed Changes:**

### **Gasoline-Powered Equipment**

#### ***Present Situation***

The governing body of a county or municipality has broad legislative powers to enact ordinances and local laws, perform governmental functions, and exercise power to promote the health, welfare, safety, and quality of life of a local government’s residents. Ordinances address a wide variety of local issues, from government structure and zoning laws to speed limits and noise

ordinances. Procedures for passing local ordinances are prescribed by the Legislature and differ only slightly between counties and municipalities.

A number of local governments have introduced and adopted ordinances that prohibit the use of gasoline-powered leaf blowers and chainsaws, including Naples<sup>1</sup> and Miami Beach.<sup>2</sup> These local governments have cited noise and environmental pollution concerns motivating the ordinances. The city of Winter Park prohibited the use of internal combustion engine leaf blowers, but voters later reversed the ban.<sup>3</sup> Lawn care agencies were reported to express concern about the cost of switching to electric, and that electric leaf blowers do not hold a charge long enough for the required work.<sup>45</sup>

The Florida Right to Farm Act<sup>6</sup> provides that “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 DEP, the department, or water management districts.

Section 366.032(2), F.S., also prohibits (except to enforce the Florida Building Code and Florida Fire Prevention Code) a municipality, county, special district, development district, or other political subdivision of the state from restricting or prohibiting the use of an appliance using the fuels or energy types used, delivered, converted, or supplied by the entities above.

### ***Effect of Proposed Changes***

**Section 1** creates s. 125.489, F.S., to prohibit a county from enacting or enforcing a resolution, ordinance, rule, code, or policy or to take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and provides related definitions. The bill does not prohibit or limit a county from encouraging the use of alternative farm or landscape equipment, such as battery-powered equipment.

**Section 2** creates s. 166.036, F.S., to prohibit a municipality from enacting or enforcing a resolution, ordinance, rule, code, or policy or to take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and provides related definitions. The bill does not prohibit or limit a municipality from encouraging the use of alternative farm or landscape equipment, such as battery-powered equipment.

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<sup>1</sup> Naples Ordinance 2020-14542

<sup>2</sup> Miami Beach Ordinance 2024-4589

<sup>3</sup> Winter Park Ordinance 3292-24

<sup>4</sup> Ezzy, C. (2024, December 28). Winter Park leaders keep ban on gas-powered leaf blowers; Residents and workers outraged.” *WKM*G, *WKM*G News 6 & ClickOrlando. [www.clickorlando.com/news/local/2024/02/01/winter-park-leaders-keep-ban-on-gas-powered-leaf-blowers-residents-and-workers-outraged/](http://www.clickorlando.com/news/local/2024/02/01/winter-park-leaders-keep-ban-on-gas-powered-leaf-blowers-residents-and-workers-outraged/) (last visited Dec. 1, 2025)

<sup>5</sup> Winter Park voters reverse ban on gas-powered leaf blowers.” *Spectrum News*.

[mynews13.com/fl/orlando/news/2025/03/12/winter-park-voters-reverse-ban-on-gas-powered-leaf-blowers](http://mynews13.com/fl/orlando/news/2025/03/12/winter-park-voters-reverse-ban-on-gas-powered-leaf-blowers) (last visited Dec. 1, 2025)

<sup>6</sup> Section 823.14, F.S.

## Surplus of State-Owned Lands

### ***Present Situation***

State law designates the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees)<sup>7</sup> as the entity responsible for determining which state lands (the title to which are vested in the Board of Trustees) may be surplused.<sup>8</sup> The statute addresses two different categories of state-owned lands: conservation lands and nonconservation lands.<sup>9</sup> For all conservation lands, the Acquisition and Restoration Council<sup>10</sup> must first make a recommendation to the Board of Trustees.<sup>11</sup> Conservation lands may only be surplused if the Board of Trustees, by an affirmative vote of at least three members, determines that the lands are no longer needed for conservation purposes.<sup>12</sup> Requests for surplusing lands may be made by any public or private entity or person.<sup>13</sup> Local government requests for surplus lands through purchase or exchange are expedited throughout the surplusing process.<sup>14</sup>

The Board of Trustees owns approximately 3.3 million acres of uplands, 3.1 million acres of which is conservation land and 0.2 million acres of nonconservation land. There are also about 0.5 million acres of conservation easements.<sup>15</sup> As of June 30, 2025, there were 268 properties owned by the Board of Trustees that were candidates for disposition or in the disposition process, comprising an estimated 263 acres with an estimated value of \$9.84 million. All requests to surplus conservation lands must be submitted to the lead managing agency for review and recommendation to the Acquisition and Restoration Council, and all requests to surplus nonconservation lands must be submitted to the Division of State Lands for review and recommendation to the Board of Trustees.

For all surplus lands, the Division of State Lands must determine the sale price based on the “highest and best use” of the property to ensure the maximum benefit and use to the state. “Highest and best use” means the reasonable, probable, and legal use of vacant land or an improved property which is physically possible, appropriately supported, financially feasible,

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<sup>7</sup> The Board of Trustees is a four-person board consisting of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. *See s. 253.02(1), F.S.*

<sup>8</sup> Section 253.0341(1), F.S.

<sup>9</sup> *Id.*

<sup>10</sup> Section 259.035, F.S., provides that the Acquisition and Restoration Council (ARC) is a 10-member group with representatives from four state agencies, four appointees of the Governor, one appointee by the Fish and Wildlife Conservation Commission, and one appointee by the Commissioner of Agriculture and Consumer Services. ARC has responsibility for the evaluation, selection and ranking of state land acquisition projects on the Florida Forever priority list, as well as the review of management plans and land uses for all state-owned conservation lands. Dep’t of Environmental Protection, *Acquisition and Restoration Council*, <https://floridadep.gov/lands/environmental-services/content/acquisition-and-restoration-council-arc> (last visited Dec. 1, 2025); *see also* s. 253.0341(6), F.S. (providing that before any decision by the Board of Trustees, ARC must review and make recommendations to the Board of Trustees concerning the request for surplusing, and must determine whether the request is compatible with the resource values of and management objectives for such lands).

<sup>11</sup> Section 253.0341(1), F.S.

<sup>12</sup> FLA. CONST. art. X, s. 18.

<sup>13</sup> Section 253.0341(11), F.S.

<sup>14</sup> Section 253.0341(1), F.S.

<sup>15</sup> Florida Department of Environmental Protection. *FAQ: Disposition of state lands and facilities annual report*.

<https://floridadep.gov/lands/bureau-public-land-administration/content/faq-disposition-state-lands-and-facilities-annual> (last visited December 2, 2025).

and results in the highest value.<sup>16</sup> Agricultural use of a land is not always considered the “highest and best use” for that particular parcel. Instead, exceptions are made for the value of agricultural land to be assessed based on current use rather than its fair market value.<sup>17</sup>

### ***Effect of Proposed Changes***

**Section 3** amends s. 253.0341, F.S., to provide additional requirements for the surplus of state-owned lands. The bill requires the Acquisition and Restoration Council to determine whether any lands surplused by a local governmental entity on or after January 1, 2024, are suitable for bona fide agricultural purposes. A local governmental entity may not transfer future development rights for any surplused lands determined to be suitable for bona fide agricultural purposes on or after July 1, 2024.

DEP, in coordination with the department, shall determine whether any state-owned conservation lands are suitable for bona fide agricultural purposes, and may surplus such suitable state-owned lands. DEP shall retain a rural-lands-protection easement for all state-owned conservation lands acquired on or after January 1, 2024, that are determined to be suitable for bona fide agricultural production. Proceeds from the sale of such surplused lands must be deposited into the Incidental Trust Fund within the department. By January 1, 2027, DEP shall provide a yearly report of such surplused state-owned conservations lands.

### **Babcock Ranch Preserve**

#### ***Present Situation***

The Babcock Ranch covers an area of 143 square miles and comprises 81,499 acres in Charlotte County and 9,862 acres in Lee County. In July of 2006, a Palm Beach real estate development firm, Kitson & Partners, purchased the entire 91,361 acre Babcock Ranch. The entity retained approximately 18,000 acres for development and sold to the State of Florida the remaining 73,000 acres.

This acquisition was made possible through the Babcock Ranch Preserve Act that was passed by the Legislature in 2006. The Act authorized the Babcock Ranch Preserve (preserve) as a working ranch and to protect regionally important water resources, diverse natural habitats, scenic landscapes and historic and cultural resources in southwest Florida.

Kitson & Partners entered into an agreement with the state of Florida to form a public/private partnership to manage the preserve. A subsidiary of Kitson & Partners, Babcock Ranch Management LLC, entered into a management agreement with the Board of Trustees and Lee County to provide management services for the preserve.

Section 259.1053, F.S., creates the Babcock Ranch Advisory Group to assist the department by providing guidance and advice concerning the management and stewardship of the Babcock Ranch Preserve. The Babcock Ranch Advisory Group has not met since 2017.<sup>18</sup>

<sup>16</sup> Section 253.0341(8), F.S.

<sup>17</sup> FLA. CONST. art. VII, s. 4(a).

<sup>18</sup> See Babcock Ranch Advisory Group 10-year plan, <https://www.fdacs.gov/Forest-Wildfire/Our-Forests/State-Forests/Babcock-Ranch-Preserve/Babcock-Ranch-Preserve-10-Year-Land-Management-Plan> (last visited Dec. 1, 2025)

### ***Effect of Proposed Changes***

**Section 4** amends s. 259.1053, F.S., to remove the Babcock Ranch Advisory Group from statute.

### **Payments to Subcontractors**

#### ***Present Situation***

Many of Florida's subcontractors and material suppliers are small, locally-owned businesses that depend on timely payments to stay in business. Late or withheld payments may also delay project completion.

Section 287.1351, F.S., prohibits a vendor that is in default on any contract with an agency or has otherwise repeatedly demonstrated an inability to fulfill the terms and conditions of previous state contracts from submitting a bid, proposal, or reply to an agency or enter into or renew a contract to provide goods or services to an agency after its placement on the suspended vendor list. The suspended vendor list<sup>19</sup> includes vendors that have been removed from the vendor list for "failing to fulfill any of its duties specified in a contract with the State."<sup>20</sup>

#### ***Effect of Proposed Changes***

**Section 5** amends s. 287.1351, F.S., to add that a vendor that has failed to timely compensate its subcontractors or suppliers will be placed on the suspended vendor list.

**Section 12** amends s. 489.105, F.S., to define "subcontractor" and "supplier" as the same meaning provided in s. 558.002, F.S.

**Section 13** creates s. 489.1295, F.S., to require a contractor to pay its subcontractors or suppliers within 15 business days after the contractor is paid for the respective services. A contractor who violates this section commits a misdemeanor of the first degree, or a felony of the third degree when the services performed are valued at \$20,000 or more.

**Section 44** reenacts s. 287.056, F.S., related to disqualification from state contract eligibility of vendors placed on the suspended vendor list, to incorporate the amendments made to s. 287.1351, F.S.

**Section 45** reenacts s. 287.138, F.S., related to contracting with entities of foreign countries of concern, to incorporate the amendments made to s. 287.1351, F.S.

### **Cheating on CDL Examinations**

#### ***Present Situation***

Applicants to drive vehicles requiring a CDL must undergo an exam that tests the applicant's:

- Eyesight;

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<sup>19</sup> DMS. *Vendor registration and vendor lists*.

[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/state\\_agency\\_resources/vendor\\_registration\\_and\\_vendor\\_lists](https://www.dms.myflorida.com/business_operations/state_purchasing/state_agency_resources/vendor_registration_and_vendor_lists) (last visited Dec. 1, 2025).

<sup>20</sup> Section 287.042, F.S.; See Rule 60A-10.006, F.A.C.

- Ability to read and understand highway signs regulating, warning, and directing traffic;
- Knowledge of the traffic laws of this state pertaining to the class of motor vehicle for which he or she is applying;
- Knowledge of the effects and dangers of driving under the influence of alcohol and controlled substances; and
- Knowledge of any special requirements for the safe operation of the class of vehicle for which he or she is applying to be licensed to operate.

He or she must also perform an actual demonstration of his or her ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle or combination of vehicles of the type covered by the license classification which the applicant is seeking, including an exam of the applicant's ability to perform an inspection of his or her vehicle.<sup>21</sup>

Section 322.36, F.S., prohibits a person from authorizing or knowingly permitting a motor vehicle owned or controlled by him or her to be operated on any highway or public street except by a person authorized to operate a motor vehicle under this chapter. Anyone who violates this provision commits a misdemeanor of the second degree.

#### ***Effect of Proposed Changes***

**Section 6** amends s. 322.12, F.S., to add that an applicant for a CDL who receives unauthorized assistance from another person on the exam that tests his or her knowledge of traffic laws and signage pertaining to the respective class of vehicle commits a misdemeanor of the second degree.

**Section 7** amends s. 322.36, F.S., to add that a person who knowingly or willfully provides unauthorized assistance to an applicant for the CDL exam commits a misdemeanor of the second degree.

### **Southern States Energy Compact Repeal**

#### ***Present Situation***

Section 377.711, F.S., establishes Florida as a member of the Southern States Energy Compact (compact). The compact is performed by the Southern States Energy Board (SSEB). The SSEB is a non-profit interstate compact organization created by state law in 1960 and consented to by Congress<sup>22</sup> with a broad mandate to contribute to the economic and community well-being of the southern region.<sup>23</sup> Its mission is to enhance economic development and the quality of life through innovations in energy and environmental policies, programs, and technologies. The SSEB serves its members directly by providing assistance designed to develop effective energy and environmental policies and programs and represents its members before governmental agencies at all levels.

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<sup>21</sup> Section 322.12(4), F.S.

<sup>22</sup> Public Laws 87-563 and 92-440.

<sup>23</sup> Southern States Energy Board. *About SSEB*. <http://www.sseb.org/about/> (last visited Dec. 1, 2025)

Section 377.712, F.S., provides for Florida's participation on the SSEB, including requiring the Governor, President of the Senate, and Speaker of the House of Representatives to each appoint one member to the SSEB. The section also authorizes departments, agencies, and officers of the state and its subdivisions to cooperate with the SSEB if the activities have been approved by either the Governor or the member appointed by the Governor.

According to the department, Florida has not used and does not anticipate using the services provided by the SSEB. Participating in the compact costs Florida approximately \$45,000 annually.

### ***Effect of Proposed Changes***

**Sections 8, 9, and 10** repeal s. 377.71, F.S., s. 377.711, F.S., and s. 377.712, F.S., respectively. This removes from statute all language referencing the Southern States Energy Compact and Florida's requirement to participate in it.

## **Biosolids Management**

### ***Present Situation***

The proper treatment and disposal or reuse of domestic wastewater is an important part of protecting Florida's water resources. The majority of Florida's domestic wastewater is controlled and treated by centralized treatment facilities regulated by the DEP. Florida has approximately 2,000 permitted domestic wastewater treatment facilities.<sup>24</sup>

When domestic wastewater is treated, solid, semisolid, or liquid residue known as biosolids<sup>25</sup> accumulates in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.<sup>26</sup> Biosolids also include products and treated material from biosolids treatment facilities and septic management facilities regulated by the DEP.<sup>27</sup> The collected residue is high in organic content and contains moderate amounts of nutrients.<sup>28</sup>

The DEP has stated that wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.<sup>29</sup> Biosolids can be disposed of in several ways including placement in a landfill, distribution and marketing as fertilizer, and land application to pasture or agricultural

<sup>24</sup> DEP. *General facts and statistics about wastewater in Florida*, <https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida> (last visited Dec. 1, 2025).

<sup>25</sup> Section 373.4595, F.S., defines biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septic management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids.

<sup>26</sup> DEP. *Domestic wastewater biosolids*. <https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids> (last visited Dec. 1, 2025).

<sup>27</sup> Rule 62-640.200(6), F.A.C..

<sup>28</sup> *Id.*

<sup>29</sup> DEP. (2019). *Biosolids in Florida*. <https://www.florida-stormwater.org/assets/MemberServices/Conference/AC19/02%20-%20Frick%20Tom.pdf#:~:text=Biosolids%20and%20Management%20in%20Florida%20Estimated%20Total%20Production,two-thirds%20are%20beneficially%20used%20and%20one-third%20is%20landfilled> (last visited Dec. 1, 2025).

lands.<sup>30</sup> Biosolids are subject to regulatory requirements established by the DEP to protect public health and the environment.<sup>31</sup>

Land application of biosolids involves spreading biosolids on the soil surface or incorporating or injecting biosolids into the soil at a permitted site.<sup>32</sup> This practice provides nutrients and organic matter to the soil on agricultural land, golf courses, forests, parks, mine reclamation sites, and other disturbed lands. Composted and treated biosolids are used by landscapers and nurseries, and by homeowners for their lawns and home gardens.<sup>33</sup>

The DEP regulates three classes of biosolids for beneficial use: Class AA, Class A, and Class B biosolids.<sup>34</sup> The classes are categorized based on treatment and quality, with Class AA biosolids receiving the highest level of treatment, and Class B receiving the lowest.<sup>35</sup> Treatment of biosolids must reduce pathogens, the attractiveness of the biosolids for pests like insects and rodents, and the amount of toxic metals in the biosolids.<sup>36</sup>

Class AA biosolids can be distributed and marketed like other commercial fertilizers with few further restrictions.<sup>37</sup>

Biosolids are regulated under Rule 62-640 of the Florida Administrative Code. The rules provide minimum requirements, including monitoring and reporting requirements, for the treatment, management, use, and disposal of biosolids. The rules are applicable to wastewater treatment facilities, applicators, and distributors<sup>38</sup> and include permit requirements for both treatment facilities and biosolids application sites.<sup>39</sup>

Each permit application for a biosolids application site must include a site-specific nutrient management plan (NMP) that establishes the specific rates of application and procedures to apply biosolids to land.<sup>40</sup> Biosolids may only be applied to land application sites that are permitted by the DEP and have a valid NMP.<sup>41</sup> Biosolids must be applied at rates established in accordance with the NMP and may be applied to a land application site only if all concentrations of minerals do not exceed ceiling and cumulative concentrations determined by rule.<sup>42</sup> According to the St. Johns Water Management District, application rates of biosolids are determined by crop nitrogen demand, which can often result in the overapplication of phosphorus to the soil and can increase the risk of nutrient runoff into nearby surface waters.<sup>43</sup>

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<sup>30</sup> *Id.*

<sup>31</sup> Rule 62-640, F.A.C..

<sup>32</sup> EPA. *Land application of biosolids*. <https://www.epa.gov/biosolids/land-application-biosolids> (last visited Dec. 1, 2025).

<sup>33</sup> *Id.*

<sup>34</sup> Rule 62-640.200, F.A.C.

<sup>35</sup> *Id.*; DEP. *Domestic wastewater biosolids*.

<sup>36</sup> Rule 62-640.200, F.A.C.

<sup>37</sup> DEP. *Domestic wastewater biosolids*; National Biosolids Data Project. *Florida biosolids*.

<https://www.biosolidsdata.org/florida> (last visited Dec. 1, 2025); Rule 62-640.850, F.A.C.

<sup>38</sup> Rule 62-640.100, F.A.C.

<sup>39</sup> Rule 62-640.300, F.A.C.

<sup>40</sup> Rule 62-640.500, F.A.C.

<sup>41</sup> *Id.*

<sup>42</sup> Rule 62-640.700, F.A.C.

<sup>43</sup> Hoge, V. R., Environmental Scientist IV, St. Johns River Water Management District. *Developing a biosolids database for watershed modeling efforts, abstract available at*

[http://archives.waterinstitute.ufl.edu/symposium2018/abstract\\_detail.asp?AssignmentID=1719](http://archives.waterinstitute.ufl.edu/symposium2018/abstract_detail.asp?AssignmentID=1719) (last visited Dec. 1, 2025).

Once a facility or site is permitted, it is subject to monitoring, record-keeping, reporting, and notification requirements.<sup>44</sup> The requirements are site-specific and can be increased or reduced by the DEP based on the quality or quantity of wastewater or biosolids treated; historical variations in biosolids characteristics; industrial wastewater or sludge contributions to the facility; the use, land application, or disposal of the biosolids; the water quality of surface and ground water and the hydrogeology of the area; wastewater or biosolids treatment processes; and the compliance history of the facility or application site.<sup>45</sup>

The land application of Class A and Class B biosolids is also prohibited within priority focus areas in effect for Outstanding Florida Springs if the land application is not in accordance with a NMP that has been approved by the DEP.<sup>46</sup> The NMP must establish the rate at which all biosolids, soil amendments, and nutrient sources at the land application site can be applied to the land for crop production while minimizing the amount of pollutants and nutrients discharged into groundwater and waters of the state.<sup>47</sup>

Between 2018 and 2024, the number of biosolids land application sites decreased by about 40%. Florida Class AA and Class B biosolids are also marketed and distributed out of state.<sup>48</sup>

Section 403.0855, F.S., provides legislative findings and requires the DEP to adopt rules for biosolids management. The statute requires all biosolids application sites to meet the DEP rules in effect at the time of the renewal of the biosolids application site permit or facility permit, effective July 1, 2020. Permittees applying Class A or Class B biosolids shall ensure a minimum unsaturated soil depth of 2 feet between the depth of biosolids placement and the water table level at the time of application. Permittees shall also be enrolled in the Department of Agriculture and Consumer Services best management practices program or be within an agricultural operation enrolled in the program for the applicable commodity type.

### ***Effect of Proposed Changes***

**Section 11** amends s. 403.0855, F.S., to require that permittees of a biosolids land application site permitted after July 1, 2020, shall ensure that only Class AA biosolids are applied to the soil. This section also removes the requirement that rules adopted by the department pursuant to this section be ratified by the Legislature.

## **Obstructing Inspection**

### ***Present Situation***

The Division of Food Safety is directly responsible for assuring the public of a safe, wholesome and properly represented food supply. It accomplishes this through the permitting and inspection of food establishments, inspection and evaluation of food products, and the performance of specialized laboratory testing on a variety of food products sold and/or produced in Florida.<sup>49</sup>

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<sup>44</sup> Rule 62-640.650, F.A.C.

<sup>45</sup> *Id.*

<sup>46</sup> Section 373.811(4), F.S.

<sup>47</sup> *Id.*

<sup>48</sup> Email from DEP On File with Senate Agriculture Committee

<sup>49</sup> See <https://www.fdacs.gov/Divisions-Offices/Food-Safety> (last visited Dec. 1, 2025)

Section 500.147, F.S., authorizes the department to have free access at all reasonable hours to any food establishment, any food records, or any vehicle being used to transport or hold food in commerce for the purpose of inspection or sampling.

Section 500.04, F.S., prohibits refusal to permit entry or inspection, or to permit the taking of a sample, as authorized by s. 500.147, F.S.

According to the department, the Division of Food Safety has reported experiences of food establishments obstructing inspection by creating inhospitable conditions for inspectors that make inspection difficult to perform.

#### ***Effect of Proposed Changes***

**Section 14** amends s. 500.04, F.S., to add obstruction to the prohibited acts involving permitting entry or inspection or sample taking as authorized by s. 500.147, F.S.

**Section 46** reenacts s. 500.177, F.S., related to the penalty for violation of s. 500.04, F.S., for the purpose of incorporating the amendments made by the bill to s. 500.04, F.S.

#### **Healthy Food Financing Initiative**

##### ***Present Situation***

In 2016, the Florida Legislature directed the department to establish a Healthy Food Financing Initiative Program (program) to provide financial assistance for the rehabilitation or expansion of grocery retail outlets located in underserved or low-income communities.<sup>50</sup> The department was directed to draw upon and coordinate the use of federal, state, and private loans or grants, federal tax credits, and other types of financial assistance. The goal of the program is to improve public health and well-being of low-income children, families, and older adults by increasing access to fresh produce and other nutritious foods at participating grocery outlets that are required to allocate at least 30 percent of their retail space to the sale of perishable foods, which may include fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish.<sup>51</sup>

For the 2016-2017 fiscal year, \$500,000 in nonrecurring funds was appropriated to the department to implement the program.<sup>52</sup>

##### ***Effect of Proposed Changes***

**Section 15** repeals s. 500.81, F.S., the Healthy Food Financing Initiative.

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<sup>50</sup> Section 500.81, F.S.

<sup>51</sup> Section 500.81, F.S.

<sup>52</sup> Chapter 2016-221, Laws of Florida.

## Product Mislabeling

### *Present Situation*

Section 500.93, F.S., provides definitions for “egg,” “egg product,” “FDA,” “meat,” “milk,” and “poultry” or “poultry product” to align with the federal definitions. The statute grants the department rulemaking authority to enforce the FDA’s standard of identity for milk, eggs, egg products, meat, poultry, and poultry products and prohibit the sale of plant-based products mislabeled as milk, eggs, egg products, meat, poultry, and poultry products in the state. It 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, eggs, egg products, meat, poultry, and poultry products by any 11 of the group of 14 states identified in statute.<sup>53</sup>

The statute requires the department to notify the Division of Law Revision upon the enactment into law of mandatory labeling requirements by any 11 of the group of 14 states identified in statute.<sup>54</sup>

### *Effect of Proposed Changes*

**Section 16** amends s. 500.93, F.S., to add in a cross reference previously omitted.

## Health Studio Registration Exemptions

### *Present Situation*

The Health Studio Act, ss. 501.012-501.019, F.S., regulates health studios that enter into contracts for health studio services with consumers. “Health studios” includes, among other things, a gym that offers its members the use of weight-training and cardiovascular equipment. The act requires studios to:

- Register with the department;
- Include specific provisions in every contract with a consumer, such as the consumer’s total payment obligations, and cancellation provisions;
- Provide a security bond, generally ranging from \$10,000 to \$25,000, depending on the value of outstanding contracts with the studio; and
- Refrain from prohibited practices, such as committing an intentional fraud.

The following health studios or health-related businesses are exempt from registration with the department:<sup>55</sup>

- Nonprofit organizations that have tax-exempt status with the Internal Revenue Service;
- Gymnastics schools that engage in instruction and training only;
- Golf, tennis, or racquetball clubs that do not offer physical exercise equipment;

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<sup>53</sup> The 14 states are composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

<sup>54</sup> *Id.*

<sup>55</sup> Sections 501.0125-.013, F.S.

- A program or facility offered and used solely for the purpose of dance, aerobic exercise, or martial arts that does not use physical exercise equipment;
- Country clubs that primarily provide social or recreational amenities to its members; and
- A program or facility offered by an organization for the exclusive use of its employees and their family members.

Changes in the health studio industry have created additional types of businesses not contemplated at the creation of the statute which bear similarities to the types of businesses exempt under s. 501.013, F.S.

#### *Effect of Proposed Changes*

**Section 17** amends s. 501.013, F.S., to add that the department may exempt any other businesses or activities not in existence as of July 1, 2026, from ss. 501.012-501.019, F.S.

### **Unauthorized Commercial Solicitation**

#### *Present Situation*

Section 501.022, F.S., prohibits home solicitation sales, as defined in s. 501.021, F.S., without first obtaining a valid home solicitation sale permit. Violation of this statute is a first-degree misdemeanor. Some local ordinances in Florida impose further restrictions on home solicitation sales. For example, Leon County prohibits such solicitation on properties that display the locally-required “No Solicitation,”<sup>56</sup> the town of Palm Beach prohibits such solicitation outside of specified hours and on properties that display a “No Solicitation,”<sup>57</sup> and the city of Belle Isle<sup>58</sup> prohibits such solicitation outside of specified hours.<sup>59</sup>

#### *Effect of Proposed Changes*

**Section 18** creates s. 501.062, F.S., to provide legislative intent and prohibit commercial solicitation on properties that comply with “no commercial solicitation” signage requirements as provided in the section. The section also provides penalties for violation, including a noncriminal violation punishable with a \$500 fine for the first violation and a second-degree misdemeanor for a second or subsequent violation.

### **Departmental Reorganization Powers**

#### *Present Situation*

Section 20.04, F.S., outlines the required structure of the executive branch of state government. Subsection 20.04(7), F.S., states that unless authorized by law, department heads may not reallocate duties and functions specifically assigned by law to a specific unit of the department, but they can do so for duties and functions assigned generally to the department. Department

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<sup>56</sup> Chapter 12, Article IV, Sec. 12-82, Leon County Code of Laws.

<sup>57</sup> Chapter 78, Article I, sec. 78-1, Palm Beach, Florida, Code of Ordinances.

<sup>58</sup> Ch. 20, sec. 20-2, see

[https://library.municode.com/fl/belle\\_isle/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH20PESO\\_S20-4PROBSOPE](https://library.municode.com/fl/belle_isle/codes/code_of_ordinances?nodeId=PTIICOOR_CH20PESO_S20-4PROBSOPE)  
(last visited Dec. 1, 2025)

<sup>59</sup> Chapter 20, sec. 20-2, Belle Isle, Florida, Code of Ordinances.

heads may recommend the establishment of additional units, but additional divisions may only be established by statutory enactment, while other units may be initiated by the department and established as recommended by the Department of Management Services and approved by the Executive Office of the Governor, or by statutory enactment.

Section 570.07, F.S., outlines the functions, powers, and duties of the department.

#### ***Effect of Proposed Changes***

**Section 19** amends s. 570.07, F.S., to add that the department shall have the functions, powers, and duties to reorganize departmental units upon approval of the commissioner, notwithstanding s. 20.04(7), F.S.

### **Agriculture and Aquaculture Producers Emergency Recovery Loan Program**

#### ***Present Situation***

The Agriculture and Aquaculture Producers Emergency Recovery Loan Program, established by s. 570.822, F.S., makes loans to agriculture and aquaculture producers that have experienced damage or destruction from a declared emergency. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property.

Under the program, the department is authorized to make low-interest or interest-free loans of up to \$500,000 to eligible applicants. An approved applicant may receive no more than one loan per declared disaster, two loans per year, and five loans within any three-year period. The term of each loan is 10 years.

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 a 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.<sup>60</sup>

#### ***Effect of Proposed Changes***

**Section 20** amends s. 570.822, F.S., to add that eligible applicants for the program must be a United States citizen and a legal resident of this state before or on the date of the declared emergency. If the applicant is an entity as defined in s. 605.0102, F.S., it must be wholly owned and operated in the United States and have an active certificate of status issued by the Department of State pursuant to chapter 605, F.S.

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<sup>60</sup> Section 570.822(3), F.S.

## Florida Native Seeds

### ***Present Situation***

Wildflowers are recognized as essential to Florida's ecological health, economy, and natural beauty. The Florida Wildflower Foundation protects, connects, and expands native wildflower habitats through education, research, planting, and conservation.<sup>61</sup>

### ***Effect of Proposed Changes***

**Section 21** creates s. 570.832, F.S., which directs the Florida Wildflower Foundation to coordinate with the department to establish the Florida Native Seed Research and Marketing Program. The goal of the program is to conduct research designed to expand the availability and uses of native seeds and strengthen the market position of the state's native seed industry through marketing campaigns.

## Food Animal Veterinary Medicine Loan Repayment Program

### ***Present Situation***

Florida has experienced a shortage of food animal veterinarians caring for livestock and food animals, particularly in rural areas. Nationally, over 72% of new veterinary graduates go into companion animal practices, with average starting salaries of \$140,000, while around 3% of new graduates pursue food animal practice, with starting salaries averaging \$100,000.<sup>62</sup> Student loan debt can be a major factor driving new graduates to companion animal practice rather than food animal practice. Having a greater number of food animal veterinarians working in the state can help ensure animal health, food safety, and sufficient emergency response during disease outbreaks.

The federal Veterinary Medicine Loan Repayment Program, authorized by the National Veterinary Medical Services Act<sup>63</sup> and administered by the United States Department of Agriculture (USDA), provides veterinary medicine education loan repayments of up to \$40,000 per year for veterinarians who provide agricultural animal veterinary services in a designated veterinary shortage area.<sup>64</sup>

### ***Effect of Proposed Changes***

**Section 22** creates s. 570.846, F.S., to establish the Food Animal Veterinary Medicine Loan Repayment Program. The bill authorizes the department to make payments that offset loans incurred for studies leading to a veterinary degree with a specialization in food animal veterinary medicine. The department may make payments of up to \$25,000 each year for up to 5 years for

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<sup>61</sup> See Florida Wildflower Foundation, *What We Do*, available at <https://www.flawildflowers.org/what-we-do/> (last visited December 3, 2025).

<sup>62</sup> Larkin, M, (2025, October 15). American Veterinary Medical Association. *Inflation continues to dampen gains in veterinarian salaries, fewer new grads entering full time employment.* <https://www.avma.org/news/inflation-continues-dampen-gains-veterinarian-salaries-fewer-new-grads-entering-full-time> (last visited Dec. 1, 2025)

<sup>63</sup> National Veterinary Services Act, Public Law No. 108-61, 117 Stat. 2014 (2003).

<https://www.congress.gov/108/plaws/publ161/PLAW-108publ161.pdf> (last visited Dec. 1, 2025).

<sup>64</sup> USDA. *The Veterinary Medicine Loan Repayment Program.* <https://www.nifa.usda.gov/grants/programs/veterinary-medicine-loan-repayment-program> (last visited Dec. 1, 2025)

up to three new eligible candidates. To be eligible, a candidate must have graduated from a college of veterinary medicine accredited by the American Veterinary Medical Association, have received a Florida veterinary medical license, have obtained a Category II Accreditation from the USDA, and be a practicing food animal veterinarian in this state who cares for food animals at least 20 hours per week. Candidates are ineligible if they are also receiving financial assistance from the federal Veterinary Medicine Loan Repayment Program as established in 7 U.S.C. part 3151a. The department may adopt any rules necessary to administer the program.

### **Limited Poultry Producer Annual Bird Limit**

#### ***Present Situation***

Section 583.01, F.S., currently defines the term “dealer” to mean any person, firm, or corporation, including a producer, processor, retailer, or wholesaler, that sells, offers for sale, or holds for the purpose of sale in this state 30 dozen or more eggs or its equivalent in any one week, or more than 384 dressed birds in any one week. The definition creates limited sale poultry requirements to benefit operators of small poultry farms, to provide a level of economic and regulatory relief relative to production and sale of limited poultry. Florida Administrative Code 5K-4.033 further defines a “Limited Poultry and Egg Farm Operation” as limited to 20,000 birds annually.

At the federal level, Public Law 90-492, known as the Poultry Product Inspection Act (PPIA), exempts poultry producers who slaughter or process the products of 20,000 poultry birds or fewer from certain inspection requirements of the act.<sup>65</sup>

#### ***Effect of Proposed Changes***

**Section 23** amends s. 583.01, F.S., to change the dressed bird limit of a poultry “dealer” from 384 birds weekly<sup>66</sup> to 20,000 birds annually. This change will align state law with federal law.

### **Florida Forest Service Training Centers**

#### ***Present Situation***

Florida Forest Service (FFS) has the primary responsibility for the prevention, detection, and suppression of wildfires wherever they may occur. It must provide firefighting crews and develop a training curriculum for forestry firefighters.

Section 590.02, F.S., grants the FFS the authority to pay the cost of the initial CDL exam fee for employees whose position requires them to operate equipment requiring a license, but does not include the cost of CDL renewal. The FFS employs more than 1,250 people in more than 90 job classes. The FFS had 20 different job classes that require a Class A or B CDL as a condition of employment, as of 2018. The Department of Financial Services prohibits the use of public funds to pay license or exam fees under Chapter 69I-40.002(23), F.A.C., unless specifically authorized by law.

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<sup>65</sup> 21 U.S.C. § 464. (2020).

<sup>66</sup> 384 birds weekly adds up to 19,968 birds annually.

### ***Effect of Proposed Changes***

**Section 24** amends s. 590.02, F.S., to add the Welaka Training Center as a site that the FFS may operate to train fire and forest resource managers, and adds that the FFS may determine and assess appropriate fees to meet its operational costs and grant free meals, room, and scholarships, regardless of the location of the training.

The bill also adds CDL renewal costs to the CDL costs paid by the FFS.

### **Farmers Feeding Florida Program**

#### ***Present Situation***

The Farmers Feeding Florida Program (program) was temporarily created during the 2025 legislative session and funded through the General Appropriations Act.<sup>67</sup> The bill permanently codifies this temporary program. The program provides funding and authority to Feeding Florida to purchase, transport, and distribute non-Emergency Food Assistance Program (non-TEFAP) fresh food products for the benefit of food insecure residents. The program supports Florida farmers while connecting them to families in need. In Florida, the USDA found that 12% of households were food insecure in 2023,<sup>68</sup> while Feeding America estimates that 3.2 million Floridians were food insecure that year.<sup>69</sup>

The Emergency Food Assistance Program (TEFAP) is a USDA U.S.-grown food distribution program for low-income households that is administered in Florida by the department. The Farmers Feeding Florida Program distributes fresh food outside of TEFAP food.

### ***Effect of Proposed Changes***

**Section 25** creates s. 595.421, F.S., to establish the Farmers Feeding Florida Program to coordinate with Feeding Florida or its successor entity to acquire, transport, and distribute non-TEFAP fresh food products for the benefit of residents who are food insecure due to a lack of local food resources, accessibility, and affordability. Feeding Florida shall submit monthly reports to the department detailing the amount of food purchased, itemized by commodity type, and purchase and delivery locations and dates. Feeding Florida shall also submit quarterly reports to the legislative appropriations committees detailing the amount of food distributed, itemized by commodity type, and the distribution locations. Foods purchased by Feeding Florida through the program are restricted to charitable purposes for hunger relief and may not reenter the wholesale, retail, or secondary markets. The bill also restricts Feeding Florida from allowing an opposed candidate for elective office to host a food distribution non-emergency event during the election season.

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<sup>67</sup> Chapter 2025-198, Laws of Florida

<sup>68</sup> Rabbitt, M. P., Reed-Jones, M., Hales, L. J., & Burke, M. P. (2024). *Household food security in the United States in 2023*. USDA. <https://ers.usda.gov/sites/default/files/laserfiche/publications/109896/ERR-337.pdf?v=39293> (last visited Nov. 25, 2025)

<sup>69</sup> Feeding America. <https://map.feedingamerica.org/county/2023/overall/florida> (last visited Nov. 25, 2025)

## Aquaculture Process Modernization

### *Present Situation*

The Florida Aquaculture Policy Act established that aquaculture is agriculture and consolidated state regulatory responsibilities under the department. Florida's aquaculture industry produces the greatest variety of aquatic species of any state in the nation. Moreover, aquaculture is Florida's most diverse agribusiness. The state's subtropical climate, extensive marine and freshwater resources, cargo shipping infrastructure, and extensive coastline have made the state's aquaculture industry uniquely diverse. There are approximately 1,000 certified aquaculture farms in Florida, located in every region of the state, which produce an estimated 1,500 varieties of fish, aquatic plants, mollusks, crustaceans, turtles, amphibians, and alligators for ornamental, food and bait markets as well as for sporting, conservation, and educational purposes.<sup>7071</sup>

Sovereign submerged lands are lands in Florida that include tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters.<sup>72</sup> To conduct aquaculture activities on sovereign submerged lands in Florida, an individual must obtain a lease from the Board of Trustees.<sup>73</sup> The department accepts and reviews applications and provides recommendations to the Board of Trustees. The Board of Trustees may approve, approve with modifications, or deny the application.<sup>74</sup>

An individual engaging in aquaculture must obtain an aquaculture certificate of registration from the department.<sup>75</sup>

### *Effect of Proposed Changes*

**Section 26** amends s. 597.004, F.S., to restrict the department from renewing a certificate of registration for a facility that is not compliant with this section unless the renewal application includes documentation of corrective action, and to impose a 3-year reapplication waiting period for revoked or suspended certificates of registration. The bill also updates the scientific name of the Florida bass to *Micropterus salmoides*.

**Section 27** amends s. 597.010, F.S., to allow, rather than obligate, the department to adjust annual rental fees for leases.

## Florida Wine Trust Fund

### *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

<sup>70</sup> See <https://www.fdacs.gov/content/download/91723/file/FDACS-P-02145-2020FLAquacultureIndustryOverview.pdf> (last visited Dec. 1, 2025).

<sup>71</sup> Ch. 597, F.S.

<sup>72</sup> Rule 18-21.003(67), F.A.C.; s. 253.03(1), F.S.

<sup>73</sup> Sections 253.68 and 597.010, F.S.

<sup>74</sup> Rule 18-21.021(1)(q), F.A.C.

<sup>75</sup> Section 597.004(1), F.S.

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.<sup>76</sup>

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 expertises 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.<sup>77</sup>

The Florida Viticulture Policy Act creates the Florida Wine Advisory Council, State Wine Plan, Florida Farm Winery Program, and Florida Wine Trust Fund to support the wine and viticulture industries in Florida.<sup>78</sup>

### ***Effect of Proposed Changes***

**Section 28** amends s. 599.012, F.S., to make conforming changes replacing “viticulture” with “wine” as the products promoted by the Florida Wine Trust Fund, and adding “wine” to the topics of research for which the Florida Wine Trust Fund can provide grants.

## **Public Fair Charter and Permitting Process Modernization**

### ***Present Situation***

The Legislature first passed laws for the purpose of regulating state fair associations and operations by enacting ch. 7388, L.O.F, in 1917. In 1974, the Legislature enacted ch. 74-322, L.O.F., which created the Florida State Fair Authority to deal exclusively with the staging of the annual state fair in Tampa, Florida. The last major changes to the statute occurred when the statute was reviewed in 1993 under provisions of the Regulatory Sunset Act. At that time, it was revised and reenacted by the provisions of ch. 93-168, L.O.F.

Currently there is no mechanism in statute for the denial or remediation of fair charter applications. Applicants must record the proposed charter with the judge of the circuit court for the county in which the principal office of the association will be located. Applicants are also required to publish a notice of intention to apply in a local newspaper for four consecutive weeks, and to publish any amendments to their charter in the same manner. A fair association approved by the board of county commissioners is required to submit its charter and any

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<sup>76</sup> Section 599.001 F.S.

<sup>77</sup> *Id*

<sup>78</sup> Chapter 599, F.S.

amendments to the circuit judge of the county where its principal office is located and to file a copy with the department.

The department is required to issue a permit within 10 days after the permit application requirements have been fulfilled.

***Effect of Proposed Changes***

**Section 29** amends s. 616.001, F.S., to remove the definitions of community, county, district, regional, and state fairs, which are included under “annual public fair.” The removal of these definitions also removes the requirements that the agricultural products of each fair be produced in or be typical of its respective geographic area, and that the majority of the board of directors of each fair shall reside, be employed, or operate a business in its respective geographic area. It removes the requirement that district fairs pay at least \$25,000 in cash premiums or awards to exhibitors, and that district fairs have exhibits representing basic resources in agriculture and industry of each county served by the fair. It also retains the definition “public fair or exposition” to include that it benefits and develops the educational agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific, and other resources of this state, or any county, municipality, or other community in this state.

**Section 30** amends s. 616.01, F.S., to remove the minimum requirement of 25 persons to incorporate a fair association. The bill also creates a mechanism for denial of applications and a process for remediation before resubmission. It also requires the proposed charter submitted by approved applicants to be notarized. The bill adds requirements for the proposed charter to include provision for ex officio membership, the name of an elected member of the board of county commissioners who will serve as an ex officio member of the board of directors of the association, the official email address of the association, and the language for the oath that the applicant will take.

**Section 31** amends s. 616.02, F.S., to limit the number of incorporated fair associations per county to one, excluding the state fair and fair associations incorporated before the bill effective date. The department may not approve a charter incorporating a new fair association in a county where one already exists, except at the discretion of the Commissioner of Agriculture.

**Section 32** amends s. 616.03, F.S., to remove the requirement that a fair association applicant send a notice to the department of the intention to apply to the circuit court for the charter, that the notice be published in a newspaper in the county of the association each week for four consecutive weeks, that the notice briefly summarize the charter and objectives of the proposed association, and that the proposed charter be on file in the office of the clerk of the circuit court during the publication period. The proposed charter must first be approved by the department before being submitted to the board of county commissioners of the county where the principal office of the association will be located.

**Section 33** amends s. 616.05, F.S., to remove the public notice requirement for association charter amendments that was removed for proposed charters in section 31.

**Section 34** amends s. 616.051, F.S., to remove the public notice requirement for dissolving a fair association and to allow that remaining assets be distributed to the county in which the principal office of the association is located, unless otherwise specified by the property deed.

**Section 35** amends s. 616.07, F.S., to remove the requirement for remaining assets of a dissolved association to be distributed to any county or municipality, and to remove the provision allowing the board of directors to designate the public project that will benefit from the funds or the manner in which the property will be used. It also removes the requirement that property contributed by a municipality or county be reconvened to that respective municipality or county.

**Section 36** amends s. 616.101, F.S., to clarify that the threshold of annual attendance of 25,000 is based on recorded attendance from the previous year, and that a new fair association must follow the financial reporting requirements of a fair association whose fair has an annual attendance of 25,000 or fewer. It also adds the requirement that a fair association review its charter every 5 years and submit a certified copy to the department that incorporates any amendment made in the last 5 years. A designated member of the association shall attest that the submitted charter is accurate and factual.

**Section 37** amends s. 616.15, F.S., to clarify that the application for a permit for the annual public fair shall be submitted to the department at least 90 days, rather than 3 months, before the fair. It adds the requirements that the permit applicant provide a copy of the association's charter which incorporates all amendments made and a complete listing of all exhibits required. It removes the requirement that the applicant provide a written statement subscribed by an association officer that the main purpose of the association is to conduct a public fair for the benefit of the resources of the geographic area represented by the fair. It removes several requirements for the permit application and adds them to requirements to be sent to the department 21 days before the fair: proof of liability insurance of at least \$300,000 per occurrence, a copy of the association's most recent annual financial statement, and a list of all current members of the board of directors of the association and their contact information.

**Section 38** amends s. 616.251, F.S., to exempt the Florida State Fair Authority from part I of this chapter.

**Section 43** amends s. 288.1175, F.S., regarding certified agriculture education and promotion facilities, to update the statutes referencing fair associations to be consistent with the changes made by this bill.

**Section 47** reenacts s. 212.08(13), F.S., related to limitations on exemptions to sales, rental, use, consumption, distribution, and storage tax, for the purpose of incorporating amendments made by the bill to s. 616.07, F.S.

**Section 47** reenacts s. 616.185, F.S., related to trespass on public fair grounds or facilities, for the purpose of incorporating amendments made by the bill to s. 616.15, F.S.

## Unlawful Use of Badges and Concealed Weapon Permit

### *Present Situation*

Section 843.08, F.S., punishes false personation of a law enforcement officer or other specified person. A person commits a false personation offense if he or she falsely assumes or pretends to be a law enforcement officer or other person specified in the statute and takes upon himself or herself to act as such or to require any other person to aid or assist him or her in a matter pertaining to the duty of any specified person.

Section 843.085(1) and (5), F.S., provides that it is a first degree misdemeanor to wear or display any authorized indicia of authority, including any badge, insignia, emblem, identification card, or uniform, or any colorable imitation thereof, of any federal, state, county, or municipal law enforcement agency, or other criminal justice agency, with the intent to mislead or cause another person to believe that he or she is a member of the agency or is authorized to wear or display the item containing the indicia or related words, unless appointed by the Governor pursuant to chapter 354, F.S., authorized by the appropriate agency, or displayed in a closed or mounted case as a collection or exhibit.

### *Effect of Proposed Changes*

**Section 39** amends s. 843.085, F.S., to add “concealed weapon permit” or “concealed weapon permitholder” to the list of words a person is prohibited from wearing or displaying with the intention to mislead or cause another person to believe that he or she is a member of the agency or is authorized to wear or display the item containing the words. Violation of this prohibition is a misdemeanor of the first degree.

## Disparagement of Agricultural Food Products

### *Present Situation*

Section 865.065, F.S., provides that the legislature finds, determines, and declares that the production of agricultural food products constitutes an important and significant portion of the state economy and that it is imperative to protect the vitality of the agricultural economy for the citizens of this state by providing a cause of action for agricultural producers to recover damages for the disparagement of any perishable agricultural product.<sup>79</sup> Current law provides that any producer or any association representing producers of perishable agricultural food products which suffers damages as a result of another person’s disparagement of any such product may bring an action for damages and any other relief a court deems appropriate.<sup>80</sup>

### *Effect of Proposed Changes*

**Section 40** amends s. 865.065, F.S., to remove the word “perishable” from the agricultural food products for which agricultural producers can seek to recover damages for disparagement. It also adds that the term “agricultural food product” includes any agricultural practices used in the production of such products. It adds attorney fees and costs of the action to the damages and other relief a court may deem appropriate for the disparagement.

<sup>79</sup> Section 865.065(1), F.S.

<sup>80</sup> Section 865.065(3), F.S.

## Signal Jamming Devices

### ***Present Situation***

Chapter 934, F.S., governs the security of electronic and telephonic communications. Although most provisions in the chapter relate to law enforcement officers' and communication professionals' actions and limitations, some apply just as well to average citizens. One such provision is s. 934.03(4), F.S., which contains criminal offenses and corresponding penalties for intercepting another's oral communication unless the chapter contains an exception.<sup>81</sup>

Section 934.04, F.S., prohibits the manufacture, distribution, or possession of wire, oral, or electronic communication intercepting devices. Violation of this section is a third-degree felony. Section 843.165, F.S., prohibits knowingly transmitting jamming devices or jamming transmissions over radio frequencies assigned by the Federal Communications Commission (FCC) to a state, county, or municipal governmental agency or water management district, or jamming radio transmissions made by volunteer communications personnel of such agencies or any public or private emergency medical services provider, unless authorized to do so. Violation of this section is a first-degree misdemeanor.

At the federal level, the FCC regulates the use of signal jamming devices. U.S. code 47, section 302a grants the FCC the authority to regulate radio frequency interference.<sup>82</sup> It prohibits the use, manufacture, import, sale, or shipment of devices that can interfere with radio communications, except as authorized. It does not, however, explicitly prohibit "possession" of such devices.

### ***Effect of Proposed Changes***

**Section 41** amends s. 934.02, F.S., to add the definition of "signal jamming device" to mean a device or process designed to intentionally interfere with radio communications, police radar, or global positioning systems.

**Section 42** creates s. 934.51, F.S., to prohibit the possession, use, manufacture, import, sale, holding for sale, or distribution of signal jamming devices, with the exception of federal or military law enforcement when used lawfully as part of a criminal investigation, or any person authorized by the FCC. Violation of this section constitutes a first-degree misdemeanor.

**Section 49** provides that the bill shall take effect July 1, 2026.

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<sup>81</sup> The prohibition located in s. 934.03(1), F.S., against intentionally intercepting, endeavoring to intercept, or procuring any other person to intercept or endeavor to intercept any wire, oral, or electronic communication, is punishable as a third-degree felony. Section 934.03(4), F.S. 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. Note that s. 934.41, F.S., contains an alternative fine under limited circumstances.

<sup>82</sup> 47 U.S.C. § 302a (2021).

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

Sections 1 and 2 prohibit local governments from enacting or enforcing ordinances related to gasoline-powered agriculture and landscape equipment.

**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:**

The bill could result in more biosolids to be converted to Class AA biosolids and would prohibit the current practice of land application of Class A and B biosolids.

The bill expands the types of foods for which producers can bring lawsuits for damages from disparagement and adds attorney fees and costs of the action to the damages they can claim.

**C. Government Sector Impact:**

The department may incur administrative costs in order to implement the bill.

Additionally:

- The bill may restrict counties and municipalities from imposing fines or fees for the use of gasoline-powered farm equipment or gasoline-powered landscape equipment on farms. The fiscal impact on county and municipal governments is indeterminate, but likely to be insignificant.
- The state will no longer be required to spend \$45,000 annually to be a member of the Southern States Energy Compact.

- There is likely a negative fiscal impact to both the public and private sectors to meet the requirements of the new provisions relating to biosolids. There may be a long-term positive fiscal impact as a result of reduced cleanup costs and reduced damage to the natural systems associated with more rigorous land application requirements.

## **VI. Technical Deficiencies:**

None.

## **VII. Related Issues:**

### **Biosolids Management**

The changes made to the management of biosolids would benefit from further clarification, including providing certain definitions, the consideration of whether DEP rules should be codified, and the specification of whether the new regulations apply to new or renewed permits after the effective date of the bill.

### **Food Animal Veterinary Medicine Loan Repayment Program**

The bill does not specify the types of loans that can be offset, except “for studies leading up to a veterinary degree with a specialization in food animal veterinary medicine.” The bill authorizes the program for up to three new eligible candidates annually but does not provide application or selection requirements. Additionally, it is unclear whether the \$25,000 a year is per candidate or for the program in total.

### **Public Fair Charter and Permitting Process Modernization**

It is unclear whether Section 30 allows new associations to be formed in counties where any associations currently exist.

## **VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 253.0341, 259.1053, 287.1351, 288.1175, 322.12, 322.36, 403.0855, 489.105, 500.04, 500.93, 501.013, 570.07, 570.822, 583.01, 590.02, 597.004, 597.010, 599.012, 616.01, 616.02, 616.03, 616.05, 616.051, 616.07, 616.001, 616.101, 616.15, 616.251, 843.085, 865.065, and 934.02.

This bill creates the following sections of the Florida Statutes: 125.489, 166.036, 489.1295, 501.062, 570.832, 570.846, 595.421, and 934.51.

This bill repeals the following sections of the Florida Statutes: 377.12, 377.71, 377.711, and 500.81.

This bill reenacts the following sections of the Florida Statutes: 212.08, 287.056, 287.138, 500.177, and 616.185.

**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 December 2, 2025:**

The CS clarifies that the changes made to s. 253.0341, F.S., apply to lands determined to be suitable for bona fide agricultural purposes on or after January 1, 2024, and not that the subsection is retroactive to that date. The CS also creates the Florida Native Seed Research and Marketing Program.

B. **Amendments:**

None.

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

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LEGISLATIVE ACTION

Senate

House

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

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Section 125.489, Florida Statutes, is created to  
6 read:

7                   125.489 Preemption of restrictions on gasoline-powered farm  
8 equipment or gasoline-powered landscape equipment.—

9                   (1) As used in this section, the term:

10                   (a) “Gasoline-powered farm equipment” means any machine



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11 powered by an internal combustion engine or motor that uses  
12 gasoline, diesel, or a blend of gasoline and oil which is used  
13 on a farm or used to transport farm products.

14 (b) "Gasoline-powered landscape equipment" means any  
15 machine powered by an internal combustion engine or motor that  
16 uses gasoline, diesel, or a blend of gasoline and oil which is  
17 used to provide landscape management or maintenance or to move  
18 leaves, dirt, grass, or other debris off of sidewalks,  
19 driveways, lawns, or other surfaces.

20 (2) A county may not enact or enforce a resolution, an  
21 ordinance, a rule, a code, or a policy or take any action that  
22 restricts or prohibits the use of gasoline-powered farm  
23 equipment or gasoline-powered landscape equipment and may not  
24 create differing standards for such equipment or distinguish  
25 such equipment from any electric or similar equipment in a  
26 retail, manufacturer, or distributor setting.

27 (3) This section does not prohibit or limit a county from  
28 encouraging the use of alternative farm or landscape equipment,  
29 such as battery-powered farm or landscape equipment.

30 Section 2. Present subsections (18) through (30) and (31)  
31 through (54) of section 163.3164, Florida Statutes, are  
32 redesignated as subsections (19) through (31) and (33) through  
33 (56), respectively, and new subsections (18) and (32) are added  
34 to that section, to read:

35 163.3164 Community Planning Act; definitions.—As used in  
36 this act:

37 (18) "Ecologically significant parcel" means a parcel of  
38 land located within the boundaries of a low-density municipality  
39 which is currently undeveloped and has been designated as either



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40 rural, conservation, agricultural, or greenspace as provided by  
41 a local government comprehensive plan developed pursuant to s.  
42 163.3177.

43 (32) "Low-density municipality" means a municipality  
44 existing on or before January 1, 2025, which is less than 2,500  
45 acres in total size and contains a population of 5,000 or fewer  
46 legal residents.

47 Section 3. Present subsection (7) of section 163.3202,  
48 Florida Statutes, is redesignated as subsection (8), and a new  
49 subsection (7) is added to that section, to read:

50 163.3202 Land development regulations.—

51 (7) (a) Notwithstanding any ordinance to the contrary, an  
52 application for a development on an ecologically significant  
53 parcel in a low-density municipality may not be administratively  
54 approved without an attestation provided by the developer, under  
55 penalty of perjury, to the low-density municipality which states  
56 that the development will not exceed a maximum density of 1  
57 residential unit per 20 acres.

58 (b) This subsection does not apply to applications for the  
59 construction of residential units on an ecologically significant  
60 parcel for the express purpose of providing housing for family  
61 members of the applicant. However, the applicant must provide an  
62 attestation, under penalty of perjury, to the low-density  
63 municipality which states that the residential units being  
64 constructed will be used for such express purpose before the  
65 administrative approval of an application for development.

66 (c) The density requirements provided in this subsection  
67 may be waived upon a resolution approved by a unanimous vote of  
68 the commission or council of the low-density municipality.



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69       Section 4. Section 166.063, Florida Statutes, is created to  
70 read:

71       166.063 Preemption of restrictions on gasoline-powered farm  
72 equipment or gasoline-powered landscape equipment.—

73       (1) As used in this section, the term:

74       (a) "Gasoline-powered farm equipment" means a machine  
75 powered by an internal combustion engine or motor that uses  
76 gasoline, diesel, or a blend of gasoline and oil which is used  
77 on a farm or used to transport farm products.

78       (b) "Gasoline-powered landscape equipment" means any  
79 machine powered by an internal combustion engine or motor that  
80 uses gasoline, diesel, or a blend of gasoline and oil which is  
81 used to provide landscape management or maintenance or to move  
82 leaves, dirt, grass, or other debris off of sidewalks,  
83 driveways, lawns, or other surfaces.

84       (2) A municipality may not enact or enforce a resolution,  
85 an ordinance, a rule, a code, or a policy or take any action  
86 that restricts or prohibits the use of gasoline-powered farm  
87 equipment or gasoline-powered landscape equipment and may not  
88 create differing standards for such equipment or distinguish  
89 such equipment from any electric or similar equipment in a  
90 retail, manufacturer, or distributor setting.

91       (3) This section does not prohibit or limit a municipality  
92 from encouraging the use of alternative farm or landscape  
93 equipment, such as battery-powered farm or landscape equipment.

94       Section 5. Paragraph (d) of subsection (2) of section  
95 212.055, Florida Statutes, is amended to read:

96       212.055 Discretionary sales surtaxes; legislative intent;  
97 authorization and use of proceeds.—It is the legislative intent



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98 that any authorization for imposition of a discretionary sales  
99 surtax shall be published in the Florida Statutes as a  
100 subsection of this section, irrespective of the duration of the  
101 levy. Each enactment shall specify the types of counties  
102 authorized to levy; the rate or rates which may be imposed; the  
103 maximum length of time the surtax may be imposed, if any; the  
104 procedure which must be followed to secure voter approval, if  
105 required; the purpose for which the proceeds may be expended;  
106 and such other requirements as the Legislature may provide.  
107 Taxable transactions and administrative procedures shall be as  
108 provided in s. 212.054.

109 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

110 (d) The proceeds of the surtax authorized by this  
111 subsection and any accrued interest shall be expended by the  
112 school district, within the county and municipalities within the  
113 county, or, in the case of a negotiated joint county agreement,  
114 within another county, to finance, plan, and construct  
115 infrastructure; to acquire any interest in land for public  
116 recreation, conservation, or protection of natural resources or  
117 to prevent or satisfy private property rights claims resulting  
118 from limitations imposed by the designation of an area of  
119 critical state concern; to provide loans, grants, or rebates to  
120 residential or commercial property owners who make energy  
121 efficiency improvements to their residential or commercial  
122 property, if a local government ordinance authorizing such use  
123 is approved by referendum; or to finance the closure of county-  
124 owned or municipally owned solid waste landfills that have been  
125 closed or are required to be closed by order of the Department  
126 of Environmental Protection. Any use of the proceeds or interest



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127 for purposes of landfill closure before July 1, 1993, is  
128 ratified. The proceeds and any interest may not be used for the  
129 operational expenses of infrastructure, except that a county  
130 that has a population of fewer than 75,000 and that is required  
131 to close a landfill may use the proceeds or interest for long-  
132 term maintenance costs associated with landfill closure.  
133 Counties, as defined in s. 125.011, and charter counties may, in  
134 addition, use the proceeds or interest to retire or service  
135 indebtedness incurred for bonds issued before July 1, 1987, for  
136 infrastructure purposes, and for bonds subsequently issued to  
137 refund such bonds. Any use of the proceeds or interest for  
138 purposes of retiring or servicing indebtedness incurred for  
139 refunding bonds before July 1, 1999, is ratified.

140 1. For the purposes of this paragraph, the term  
141 "infrastructure" means:

142 a. Any fixed capital expenditure or fixed capital outlay  
143 associated with the construction, reconstruction, or improvement  
144 of public facilities that have a life expectancy of 5 or more  
145 years, any related land acquisition, land improvement, design,  
146 and engineering costs, and all other professional and related  
147 costs required to bring the public facilities into service. For  
148 purposes of this sub subparagraph, the term "public facilities"  
149 has the same meaning means facilities as defined in s.  
150 163.3164(43) ~~s. 163.3164(41)~~, s. 163.3221(13), or s. 189.012(5),  
151 and includes facilities that are necessary to carry out  
152 governmental purposes, including, but not limited to, fire  
153 stations, general governmental office buildings, and animal  
154 shelters, regardless of whether the facilities are owned by the  
155 local taxing authority or another governmental entity.



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156        b. A fire department vehicle, an emergency medical service  
157 vehicle, a sheriff's office vehicle, a police department  
158 vehicle, or any other vehicle, and the equipment necessary to  
159 outfit the vehicle for its official use or equipment that has a  
160 life expectancy of at least 5 years.

161        c. Any expenditure for the construction, lease, or  
162 maintenance of, or provision of utilities or security for,  
163 facilities, as defined in s. 29.008.

164        d. Any fixed capital expenditure or fixed capital outlay  
165 associated with the improvement of private facilities that have  
166 a life expectancy of 5 or more years and that the owner agrees  
167 to make available for use on a temporary basis as needed by a  
168 local government as a public emergency shelter or a staging area  
169 for emergency response equipment during an emergency officially  
170 declared by the state or by the local government under s.  
171 252.38. Such improvements are limited to those necessary to  
172 comply with current standards for public emergency evacuation  
173 shelters. The owner must enter into a written contract with the  
174 local government providing the improvement funding to make the  
175 private facility available to the public for purposes of  
176 emergency shelter at no cost to the local government for a  
177 minimum of 10 years after completion of the improvement, with  
178 the provision that the obligation will transfer to any  
179 subsequent owner until the end of the minimum period.

180        e. Any land acquisition expenditure for a residential  
181 housing project in which at least 30 percent of the units are  
182 affordable to individuals or families whose total annual  
183 household income does not exceed 120 percent of the area median  
184 income adjusted for household size, if the land is owned by a



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185 local government or by a special district that enters into a  
186 written agreement with the local government to provide such  
187 housing. The local government or special district may enter into  
188 a ground lease with a public or private person or entity for  
189 nominal or other consideration for the construction of the  
190 residential housing project on land acquired pursuant to this  
191 sub-subparagraph.

192 f. Instructional technology used solely in a school  
193 district's classrooms. As used in this sub-subparagraph, the  
194 term "instructional technology" means an interactive device that  
195 assists a teacher in instructing a class or a group of students  
196 and includes the necessary hardware and software to operate the  
197 interactive device. The term also includes support systems in  
198 which an interactive device may mount and is not required to be  
199 affixed to the facilities.

200 2. For the purposes of this paragraph, the term "energy  
201 efficiency improvement" means any energy conservation and  
202 efficiency improvement that reduces consumption through  
203 conservation or a more efficient use of electricity, natural  
204 gas, propane, or other forms of energy on the property,  
205 including, but not limited to, air sealing; installation of  
206 insulation; installation of energy-efficient heating, cooling,  
207 or ventilation systems; installation of solar panels; building  
208 modifications to increase the use of daylight or shade;  
209 replacement of windows; installation of energy controls or  
210 energy recovery systems; installation of electric vehicle  
211 charging equipment; installation of systems for natural gas fuel  
212 as defined in s. 206.9951; and installation of efficient  
213 lighting equipment.



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214        3. Notwithstanding any other provision of this subsection,  
215 a local government infrastructure surtax imposed or extended  
216 after July 1, 1998, may allocate up to 15 percent of the surtax  
217 proceeds for deposit into a trust fund within the county's  
218 accounts created for the purpose of funding economic development  
219 projects having a general public purpose of improving local  
220 economies, including the funding of operational costs and  
221 incentives related to economic development. The ballot statement  
222 must indicate the intention to make an allocation under the  
223 authority of this subparagraph.

224        4. Surtax revenues that are shared with eligible charter  
225 schools pursuant to paragraph (c) shall be allocated among such  
226 schools based on each school's proportionate share of total  
227 school district capital outlay full-time equivalent enrollment  
228 as adopted by the education estimating conference established in  
229 s. 216.136. Surtax revenues must be expended by the charter  
230 school in a manner consistent with the allowable uses provided  
231 in s. 1013.62(4). All revenues and expenditures shall be  
232 accounted for in a charter school's monthly or quarterly  
233 financial statement pursuant to s. 1002.33(9). If a school's  
234 charter is not renewed or is terminated and the school is  
235 dissolved under the provisions of law under which the school was  
236 organized, any unencumbered funds received under this paragraph  
237 shall revert to the sponsor.

238        Section 6. Present subsection (19) of section 253.0341,  
239 Florida Statutes, is redesignated as subsection (21), and new  
240 subsections (19) and (20) are added to that section, to read:

241        253.0341 Surplus of state-owned lands.—

242        (19) The Acquisition and Restoration Council shall



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243 determine whether any lands surplused by a local governmental  
244 entity, as defined in s. 218.72, on or after January 1, 2024,  
245 are suitable for bona fide agricultural purposes, as defined in  
246 s. 193.461(3)(b). A local governmental entity may not transfer  
247 future development rights for any surplused lands determined to  
248 be suitable for bona fide agricultural purposes on or after  
249 January 1, 2024.

250 (20) The Department of Environmental Protection, in  
251 coordination with the Department of Agriculture and Consumer  
252 Services, shall determine whether any state-owned conservation  
253 lands acquired on or after January 1, 2024, are suitable for  
254 bona fide agricultural purposes, as defined in s. 193.461(3)(b).

255 (a) Notwithstanding any other law or rule, the Department  
256 of Environmental Protection may surplus state-owned conservation  
257 lands acquired on or after January 1, 2024, determined to be  
258 suitable for bona fide agricultural purposes.

259 (b) For all state-owned conservation lands determined to be  
260 suitable for bona fide agricultural production and surplused by  
261 the Department of Environmental Protection, the department shall  
262 retain a rural-lands-protection easement pursuant to s.  
263 570.71(3). All proceeds from the sale of such surplused lands  
264 must be deposited into the Incidental Trust Fund within the  
265 Department of Agriculture and Consumer Services for less than  
266 fee simple land acquisition pursuant to ss. 570.71 and 570.715.

267 (c) By January 1, 2027, and each January 1 thereafter, the  
268 Department of Environmental Protection shall provide a report of  
269 state-owned conservation lands surplused pursuant to this  
270 subsection to the Board of Trustees of the Internal Improvement  
271 Trust Fund.



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272        (d) Designated state forest lands, state park lands, or  
273        wildlife management areas may not be surplused pursuant to this  
274        subsection.

275        Section 7. Section 259.1053, Florida Statutes, is amended  
276 to read:

277        259.1053 Babcock Ranch Preserve; ~~Babcock Ranch Advisory~~  
278 ~~Group.~~—

279        (1) SHORT TITLE.—This section may be cited as the "Babcock  
280 Ranch Preserve Act."

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

282        (a) "Babcock Ranch Preserve" and "preserve" mean the lands  
283 and facilities acquired in the purchase of the Babcock Crescent  
284 B Ranch, as provided in s. 259.1052.

285        (b) "Commission" means the Fish and Wildlife Conservation  
286 Commission.

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

288        (d) "Department" means the Department of Agriculture and  
289 Consumer Services.

290        (e) "Executive director" means the Executive Director of  
291 the Fish and Wildlife Conservation Commission.

292        (f) "Financially self-sustaining" means having management  
293 and operation expenditures not more than the revenues collected  
294 from fees and other receipts for resource use and development  
295 and from interest and invested funds.

296        (g) "Florida Forest Service" means the Florida Forest  
297 Service of the Department of Agriculture and Consumer Services.

298        (h) "Multiple use" means the management of all of the  
299 renewable surface resources of the Babcock Ranch Preserve to  
300 best meet the needs of the public, including the use of the land



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301 for some or all of the renewable surface resources or related  
302 services over areas large enough to allow for periodic  
303 adjustments in use to conform to the changing needs and  
304 conditions of the preserve while recognizing that a portion of  
305 the land will be used for some of the renewable surface  
306 resources available on that land. The goal of multiple use is  
307 the harmonious and coordinated management of the renewable  
308 surface resources without impairing the productivity of the land  
309 and considering the relative value of the renewable surface  
310 resources, and not necessarily a combination of uses to provide  
311 the greatest monetary return or the greatest unit output.

312 (i) "Sustained yield of the renewable surface resources"  
313 means the achievement and maintenance of a high level of annual  
314 or regular periodic output of the various renewable surface  
315 resources of the preserve without impairing the productivity of  
316 the land.

317 (3) CREATION OF BABCOCK RANCH PRESERVE.—

318 (a) Upon the date of acquisition of the Babcock Crescent B  
319 Ranch, there is created the Babcock Ranch Preserve, which shall  
320 be managed in accordance with the purposes and requirements of  
321 this section.

322 (b) The preserve is established to protect and preserve the  
323 environmental, agricultural, scientific, scenic, geologic,  
324 watershed, fish, wildlife, historic, cultural, and recreational  
325 values of the preserve, and to provide for the multiple use and  
326 sustained yield of the renewable surface resources within the  
327 preserve consistent with this section.

328 (c) This section does not preclude the use of common  
329 varieties of mineral materials such as sand, stone, and gravel



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330 for construction and maintenance of roads and facilities within  
331 the preserve.

332 (d) This section does not affect the constitutional  
333 responsibilities of the commission in the exercise of its  
334 regulatory and executive power with respect to wild animal life  
335 and freshwater aquatic life, including the regulation of  
336 hunting, fishing, and trapping within the preserve.

337 (e) This section does not interfere with or prevent the  
338 implementation of agricultural practices authorized by the  
339 agricultural land use designations established in the local  
340 comprehensive plans of either Charlotte County or Lee County as  
341 those plans apply to the Babcock Ranch Preserve.

342 (f) This section does not preclude the maintenance and use  
343 of roads and trails or the relocation of roads in existence on  
344 the effective date of this section, or the construction,  
345 maintenance, and use of new trails, or any motorized access  
346 necessary for the administration of the land contained within  
347 the preserve, including motorized access necessary for  
348 emergencies involving the health or safety of persons within the  
349 preserve.

350 (4) ~~BABCOCK RANCH ADVISORY GROUP.~~

351 (a) ~~The purpose of the Babcock Ranch Advisory Group is to~~  
352 ~~assist the department by providing guidance and advice~~  
353 ~~concerning the management and stewardship of the Babcock Ranch~~  
354 ~~Preserve.~~

355 (b) ~~The Babcock Ranch Advisory Group shall be comprised of~~  
356 ~~nine members appointed to 5-year terms. Based on recommendations~~  
357 ~~from the Governor and Cabinet, the commission, and the governing~~  
358 ~~boards of Charlotte County and Lee County, the commissioner~~



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359 shall appoint members as follows:

360 1. One member with experience in sustainable management of  
361 forest lands for commodity purposes.

362 2. One member with experience in financial management,  
363 budget and program analysis, and small business operations.

364 3. One member with experience in management of game and  
365 nongame wildlife and fish populations, including hunting,  
366 fishing, and other recreational activities.

367 4. One member with experience in domesticated livestock  
368 management, production, and marketing, including range  
369 management and livestock business management.

370 5. One member with experience in agriculture operations or  
371 forestry management.

372 6. One member with experience in hunting, fishing, nongame  
373 species management, or wildlife habitat management, restoration,  
374 and conservation.

375 7. One member with experience in public outreach and  
376 education.

377 8. One member who is a resident of Lee County, to be  
378 designated by the Board of County Commissioners of Lee County.

379 9. One member who is a resident of Charlotte County, to be  
380 designated by the Board of County Commissioners of Charlotte  
381 County.

382

383 Vacancies will be filled in the same manner in which the  
384 original appointment was made. A member appointed to fill a  
385 vacancy shall serve for the remainder of that term.

386 (e) Members of the Babcock Ranch Advisory Group shall:

387 1. Elect a chair and vice chair from among the group



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388 members.—

389 2. ~~Meet regularly as determined by the chair.~~

390 3. ~~Serve without compensation but shall receive~~

391 ~~reimbursement for travel and per diem expenses as provided in s.~~

392 ~~112.061.~~

393 (4) ~~(5)~~ MANAGEMENT OF PRESERVE; FEES.—

394 (a) The department shall assume all authority provided by

395 this section to manage and operate the preserve as a working

396 ranch upon the termination or expiration of the management

397 agreement attached as Exhibit "E" to that certain agreement for

398 sale and purchase approved by the Board of Trustees of the

399 Internal Improvement Trust Fund on November 22, 2005, and by Lee

400 County on November 20, 2005.

401 (b) Upon assuming management and operation of the preserve,

402 the department shall:

403 1. Manage and operate the preserve and the uses thereof,

404 including, but not limited to, the activities necessary to

405 administer and operate the preserve as a working ranch; the

406 activities necessary for the preservation and development of the

407 land and renewable surface resources of the preserve; the

408 activities necessary for interpretation of the history of the

409 preserve on behalf of the public; the activities necessary for

410 the management, public use, and occupancy of facilities and

411 lands within the preserve; and the maintenance, rehabilitation,

412 repair, and improvement of property within the preserve.

413 2. Develop programs and activities relating to the

414 management of the preserve as a working ranch.

415 3. Establish procedures for entering into lease agreements

416 and other agreements for the use and occupancy of the facilities



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417 of the preserve. The procedures shall ensure reasonable  
418 competition and set guidelines for determining reasonable fees,  
419 terms, and conditions for such agreements.

420 4. Assess reasonable fees for admission to, use of, and  
421 occupancy of the preserve to offset costs of operating the  
422 preserve as a working ranch. These fees are independent of fees  
423 assessed by the commission for the privilege of hunting,  
424 fishing, or pursuing outdoor recreational activities within the  
425 preserve, and shall be deposited into the Incidental Trust Fund  
426 of the Florida Forest Service, subject to appropriation by the  
427 Legislature.

428 (c) The commission, in cooperation with the department,  
429 shall:

430 1. Establish and implement public hunting and other fish  
431 and wildlife management activities. Tier I and Tier II public  
432 hunting opportunities shall be provided consistent with the  
433 management plan and the recreation master plan. Tier I public  
434 hunting shall provide hunting opportunities similar to those  
435 offered on wildlife management areas with an emphasis on youth  
436 and family-oriented hunts. Tier II public hunting shall be  
437 provided specifically by fee-based permitting to ensure  
438 compatibility with livestock grazing and other essential  
439 agricultural operations on the preserve.

440 2. Establish and administer permit fees for Tier II public  
441 hunting to capitalize on the value of hunting on portions of the  
442 preserve and to help ensure the preserve is financially self-  
443 sufficient. The fees shall be deposited into the State Game  
444 Trust Fund of the Fish and Wildlife Conservation Commission to  
445 be used to offset the costs of providing public hunting and to



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446 support fish and wildlife management and other land management  
447 activities on the preserve.

448 (d) The Board of Trustees of the Internal Improvement Trust  
449 Fund or its designated agent may:

450 1. Negotiate directly with and enter into such agreements,  
451 leases, contracts, and other arrangements with any person, firm,  
452 association, organization, corporation, or governmental entity,  
453 including entities of federal, state, and local governments, as  
454 are necessary and appropriate to carry out the purposes and  
455 activities authorized by this section.

456 2. Grant privileges, leases, concessions, and permits for  
457 the use of land for the accommodation of visitors to the  
458 preserve, provided no natural curiosities or objects of interest  
459 shall be granted, leased, or rented on such terms as shall deny  
460 or interfere with free access to them by the public. Such  
461 grants, leases, and permits may be made and given without  
462 advertisement or securing competitive bids. Such grants, leases,  
463 or permits may not be assigned or transferred by any grantee  
464 without consent of the Board of Trustees of the Internal  
465 Improvement Trust Fund or its designated agent.

466 (5)-(6) DISSOLUTION OF BABCOCK RANCH, INC.—Upon dissolution  
467 of the Babcock Ranch, Inc., all statutory powers, duties,  
468 functions, records, personnel, property, and unexpended balances  
469 of appropriations, allocations, and other funds of the  
470 corporation shall be transferred to the Department of  
471 Agriculture and Consumer Services unless otherwise provided by  
472 law. Any cash balances of funds shall revert to the Incidental  
473 Trust Fund of the Florida Forest Service.

474 Section 8. Paragraph (a) of subsection (2) of section



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475 287.1351, Florida Statutes, is amended, and subsection (3) of  
476 that section is republished, to read:

477 287.1351 Suspended vendors; state contracts.—

478 (2) (a) A vendor that is in default on any contract with an  
479 agency, has failed to timely compensate its subcontractors or  
480 suppliers, or has otherwise repeatedly demonstrated a recent  
481 inability to fulfill the terms and conditions of previous state  
482 contracts or to adequately perform its duties under those  
483 contracts may not submit a bid, proposal, or reply to an agency  
484 or enter into or renew a contract to provide any goods or  
485 services to an agency after its placement, pursuant to this  
486 section, on the suspended vendor list.

487 (3) An agency shall notify the department of any vendor  
488 that has met the grounds for suspension described in paragraph  
489 (2) (a). The agency must provide documentation to the department  
490 evidencing the vendor's default or other grounds for suspension.  
491 The department shall review the documentation provided and  
492 determine whether good cause exists to remove the vendor from  
493 the vendor list and to place it on the suspended vendor list. If  
494 good cause exists, the department must notify the vendor in  
495 writing of its intent to remove the vendor from the vendor list  
496 and of the vendor's right to an administrative hearing and the  
497 applicable procedures and time requirements for any such  
498 hearing. If the vendor does not request an administrative  
499 hearing, the department must enter a final order removing the  
500 vendor from the vendor list. A vendor may not be removed from  
501 the vendor list without receiving an individual notice of intent  
502 from the department.

503 Section 9. Paragraph (c) is added to subsection (4) of



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504 section 322.12, Florida Statutes, to read:

505 322.12 Examination of applicants.—

506 (4) The examination for an applicant for a commercial  
507 driver license shall include a test of the applicant's eyesight  
508 given by a driver license examiner designated by the department  
509 or by a licensed ophthalmologist, optometrist, or physician and  
510 a test of the applicant's hearing given by a driver license  
511 examiner or a licensed physician. The examination shall also  
512 include a test of the applicant's ability to read and understand  
513 highway signs regulating, warning, and directing traffic; his or  
514 her knowledge of the traffic laws of this state pertaining to  
515 the class of motor vehicle which he or she is applying to be  
516 licensed to operate, including laws regulating driving under the  
517 influence of alcohol or controlled substances, driving with an  
518 unlawful blood-alcohol level, and driving while intoxicated; his  
519 or her knowledge of the effects of alcohol and controlled  
520 substances and the dangers of driving a motor vehicle after  
521 having consumed alcohol or controlled substances; and his or her  
522 knowledge of any special skills, requirements, or precautions  
523 necessary for the safe operation of the class of vehicle which  
524 he or she is applying to be licensed to operate. In addition,  
525 the examination shall include an actual demonstration of the  
526 applicant's ability to exercise ordinary and reasonable control  
527 in the safe operation of a motor vehicle or combination of  
528 vehicles of the type covered by the license classification which  
529 the applicant is seeking, including an examination of the  
530 applicant's ability to perform an inspection of his or her  
531 vehicle.

532 (c) An applicant for a commercial driver license who



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533 receives unauthorized assistance from another person in  
534 completing the portion of the examination which tests the  
535 applicant's ability to read and understand highway signs  
536 regulating, warning, and directing traffic or his or her  
537 knowledge of the traffic laws of this state pertaining to the  
538 class of motor vehicle for which he or she is applying to be  
539 licensed to operate, including laws regulating driving under the  
540 influence of alcohol or controlled substances, driving with an  
541 unlawful blood-alcohol level, and driving while intoxicated,  
542 commits a misdemeanor of the second degree, punishable as  
543 provided in s. 775.082 or s. 775.083.

544       Section 10. Section 322.36, Florida Statutes, is amended to  
545 read:

546       322.36 Permitting unauthorized operator to drive.—

547       (1) A person may not authorize or knowingly permit a motor  
548 vehicle owned by him or her or under his or her dominion or  
549 control to be operated upon any highway or public street except  
550 by a person who is duly authorized to operate a motor vehicle  
551 under this chapter.

552       (2) A person may not knowingly or willfully provide  
553 unauthorized assistance to an applicant for the examination  
554 required to hold a commercial driver license pursuant to s.  
555 322.12(4).

556       (3) Any person who violates this section commits a  
557 misdemeanor of the second degree, punishable as provided in s.  
558 775.082 or s. 775.083. If a person violates this section by  
559 knowingly loaning a vehicle to a person whose driver license is  
560 suspended and if that vehicle is involved in an accident  
561 resulting in bodily injury or death, the driver license of the



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562 person violating this section must shall be suspended for 1  
563 year.

564 Section 11. Section 377.71, Florida Statutes, is repealed.

565 Section 12. Section 377.711, Florida Statutes, is repealed.

566 Section 13. Section 377.712, Florida Statutes, is repealed.

567 Section 14. Present paragraphs (a) and (b) of subsection  
568 (3) of section 403.0855, Florida Statutes, are redesignated as  
569 paragraphs (b) and (c), respectively, a new paragraph (a) is  
570 added to that subsection, and subsections (2) and (4) of that  
571 section are amended, to read:

572 403.0855 Biosolids management.—

573 (2) The department shall adopt rules for biosolids  
574 management. ~~Rules adopted by the department pursuant to this~~  
575 ~~section may not take effect until ratified by the Legislature.~~

576 (3) For a new land application site permit or a permit  
577 renewal issued after July 1, 2020, the permittee of a biosolids  
578 land application site shall:

579 (a) Ensure that only Class AA biosolids are applied to the  
580 soil.

581 (4) All permits shall comply with the requirements of  
582 paragraph (3) (a) subsection (3) by July 1, 2028 July 1, 2022.

583 Section 15. Present subsection (5) of section 482.071,  
584 Florida Statutes, is redesignated as subsection (6), and a new  
585 subsection (5) is added to that section, to read:

586 482.071 Licenses.—

587 (5) Each person applying for a pest control business  
588 license or renewal thereof who will offer and perform  
589 fumigations as a part of his or her regular business operations  
590 must furnish to the department a certificate of insurance that



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591 meets the requirement for minimum financial responsibility for  
592 bodily injury and property damage, consisting of:

593 (a) Bodily injury coverage of \$1 million per person and \$2  
594 million per occurrence; and property damage coverage of \$1  
595 million per occurrence and \$2 million in the aggregate; or  
596 (b) Combined single-limit coverage of \$2 million in the  
597 aggregate.

598 Section 16. Subsection (7) of section 482.161, Florida  
599 Statutes, is amended to read:

600 482.161 Disciplinary grounds and actions; reinstatement.—

601 (7) The department, pursuant to chapter 120, in addition to  
602 or in lieu of any other remedy provided by state or local law,  
603 may impose an administrative fine in the Class III ~~II~~ category  
604 pursuant to s. 570.971 for a violation of this chapter or of the  
605 rules adopted pursuant to this chapter. In determining the  
606 amount of fine to be levied for a violation, the following  
607 factors shall be considered:

608 (a) The severity of the violation, including the  
609 probability that the death, or serious harm to the health or  
610 safety, of any person will result or has resulted; the severity  
611 of the actual or potential harm; and the extent to which this  
612 chapter or the rules adopted pursuant to this chapter were  
613 violated;

614 (b) Any actions taken by the licensee or certified operator  
615 in charge, or limited certificateholder, to correct the  
616 violation or to remedy complaints;

617 (c) Any previous violations of this chapter or of the rules  
618 adopted pursuant to this chapter; and

619 (d) The cost to the department of investigating the



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620 violation.

621       Section 17. Subsections (3) and (5) of section 482.165,  
622 Florida Statutes, are amended to read:

623       482.165 Unlicensed practice of pest control; cease and  
624 desist order; injunction; civil suit and penalty.—

625       (3) In addition to or in lieu of any remedy provided under  
626 subsection (2), the department may institute a civil suit in  
627 circuit court to recover a civil penalty for any violation for  
628 which the department may issue a notice to cease and desist  
629 under subsection (2). The civil penalty shall be in the Class  
630 III category pursuant to s. 570.971 for each offense. The  
631 court may also award to the prevailing party court costs and  
632 reasonable attorney fees.

633       (5) In addition to or in lieu of any remedy provided under  
634 subsections (2) and (3), the department may, even in the case of  
635 a first offense, impose a fine not less than twice the cost of a  
636 pest control business license, but not more than a fine in the  
637 Class III category pursuant to s. 570.971, upon a  
638 determination by the department that a person is in violation of  
639 subsection (1). For the purposes of this subsection, the lapse  
640 of a previously issued license for a period of less than 1 year  
641 is not considered a violation.

642       Section 18. Subsections (20) and (21) are added to section  
643 489.105, Florida Statutes, to read:

644       489.105 Definitions.—As used in this part:

645       (20) "Subcontractor" has the same meaning as in s. 558.002.

646       (21) "Supplier" has the same meaning as in s. 558.002.

647       Section 19. Section 489.1295, Florida Statutes, is created  
648 to read:



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649        489.1295 Theft of subcontractor or supplier services.—  
650        (1) A person licensed as a contractor or who otherwise  
651        holds himself or herself out to be a contractor may not  
652        knowingly or willfully fail to compensate his or her  
653        subcontractors or suppliers without reasonable cause within 30  
654        days after receiving payment for the services performed by the  
655        subcontractor or supplier.

656        (2) A person licensed as a contractor or who otherwise  
657        holds himself or herself out to be a contractor and who violates  
658        this section commits a misdemeanor of the first degree,  
659        punishable as provided in s. 775.082 or s. 775.083.

660        (3) If a person licensed as a contractor or who otherwise  
661        holds himself or herself out to be a contractor violates this  
662        section and the services performed by the subcontractor or  
663        supplier are valued at \$20,000 or more, such person commits a  
664        felony of the third degree, punishable as provided in s.  
665        775.082, s. 775.083, or s. 775.084.

666        Section 20. Subsection (6) of section 500.04, Florida  
667        Statutes, is amended to read:

668        500.04 Prohibited acts.—The following acts and the causing  
669        thereof within the state are prohibited:

670        (6) The obstruction of or refusal to permit entry or  
671        inspection, or to permit the taking of a sample, as authorized  
672        by s. 500.147.

673        Section 21. Section 500.81, Florida Statutes, is repealed.

674        Section 22. Subsection (5) of section 500.93, Florida  
675        Statutes, is amended to read:

676        500.93 Mislabeling of plant-based products as milk, meat,  
677        or poultry.—



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678        (5) The Department of Agriculture and Consumer Services  
679 shall notify the Division of Law Revision upon the enactment  
680 into law by any 11 of the group of 14 states composed of  
681 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
682 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
683 Texas, Virginia, and West Virginia of the mandatory labeling  
684 requirements pursuant to paragraphs (2) (a), (3) (a), and (4) (a)  
685 subsections (2) and (3).

686        Section 23. Section 501.013, Florida Statutes, is amended  
687 to read:

688        501.013 Health studios; exemptions.—

689        (1) The following businesses or activities may be declared  
690 exempt from ~~the provisions of~~ ss. 501.012-501.019 upon the  
691 filing of an affidavit with the department establishing that the  
692 stated qualifications are met:

693        (a)-(1) A bona fide nonprofit organization which has been  
694 granted tax-exempt status by the Internal Revenue Service.

695        (b)-(2) A gymnastics school which engages only in  
696 instruction and training and in which exercise is only  
697 incidental to such instruction and training.

698        (c)-(3) A golf, tennis, or racquetball club in which sports  
699 play is the only activity offered by the club. If the facility  
700 offers the use of physical exercise equipment, this exemption  
701 shall not apply.

702        (d)-(4) A program or facility which is offered and used  
703 solely for the purpose of dance, aerobic exercise, or martial  
704 arts, and which utilizes no physical exercise equipment.

705        (e)-(5) A country club that has as its primary function the  
706 provision of a social life and recreational amenities to its



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707 members, and for which a program of physical exercise is merely  
708 incidental to membership. As used in this paragraph subsection,  
709 the term "country club" means a facility that offers its members  
710 a variety of services that may include, but need not be limited  
711 to, social activities; dining, banquet, catering, and lounge  
712 facilities; swimming; yachting; golf; tennis; card games such as  
713 bridge and canasta; and special programs for members' children.  
714 Upon the filing of an affidavit with the department establishing  
715 that the stated qualifications of this paragraph subsection were  
716 met before July 1, 1997, this paragraph subsection will apply  
717 retroactively to the date that the country club met these  
718 qualifications.

719 (f)-(6) A program or facility that is offered by an  
720 organization for the exclusive use of its employees and their  
721 family members.

722 (2) In addition to the businesses and activities listed in  
723 subsection (1), the department may exempt any other business or  
724 activity not in existence as of July 1, 2026, from ss. 501.012-  
725 501.019.

726 Section 24. Section 501.062, Florida Statutes, is created  
727 to read:

728 501.062 Unauthorized commercial solicitation; legislative  
729 intent; definitions; prohibited acts; penalties.—

730 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
731 to protect, preserve, and promote the safety, welfare, and peace  
732 of the citizens of this state by adopting measures to reduce the  
733 threat to private property rights, including the right to  
734 exclude and to be free from trespass of unauthorized commercial  
735 solicitation on private property when noticed by the property



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736 owner. It is the intent of this section to protect such private  
737 property rights by creating a uniform standard for notifying  
738 individuals or groups of individuals that commercial  
739 solicitation is prohibited on private property.

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

741 (a) “Commercial solicitation” means the act of attempting  
742 to sell goods or services, or to raise funds for a commercial  
743 purpose, through direct or indirect contact with individuals,  
744 including, but not limited to, using words, body gestures, or  
745 signs, on behalf of a business or commercial entity.

746 (b) “Dwelling” has the same meaning as in s. 810.011(2).

747 (3) PROHIBITED ACTS.—A person may not engage in commercial  
748 solicitation on any dwelling that clearly and prominently  
749 displays a sign that is no less than 8.5 by 11 inches, is  
750 visible to any person approaching the dwelling, and clearly  
751 displays a statement which identifies the dwelling as private  
752 property on which commercial solicitation is prohibited, in  
753 substantially the following manner with letters at least 1 inch  
754 in height:

755  
756 THIS DWELLING IS DESIGNATED PRIVATE PROPERTY. NO  
757 COMMERCIAL SOLICITATION IS PERMITTED PURSUANT TO  
758 SECTION 501.062, FLORIDA STATUTES.

759  
760 (4) PENALTIES.—A person who violates subsection (3) commits  
761 a noncriminal violation, punishable as provided in s. 775.083. A  
762 person who commits a second or subsequent violation commits a  
763 misdemeanor of the second degree, punishable as provided in s.  
764 775.082 or s. 775.083.



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765       Section 25. Subsection (50) is added to section 570.07,  
766 Florida Statutes, to read:

767       570.07 Department of Agriculture and Consumer Services;  
768 functions, powers, and duties.—The department shall have and  
769 exercise the following functions, powers, and duties:

770       (50) Notwithstanding s. 20.04(7), to reorganize  
771 departmental units upon the approval of the commissioner.

772       Section 26. Paragraph (c) is added to subsection (3) of  
773 section 570.822, Florida Statutes, to read:

774       570.822 Agriculture and Aquaculture Producers Emergency  
775 Recovery Loan Program.—

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

778       (c) Be a United States citizen and a legal resident of this  
779 state before or on the date of the declared emergency. If the  
780 applicant is an entity as defined in s. 605.0102, the entity  
781 must be wholly owned and operated in the United States and  
782 possess an active certificate of status issued by the Department  
783 of State pursuant to chapter 605.

784       Section 27. Section 570.832, Florida Statutes, is created  
785 to read:

786       570.832 Florida Native Seed Research and Marketing  
787 Program.—The Florida Wildflower Foundation, in coordination with  
788 the department, shall, subject to appropriation, establish the  
789 Florida Native Seed Research and Marketing Program to conduct  
790 research designed to expand the availability and uses of native  
791 seeds and strengthen the market position of this state's native  
792 seed industry through marketing campaigns and promotions in this  
793 state and across the nation.



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794       Section 28. Section 570.846, Florida Statutes, is created  
795 to read:

796       570.846 Food Animal Veterinary Medicine Loan Repayment  
797 Program.—

798       (1) PURPOSE.—To encourage specialized and qualified  
799 veterinary professionals to practice in this state, to retain  
800 the employment of such professionals in this state, and to  
801 promote the care and treatment of food animals intended for  
802 human consumption, there is established the Florida Food Animal  
803 Veterinary Medicine Loan Repayment Program. The purpose of the  
804 program is to authorize the department to make payments that  
805 offset loans incurred, for up to three new eligible candidates  
806 annually, for studies leading to a veterinary degree with a  
807 specialization in food animal veterinary medicine.

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

809       (a) “Food animal” means a species of animal raised for the  
810 human food supply. Food animal species include cattle, swine,  
811 sheep, goat, poultry, aquaculture, and apiary species.

812       (b) “Food animal veterinarian” means a veterinarian working  
813 in food animal veterinary medicine who focuses on the management  
814 and health of food animals and who spends a minimum of 20 hours  
815 per week on food animal species care and treatment.

816       (c) “Food animal veterinary medicine” means a veterinary  
817 medical practice which encompasses medical care, disease  
818 prevention, and consultation on feeding, housing, and overall  
819 herd or flock management of food animals to ensure a safe,  
820 healthy, and sustainable food supply for the public.

821       (3) ELIGIBILITY.—To be eligible for the program, a  
822 candidate must have graduated from an American Veterinary



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823 Medical Association-accredited college of veterinary medicine,  
824 have received a Florida veterinary medical license, have  
825 obtained a Category II Accreditation from the United States  
826 Department of Agriculture, and be a practicing food animal  
827 veterinarian in this state.

828 (4) FUNDING.—Subject to legislative appropriation, the  
829 department may make loan principal repayments of up to \$25,000 a  
830 year for up to 5 years on behalf of eligible candidates. All  
831 repayments are contingent upon continued proof of employment in  
832 this state as a practicing food animal veterinarian.

833 (5) DUPLICATION OF FINANCIAL ASSISTANCE.—An eligible  
834 candidate receiving financial assistance from the federal  
835 veterinary medicine loan repayment program as established in 7  
836 U.S.C. part 3151a is ineligible to receive financial assistance  
837 from the program under this section.

838 (6) RULEMAKING.—The department may adopt any rule necessary  
839 for the administration of the program.

840 Section 29. Subsection (1) of section 570.85, Florida  
841 Statutes, is amended to read:

842 570.85 Agritourism.—

843 (1) It is the intent of the Legislature to promote  
844 agritourism as a way to support bona fide agricultural  
845 production by providing a stream of revenue and by educating the  
846 general public about the agricultural industry. It is also the  
847 intent of the Legislature to eliminate duplication of regulatory  
848 authority over agritourism as expressed in this section. Except  
849 as otherwise provided for in this section, and notwithstanding  
850 any other law, a local government may not adopt or enforce a  
851 local ordinance, regulation, rule, or policy that prohibits,



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852 restricts, regulates, or otherwise limits an agritourism  
853 activity on land classified as agricultural land under s.  
854 193.461, and may not require a property owner to obtain a rural  
855 event venue permit or license. This subsection does not limit  
856 the powers and duties of a local government to address  
857 substantial offsite impacts of agritourism activities or an  
858 emergency as provided in chapter 252.

859 Section 30. Subsection (6) is added to section 570.86,  
860 Florida Statutes, to read:

861 570.86 Definitions.—As used in ss. 570.85-570.89, the term:  
862 (6) "Rural event venue" means a venue located on property  
863 classified as agricultural pursuant to s. 193.461 and used for  
864 special functions, such as weddings, receptions, corporate  
865 meetings, or similar gatherings.

866 Section 31. Subsection (4) of section 583.01, Florida  
867 Statutes, is amended to read:

868 583.01 Definitions.—For the purpose of this chapter, unless  
869 elsewhere indicated, the term:

870 (4) "Dealer" means a person, firm, or corporation,  
871 including a producer, processor, retailer, or wholesaler, that  
872 sells, offers for sale, or holds for the purpose of sale in this  
873 state 30 dozen or more eggs or its equivalent in any one week,  
874 or more than 20,000 ~~384~~ dressed birds annually in any one week.

875 Section 32. Section 590.02, Florida Statutes, is amended to  
876 read:

877 590.02 Florida Forest Service; powers, authority, and  
878 duties; liability; building structures; Withlacoochee and Welaka  
879 Training Centers Center.—

880 (1) The Florida Forest Service has the following powers,



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881 authority, and duties to:

882 (a) Enforce the provisions of this chapter;

883 (b) Prevent, detect, and suppress wildfires wherever they  
884 may occur on public or private land in this state and do all  
885 things necessary in the exercise of such powers, authority, and  
886 duties;

887 (c) Provide firefighting crews, who shall be under the  
888 control and direction of the Florida Forest Service and its  
889 designated agents;

890 (d) Appoint center managers, forest area supervisors,  
891 forestry program administrators, a forest protection bureau  
892 chief, a forest protection assistant bureau chief, a field  
893 operations bureau chief, deputy chiefs of field operations,  
894 district managers, forest operations administrators, senior  
895 forest rangers, investigators, forest rangers, firefighter  
896 rotorcraft pilots, and other employees who may, at the Florida  
897 Forest Service's discretion, be certified as forestry  
898 firefighters pursuant to s. 633.408(8). Other law  
899 notwithstanding, center managers, district managers, forest  
900 protection assistant bureau chief, and deputy chiefs of field  
901 operations have Selected Exempt Service status in the state  
902 personnel designation;

903 (e) Develop a training curriculum for wildland firefighters  
904 which must contain a minimum of 40 hours of structural  
905 firefighter training, a minimum of 40 hours of emergency medical  
906 training, and a minimum of 376 hours of wildfire training;

907 (f) Pay the cost of the initial commercial driver license  
908 examination fee, and renewal, for those employees whose position  
909 requires them to operate equipment requiring a license. This



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910 paragraph is intended to be an authorization to the department  
911 to pay such costs, not an obligation;

912 (g) Provide fire management services and emergency response  
913 assistance and set and charge reasonable fees for performance of  
914 those services. Moneys collected from such fees shall be  
915 deposited into the Incidental Trust Fund of the Florida Forest  
916 Service;

917 (h) Require all state, regional, and local government  
918 agencies operating aircraft in the vicinity of an ongoing  
919 wildfire to operate in compliance with the applicable state  
920 Wildfire Aviation Plan;

921 (i) Authorize broadcast burning, prescribed burning, pile  
922 burning, and land clearing debris burning to carry out the  
923 duties of this chapter and the rules adopted thereunder; and

924 (j) Make rules to accomplish the purposes of this chapter.

925 (2) The Florida Forest Service's employees, and the  
926 firefighting crews under their control and direction, may enter  
927 upon any lands for the purpose of preventing, detecting, and  
928 suppressing wildfires and investigating smoke complaints or open  
929 burning not in compliance with authorization and to enforce the  
930 provisions of this chapter.

931 (3) Employees of the Florida Forest Service and of federal,  
932 state, and local agencies, and all other persons and entities  
933 that are under contract or agreement with the Florida Forest  
934 Service to assist in firefighting operations as well as those  
935 entities, called upon by the Florida Forest Service to assist in  
936 firefighting may, in the performance of their duties, set  
937 counterfires, remove fences and other obstacles, dig trenches,  
938 cut firelines, use water from public and private sources, and



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939 carry on all other customary activities in the fighting of  
940 wildfires without incurring liability to any person or entity.  
941 The manner in which the Florida Forest Service monitors a  
942 smoldering wildfire or smoldering prescribed fire or fights any  
943 wildfire are planning level activities for which sovereign  
944 immunity applies and is not waived.

945 (4) (a) The department may build structures, notwithstanding  
946 chapters 216 and 255, not to exceed a cost of \$50,000 per  
947 structure from existing resources on forest lands, federal  
948 excess property, and unneeded existing structures. These  
949 structures must meet all applicable building codes.

950 (b) Notwithstanding s. 553.80(1), the department shall  
951 exclusively enforce the Florida Building Code as it pertains to  
952 wildfire, law enforcement, and other Florida Forest Service  
953 facilities under the jurisdiction of the department.

954 (5) The Florida Forest Service shall organize its  
955 operational units to most effectively prevent, detect, and  
956 suppress wildfires, and to that end, may employ the necessary  
957 personnel to manage its activities in each unit. The Florida  
958 Forest Service may construct lookout towers, roads, bridges,  
959 firelines, and other facilities and may purchase or fabricate  
960 tools, supplies, and equipment for firefighting. The Florida  
961 Forest Service may reimburse the public and private entities  
962 that it engages to assist in the suppression of wildfires for  
963 their personnel and equipment, including aircraft.

964 (6) The Florida Forest Service shall undertake  
965 privatization alternatives for fire prevention activities  
966 including constructing fire lines and conducting prescribed  
967 burns and, where appropriate, entering into agreements or



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968 contracts with the private sector to perform such activities.

969 (7) The Florida Forest Service may organize, staff, equip,  
970 and operate the Withlacoochee and Welaka Training Centers  
971 Center. The centers center shall serve as sites a-site where  
972 fire and forest resource managers can obtain current knowledge,  
973 techniques, skills, and theory as they relate to their  
974 respective disciplines, and the centers:-

975 (a) ~~The center~~ May establish cooperative efforts involving  
976 federal, state, and local entities; hire appropriate personnel;  
977 and engage others by contract or agreement with or without  
978 compensation to assist in carrying out the training and  
979 operations of the centers center.

980 (b) ~~The center~~ Shall provide wildfire suppression training  
981 opportunities for rural fire departments, volunteer fire  
982 departments, and other local fire response units.

983 (c) ~~The center~~ Shall focus on curriculum related to, but  
984 not limited to, fuel reduction, an incident management system,  
985 prescribed burning certification, multiple-use land management,  
986 water quality, forest health, environmental education, and  
987 wildfire suppression training for structural firefighters.

988 (d) ~~The center~~ May assess appropriate fees for food,  
989 lodging, travel, course materials, and supplies in order to meet  
990 its operational costs and may grant free meals, room, and  
991 scholarships to persons and other entities as determined by the  
992 Florida Forest Service, regardless of whether training occurs at  
993 the Withlacoochee Training Center or Welaka Training Center or  
994 at another location in exchange for instructional assistance.

995 (8) (a) The Cross City Work Center shall be named the L.  
996 Earl Peterson Forestry Station. This is to honor Mr. L. Earl



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997 Peterson, Florida's sixth state forester, whose distinguished  
998 career in state government has spanned 44 years, and who is a  
999 native of Dixie County.

1000 (b) The Madison Forestry Station shall be named the Harvey  
1001 Greene Sr. Forestry Station. This is to honor Mr. Harvey Greene  
1002 Sr., a World War I veteran and pioneer in forestry in Madison  
1003 County. In 1947, Mr. Harvey Greene Sr. offered to give the land  
1004 on which the forestry station is located to the state; however,  
1005 at that time, the state could not accept donations of land.  
1006 Instead, Mr. Harvey Greene Sr. sold the land to the state and,  
1007 with the proceeds of the sale, purchased forestry equipment to  
1008 be used by the citizens of Madison County to plant trees and  
1009 fight wildfires.

1010 (c) The Bonifay Forestry Station shall be named the John  
1011 Michael Mathis Forestry Station. This is to honor the late Mr.  
1012 John Michael Mathis, the Chipola Forestry Center manager whose  
1013 distinguished career spanned 18 years, and who received many  
1014 awards for his service, including commendation for leadership in  
1015 wildfire mitigation for his service during Hurricane Michael.  
1016 Mr. John Michael Mathis was a proud husband, father, forester,  
1017 and friend.

1018 (9) (a) Notwithstanding ss. 273.055 and 287.16, the  
1019 department may retain, transfer, warehouse, bid, destroy, scrap,  
1020 or otherwise dispose of surplus equipment and vehicles that are  
1021 used for wildland firefighting.

1022 (b) All money received from the disposition of state-owned  
1023 equipment and vehicles that are used for wildland firefighting  
1024 shall be retained by the department. Money received pursuant to  
1025 this section is appropriated for and may be disbursed for the



1026 acquisition of exchange and surplus equipment used for wildland  
1027 firefighting, and for all necessary operating expenditures  
1028 related to such equipment, in the same fiscal year and the  
1029 fiscal year following the disposition. The department shall  
1030 maintain records of the accounts into which the money is  
1031 deposited.

1032 (10) (a) Notwithstanding the provisions of s. 252.38, the  
1033 Florida Forest Service has exclusive authority to require and  
1034 issue authorizations for broadcast burning and agricultural and  
1035 silvicultural pile burning. An agency, commission, department,  
1036 county, municipality, or other political subdivision of the  
1037 state may not adopt or enforce laws, regulations, rules, or  
1038 policies pertaining to broadcast burning or agricultural and  
1039 silvicultural pile burning.

1040 (b) The Florida Forest Service may delegate to a county,  
1041 municipality, or special district its authority:

1042 1. As delegated by the Department of Environmental  
1043 Protection pursuant to ss. 403.061(29) and 403.081, to manage  
1044 and enforce regulations pertaining to the burning of yard trash  
1045 in accordance with s. 590.125(6).

1046 2. To manage the open burning of land clearing debris in  
1047 accordance with s. 590.125.

1048 Section 33. Section 595.421, Florida Statutes, is created  
1049 to read:

1050 595.421 Farmers Feeding Florida Program.—There is  
1051 established the Farmers Feeding Florida Program to coordinate  
1052 with Feeding Florida, or its successor entity, for the  
1053 acquisition, transportation, and distribution of non-Emergency  
1054 Food Assistance Program fresh food products for the benefit of



1055 residents who are food insecure due to a lack of local food  
1056 resources, accessibility, and affordability.

1057 (1) In order to implement the program, Feeding Florida  
1058 shall:

1059 (a) Enter into an agreement with the department to provide,  
1060 at a minimum, all of the following services:

1061 1. Transportation of non-Emergency Food Assistance Program  
1062 fresh food products using owned vehicles or contracted  
1063 commercial vehicles.

1064 2. Coordination of the purchase and pickup of food from the  
1065 purchase location and delivery to the distribution location.

1066 (b) Submit monthly reports to the department, beginning  
1067 July 1, 2026, which include, at a minimum, all of the following:

1068 1. A detailed record of the amount of food purchased,  
1069 measured per pound and itemized according to its commodity type.

1070 2. Food purchase locations.

1071 3. Food purchase dates.

1072 4. The date of delivery and locations to which the food was  
1073 distributed.

1074 (c) Submit quarterly reports, beginning July 1, 2026, to  
1075 the chairs of the legislative appropriations committees,  
1076 including all of the following information:

1077 1. A detailed record of the amount of food distributed,  
1078 measured per pound and itemized according to its commodity type.

1079 2. The distribution locations.

1080 3. An itemized list of the types of commodities  
1081 distributed.

1082 (2) Foods purchased by Feeding Florida through the program  
1083 are restricted to charitable purposes for hunger relief and may



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1084 not reenter the wholesale, retail, or secondary market.

1085 (3) Feeding Florida may not, in implementing this section,  
1086 allow a candidate for elective office to host a food  
1087 distribution event during the period of time between the last  
1088 day of the election qualifying period and the date of the  
1089 election if the candidate is opposed for election or reelection  
1090 at the time of the event. This subsection does not apply if the  
1091 event is in response to a declared state of emergency.

1092 Section 34. Present paragraph (c) of subsection (7) of  
1093 section 597.004, Florida Statutes, is redesignated as paragraph  
1094 (d) and amended, a new paragraph (c) is added to that  
1095 subsection, and paragraph (a) of subsection (2) of that section  
1096 is amended, to read:

1097 597.004 Aquaculture certificate of registration.—

1098 (2) RULES.—

1099 (a) The department, in consultation with the Department of  
1100 Environmental Protection, the water management districts,  
1101 environmental groups, and representatives from the affected  
1102 farming groups, shall adopt rules to:

1103 1. Specify the requirement of best management practices to  
1104 be implemented by holders of aquaculture certificates of  
1105 registration.

1106 2. Establish procedures for holders of aquaculture  
1107 certificates of registration to submit the notice of intent to  
1108 comply with best management practices.

1109 3. Establish schedules for implementation of best  
1110 management practices, and of interim measures that can be taken  
1111 prior to adoption of best management practices. Interim measures  
1112 may include the continuation of regulatory requirements in



1113 effect on June 30, 1998.

1114 4. Establish a system to assure the implementation of best  
1115 management practices, including recordkeeping requirements.

1116 5. Require any facility that cultures *Micropterus salmoides*  
1117 ~~floridanus~~ to maintain stock acquisition documentation or  
1118 records of genetic testing.

1119 (7) REGISTRATION AND RENEWALS.—

1120 (c) The department may not renew a certificate of  
1121 registration for a facility that is not compliant with this  
1122 section unless documentation of corrective action is provided  
1123 with the renewal application.

1124 (d) ~~(e)~~ A Any person whose certificate of registration has  
1125 been revoked or suspended must reapply to the department for  
1126 certification. A person, a company, or an entity, or a principal  
1127 of a company or an entity whose certificate of registration has  
1128 been revoked, may not reapply for a period of 3 years.

1129 Section 35. Paragraph (a) of subsection (5) of section  
1130 597.010, Florida Statutes, is amended to read:

1131 597.010 Shellfish regulation; leases.—

1132 (5) LEASES IN PERPETUITY; RENT.—

1133 (a) All leases issued previously under ~~the provisions of s.~~  
1134 379.2525 shall be enforced under the authority of this chapter,  
1135 notwithstanding any other law to the contrary, and shall  
1136 continue in perpetuity under such restrictions as stated in the  
1137 lease agreement. The annual rental fee charged for all leases  
1138 shall consist of the minimum rate of \$15 per acre, or any  
1139 fraction of an acre, per year and may shall be adjusted on  
1140 January 1, 1995, and every 5 years thereafter, based on the 5-  
1141 year average change in the Consumer Price Index. Rent must shall



1142 be paid in advance of January 1 of each year or, in the case of  
1143 a new lease, at the time of signing, regardless of who holds the  
1144 lease.

1145 Section 36. Paragraphs (b) and (c) of subsection (1) of  
1146 section 599.012, Florida Statutes, are amended to read:

1147 599.012 Florida Wine Trust Fund; creation.—

1148 (1) There is established the Florida Wine Trust Fund within  
1149 the Department of Agriculture and Consumer Services. The  
1150 department shall use the moneys deposited in the trust fund  
1151 pursuant to subsection (2) to do all the following:

1152 (b) Promote wine viticulture products manufactured from  
1153 products grown in the state.

1154 (c) Provide grants for wine and viticultural research.

1155 Section 37. Section 616.001, Florida Statutes, is amended  
1156 to read:

1157 616.001 Definitions.—As used in this chapter, the term:

1158 (1) "Annual public fair" means a ~~community, county,~~  
1159 ~~district, regional, or state~~ fair that is held and conducted by  
1160 a fair association and permitted by the department pursuant to  
1161 s. 616.15.

1162 (2) "Authority" means the Florida State Fair Authority.

1163 (3) "~~Community fair~~" means an annual public fair that  
1164 serves an area of less than an entire county, has exhibits that  
1165 are in accordance with s. 616.17, and gives premiums or awards  
1166 to exhibitors. Agricultural products shall be produced in the  
1167 community the exhibit represents. The majority of the board of  
1168 directors of the fair shall reside, be employed, or operate a  
1169 business in the community the fair represents.

1170 (4) "Concession" means use by a fair association, or a



1171 grant, lease, or license to a third party, of a portion of the  
1172 land under the ownership, custody, or control of a fair  
1173 association for specific uses, or the right to enter upon the  
1174 land for specific purposes, such as providing rides, games,  
1175 food, beverage, merchandise for sale, exhibits, projects,  
1176 activities, events, programs, or other uses authorized in this  
1177 chapter.

1178 (5) ~~"County fair" means an annual public fair that serves  
1179 an entire county and provides exhibitors with premiums or awards  
1180 for exhibits that are in accordance with s. 616.17. Agricultural  
1181 products must be typical of those produced in the county the  
1182 exhibit represents. The majority of the board of directors of  
1183 the fair shall reside, be employed, or operate a business in the  
1184 county that the fair association represents.~~

1185 (4) ~~(6)~~ "Department" means the Department of Agriculture and  
1186 Consumer Services.

1187 (7) ~~"District fair" means an annual public fair that serves  
1188 at least five counties and has exhibits that meet the  
1189 requirements of s. 616.17. A district fair shall pay at least  
1190 \$25,000 in cash premiums or awards to exhibitors. Agricultural  
1191 products must be typical of those produced in the counties the  
1192 exhibit represents. Livestock may originate from outside the  
1193 district, but must be registered in the exhibitor's name at  
1194 least 30 days before the opening day of the fair. Each county is  
1195 encouraged to have proportionate exhibits, typical of its  
1196 respective natural resources. Each county shall have exhibits  
1197 representing basic resources in agriculture and industry.~~

1198 (5) ~~(8)~~ "Entry" means one item entered for competition or  
1199 show. An entry may constitute an exhibit, depending upon the



1200 regulations stated in the premium book.

1201 (6)(9) "Exhibit" means one or more entries entered for  
1202 exhibition and constituting a unit. An exhibit may consist of  
1203 one or more entries, depending upon the regulations stated in  
1204 the premium book. The term includes parades and displays of  
1205 articles or a collection of articles, whether static,  
1206 interactive, or dynamic, by a fair association or a third party  
1207 contracting with a fair association, such as exhibits of  
1208 animals, art, housewares, or motor vehicles.

1209 (7)(10) "Exhibitor" means an individual, a group of  
1210 individuals, or a business, including a fair association or  
1211 third party contracting with a fair association, which has an  
1212 exhibit.

1213 (8)(11) "Fair association" or "association" means an  
1214 association not for profit incorporated under this chapter for  
1215 the purpose of conducting and operating public fairs or  
1216 expositions.

1217 (9)(12) "Public fair or exposition" means a project,  
1218 activity, event, or program, and use by a fair association,  
1219 including, but not limited to, the annual public fair, which  
1220 serves the purposes specified in s. 616.08 and benefits and  
1221 develops the educational, agricultural, horticultural,  
1222 livestock, charitable, historical, civic, cultural, scientific,  
1223 and other resources of this state, or any county, municipality,  
1224 or other community in this state.

1225 ~~(13) "Regional fair" or "interstate fair" means an annual~~  
1226 ~~public fair of this state and other states in which fair~~  
1227 ~~exhibits meet the requirements of s. 616.17. Agricultural~~  
1228 ~~products must be typical of those produced in the area the~~



1229 ~~exhibit represents.~~

1230 (10) ~~(14)~~ "Specialized show" means a show or an exhibition  
1231 exhibiting and emphasizing livestock or poultry, or a fruit or  
1232 vegetable festival, and must meet the minimum exhibit  
1233 requirements specified in s. 616.17. ~~A specialized show may~~  
1234 ~~qualify under one of the definitions in subsections (3), (5),~~  
1235 ~~(7), and (15).~~

1236 (11) ~~(15)~~ "State fair" means an annual public fair that  
1237 serves the entire state. ~~Exhibits must comply with s. 616.17,~~  
1238 ~~and cash premiums or awards may be given to exhibitors.~~

1239 Section 38. Section 616.01, Florida Statutes, is amended to  
1240 read:

1241 616.01 Requirements for Number of persons required;  
1242 ~~requisites of proposed charter. Twenty-five or more persons who~~  
1243 are Residents and qualified electors of the county in which the  
1244 annual public fair is to be located, who wish to form an  
1245 association not for profit for the purpose of conducting and  
1246 operating public fairs or expositions, may become incorporated  
1247 in the following manner. The applicant must ~~subscribers shall~~  
1248 submit the proposed charter to the department for review and  
1249 approval or denial. If the proposed charter is denied, the  
1250 department must provide the applicant with a letter sent to the  
1251 mailing address provided on the proposed charter and include a  
1252 complete listing of all deficiencies, if any, which must be  
1253 remedied before resubmittal of the proposed charter for  
1254 approval. If the proposed charter is approved, the applicant  
1255 must ~~subscribers shall~~ sign and present a notarized copy of the  
1256 proposed charter to the judge of the circuit court for the  
1257 county in which the principal office of the association will be



1258 located. The proposed charter must specify:

1259 (1) The name of the association and the place where the  
1260 principal office is to be located. The name of the association  
1261 must shall include the word, "Inc."

1262 (2) The general nature of the objectives and powers of the  
1263 association, including a provision that the association is  
1264 incorporated for the sole purpose of conducting and operating  
1265 public fairs or expositions.

1266 (3) The qualifications and terms of association members and  
1267 criteria for their admission and expulsion. Provision must may  
1268 be made in the charter for ex officio membership.

1269 (4) The time for which the association is to exist.

1270 (5) The name and residence of each subscriber.

1271 (6) Procedures for the election of and governance by  
1272 officers, who may be elected or appointed.

1273 (7) The designation of officers who will manage the affairs  
1274 of the association until the first election or appointment under  
1275 the charter.

1276 (8) Procedures for the adoption, amendment, or rescission  
1277 of bylaws of the association.

1278 (9) The highest amount of indebtedness or liability that  
1279 may be accrued by the association.

1280 (10) The name of an elected member of the board of county  
1281 commissioners of the county in which the principal office of the  
1282 association will be located, who will serve as an ex officio  
1283 member of the board of directors of the association.

1284 (11) The official e-mail address of the association which  
1285 will be used for the purpose of official communication between  
1286 the association and governmental entities.



1287        (12) The language for the oath that will be taken by the  
1288 applicant, which must include, but is not limited to, all of the  
1289 following:

1290        (a) That the primary objective of the association is for  
1291 public service and to hold, conduct, and promote public fairs or  
1292 expositions.

1293        (b) That money and other available assets in value  
1294 exceeding \$5,000 have been provided for purposes designated by  
1295 the association.

1296        (c) That the association will operate in good faith to  
1297 carry out the purposes and objectives set forth in the charter.

1298        Section 39. Section 616.02, Florida Statutes, is amended to  
1299 read:

1300        616.02 Fair associations per county Acknowledgment of  
1301 charter.—

1302        (1) Beginning July 1, 2026, there may be only one  
1303 incorporated fair association per county in this state,  
1304 excluding the state fair, which may be incorporated and  
1305 conducted in any county. The department may not approve a  
1306 proposed charter incorporating a fair association within the  
1307 same county in which a fair association currently exists. The  
1308 department may waive this requirement at the discretion of the  
1309 Commissioner of Agriculture.

1310        (2) Any fair association incorporated before July 1, 2026,  
1311 may conduct public fairs or expositions and exercise the  
1312 authority provided to them pursuant to this chapter ~~The proposed~~  
1313 ~~charter of a fair association shall be acknowledged by at least~~  
1314 ~~three of its subscribers before an officer authorized to make~~  
~~acknowledgment of deeds. Subscribers shall also make and take an~~



1316 ~~oath, which must be attached to the proposed charter, stating~~  
1317 ~~that the primary objective of the association is public service~~  
1318 ~~and holding, conducting, and promoting public fairs or~~  
1319 ~~expositions; that money and other available assets in value~~  
1320 ~~exceeding \$5,000 have been provided for the purposes of the~~  
1321 ~~association; and that the association will operate in good faith~~  
1322 ~~to carry out the purposes and objectives set forth in its~~  
1323 ~~charter.~~

1324 Section 40. Section 616.03, Florida Statutes, is amended to  
1325 read:

1326 ~~616.03 Notice of application; Approval and record of~~  
1327 ~~charter.—Upon approval by the department, A notice of intention~~  
1328 ~~to apply to the circuit court for the charter of a fair~~  
1329 ~~association must specify the date that application will be made,~~  
1330 ~~shall be sent to the department for approval, and shall be~~  
1331 ~~published in a newspaper in the county where the principal~~  
1332 ~~office of the association will be located once each week for 4~~  
1333 ~~consecutive weeks. The notice must briefly summarize the charter~~  
1334 ~~and objectives of the proposed association. the proposed charter~~  
1335 ~~must shall be submitted to and approved by the board of county~~  
1336 ~~commissioners of the county in which the principal office of the~~  
1337 ~~association will be located. After approval by the department~~  
1338 ~~and the board of county commissioners, the proposed charter and~~  
1339 ~~proof of approval must and publication shall be submitted to the~~  
1340 ~~circuit judge on the date specified in the notice. If no cause~~  
1341 ~~is shown to the contrary and the judge finds that the proposed~~  
1342 ~~charter is in proper form and will serve the primary objective~~  
1343 ~~of public service, the judge must shall approve the charter and~~  
1344 ~~issue an order incorporating the applicant subscribers under the~~



1345 charter for the objectives and purposes specified in the  
1346 charter. The charter and order of incorporation must shall be  
1347 recorded in the office of the clerk of the circuit court in the  
1348 county where the principal office of the association will be  
1349 located and provided to the department. After the order is  
1350 recorded, the applicant subscribers and any their associates are  
1351 incorporated with the objectives and powers established in the  
1352 charter and under the name given in the charter. ~~During the~~  
1353 ~~publication period, the proposed charter shall be on file in the~~  
1354 ~~office of the clerk of the circuit court.~~ This section does not  
1355 preclude a fair association from also filing its duly approved  
1356 charter with the Department of State pursuant to chapter 617 for  
1357 notice purposes.

1358       Section 41. Subsection (2) of section 616.05, Florida  
1359 Statutes, is amended to read:

1360       616.05 Amendment of charter.—A fair association may propose  
1361 an amendment to its charter by resolution as provided in its  
1362 charter or bylaws.

1363       (2) After the department approves the proposed amendment,  
1364 it will be incorporated into the original charter upon:

1365       (a) ~~Publication of notice in the same manner as provided in~~  
1366 ~~s. 616.03;~~

1367       (b) Filing the order of the circuit judge approving the  
1368 amendment with the office of the clerk of the circuit court and  
1369 the department; and

1370       (b) ~~(e)~~ Being recorded in the clerk's office.

1371  
1372 If a fair association has filed its charter with the Department  
1373 of State pursuant to chapter 617, a copy of any amendment to the



1374 charter must be filed with the Department of State for notice  
1375 purposes.

1376 Section 42. Section 616.051, Florida Statutes, is amended  
1377 to read:

1378 616.051 Dissolving a charter.—

1379 (1) A fair association may dissolve its charter by  
1380 resolution as provided in its charter or bylaws. The proposal  
1381 for dissolving the charter shall be submitted to the department  
1382 for approval.

1383 (2) Upon approval by the department and upon presentation  
1384 of sufficient evidence demonstrating and publication of notice  
1385 and proof that all indebtedness has been paid and no claims are  
1386 outstanding against the association, the circuit judge may, by  
1387 decree, dissolve the association and order the distribution of  
1388 its remaining assets. Such assets must be distributed, by  
1389 resolution of the board of directors, to the county in which the  
1390 principal office of the association is located unless otherwise  
1391 specified by the deed of the property held by the association  
1392 its remaining public funds to be distributed as recommended by  
1393 the board of directors.

1394 Section 43. Subsection (3) of section 616.07, Florida  
1395 Statutes, is amended, and subsections (1) and (2) of that  
1396 section are republished, to read:

1397 616.07 Members not personally liable; property of  
1398 association held in trust; exempt from taxation.—

1399 (1) A member, officer, director, or trustee of a fair  
1400 association is not personally liable for any of the debts of the  
1401 association, and money or property of a fair association may not  
1402 be distributed as profits or dividends among its members,



1403 officers, directors, or trustees.

1404 (2) All money and property of the association, except that  
1405 necessary for the payment of its just debts and liabilities, are  
1406 public property, shall be administered by the association as  
1407 trustee, and shall be used exclusively for the legitimate  
1408 purpose of the association. So long as they are used for that  
1409 purpose, all money and property of the association are exempt  
1410 from all forms of taxation, including special assessments, and  
1411 any projects, activities, events, programs, and uses authorized  
1412 by this part serve an essential governmental purpose and,  
1413 therefore, are not taxable and are not subject to assessments.  
1414 This subsection does not apply to chapter 212.

1415 ~~(3) Upon order of the circuit judge, any public funds or~~  
1416 ~~property remaining in a fair association when the association is~~  
1417 ~~dissolved shall be distributed by resolution of the board of~~  
1418 ~~directors to any county or any municipality within the county.~~  
1419 ~~The board may designate in the distribution resolution the~~  
1420 ~~public project that will benefit from the funds or the manner in~~  
1421 ~~which the property will be used. If property has been~~  
1422 ~~contributed by a municipality or county, the property shall be~~  
1423 ~~reconveyed to the municipality or county that gave the property~~  
1424 ~~to the association.~~

1425 Section 44. Section 616.101, Florida Statutes, is amended  
1426 to read:

1427 616.101 Annual review of accounts and records; review of  
1428 charter.—

1429 (1) The accounts and records of a every fair association  
1430 whose annual public fair has an annual attendance of more than  
1431 25,000, based upon recorded attendance from the previous year,



1432 must shall be reviewed annually by a qualified accountant  
1433 licensed by the state. A fair association whose annual public  
1434 fair has an annual attendance of 25,000 or fewer, based upon  
1435 recorded attendance from the previous year, or a fair  
1436 association that is holding an annual public fair for the first  
1437 time, must submit an annual financial statement that has been  
1438 signed by an officer of the county. The results of the reviews  
1439 must shall be kept in the official records of each association,  
1440 available to all directors of the association. A certified copy  
1441 of the review must shall be filed with the department:

1442 (a) (1) On request by the department to certify expenditures  
1443 of the premiums awarded to exhibitors of a fair or of building  
1444 funds if when there is evidence of a violation of state laws; or  
1445 (b) (2) When the association is applying for a fair permit.

1446 (2) A fair association shall, every 5 years beginning July  
1447 1, 2026, review its charter and submit to the department a  
1448 certified copy of the charter which incorporates any amendment  
1449 made during the last 5 years. A designated member of the  
1450 association shall attest that the charter is accurate and  
1451 factual when submitting the certified copy to the department.

1452 Section 45. Section 616.15, Florida Statutes, is amended to  
1453 read:

1454 616.15 Permit from Department of Agriculture and Consumer  
1455 Services required.—

1456 (1) An annual public fair may not be conducted by a fair  
1457 association without a permit issued by the department. The  
1458 association shall present to the department an application for a  
1459 permit, signed by an officer of the association, at least 90  
1460 calendar days 3 months before holding the annual public fair.



1461 The application must ~~shall~~ be accompanied by a fee in an amount  
1462 to be determined by the department for processing the  
1463 application and making any required investigation. The  
1464 application fee must be at least \$183 and may not exceed \$366.  
1465 Fees collected under this subsection shall be deposited in the  
1466 General Inspection Trust Fund of the State Treasury in a special  
1467 account to be known as the "Agricultural and Livestock Fair  
1468 Account." A copy of the application must be sent to each fair  
1469 association located within 50 miles of the site of the proposed  
1470 annual public fair at the same time the application is sent to  
1471 the department. The department may issue a permit if the  
1472 applicant provides:

1473 (a) The opening and closing dates of the proposed annual  
1474 public fair.

1475 (b) The name and address of the owner of the central  
1476 amusement attraction that will operate during the annual public  
1477 fair.

1478 (c) An affidavit properly executed by the president or  
1479 chief executive officer of the applicant association certifying  
1480 the existence of a binding contract entered into by the  
1481 association and the owner of the central amusement attraction  
1482 covering the period for which the permit from the department is  
1483 applied. The contract between the parties must ~~shall~~ be  
1484 available for inspection by duly authorized agents of the  
1485 department in administering this chapter.

1486 (d) A copy of the association's charter which incorporates  
1487 all amendments made ~~A written statement that the main purpose of~~  
1488 ~~the association is to conduct and operate a public fair and~~  
1489 ~~exposition, including the annual fair, for the benefit and~~



1490 ~~development of the educational, agricultural, horticultural,~~  
1491 ~~livestock, charitable, historical, civic, cultural, scientific,~~  
1492 ~~and other resources of the geographical area the fair~~  
1493 ~~association represents and serves. The statement must be~~  
1494 ~~subscribed and acknowledged by an officer of the association~~  
1495 ~~before an officer authorized to take acknowledgments.~~

1496 (e) A premium list of the current annual public fair to be  
1497 conducted and ~~or~~ a copy of the previous year's premium list  
1498 showing all premiums and awards to be offered to exhibitors in  
1499 various departments of the annual public fair, which may  
1500 include, but are not limited to, art exhibition, beef cattle,  
1501 county exhibits, dairy cattle, horticulture, swine, women's  
1502 department, 4-H Club activities, Future Farmers of America  
1503 activities, Future Homemakers of America activities, poultry and  
1504 egg exhibits, and community exhibits. The premium list, which  
1505 may be submitted separately from the application, must be  
1506 submitted at least 60 calendar days before the annual public  
1507 fair begins operation.

1508 (f) A complete listing of all exhibits required pursuant to  
1509 ~~s. 616.17 Proof of liability insurance insuring the association~~  
1510 ~~against liability for injury to persons, in an amount of not~~  
1511 ~~less than \$300,000 per occurrence.~~

1512 (g) ~~A copy of the most recent review.~~

1513 (h) ~~A list of all current members of the board of directors~~  
1514 ~~of the association and their contact information, including home~~  
1515 ~~address.~~

1516  
1517 The department shall issue the permit within 10 calendar days  
1518 after it receives ~~all~~ the information required by this



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subsection and the applicant qualifies pursuant to this section.

(2) At least 21 calendar days before holding the annual public fair, the association shall present the department with all of the following information:

(a) Proof of liability insurance insuring the association against liability for injury to persons, in an amount not less than \$300,000 per occurrence.

(b) A copy of the association's most recent annual financial statement pursuant to s. 616.101.

(c) A list of all current members of the board of directors of the association and their contact information, including mailing addresses.

(3)-(2) The department shall administer and enforce the provisions of this chapter except as to the regulation of games, which shall be regulated by local law enforcement agencies. The department shall adopt rules to administer this chapter, including rules governing the form and contents of the application for the permit and any reports that it deems may deem necessary in enforcing the provisions of this chapter.

(4)-(3) Notwithstanding any fair association meeting the requirements set forth in subsection (1), the department may order a full investigation to determine if the fair association meets the requirements of this part s. 616.01, and may withhold a permit from, deny a permit to, or withdraw a permit once issued to the association. The department shall also consider whether any proposed annual public fair, as set forth in an application for a permit, will compete with another annual public fair within 50 miles of the proposed annual public fair with respect to name, dates of operation, or market. The



1548 department may deny, withhold, or withdraw a permit from a fair  
1549 association if the department determines that such fair  
1550 association will compete with another association. The  
1551 department shall give preference to existing fair associations  
1552 with established dates, locations, and names. The determination  
1553 by the department is final.

1554       Section 46. Section 616.251, Florida Statutes, is amended  
1555 to read:

1556       616.251 Florida State Fair Authority; creation;  
1557 responsibility for staging annual state fair; exemptions.—

1558       (1) There is created and constituted the "Florida State  
1559 Fair Authority," a public body corporate and politic, for the  
1560 purposes and with the powers set forth in this part. Such  
1561 instrumentality, hereinafter referred to as "the authority,"  
1562 shall have perpetual succession. For the purposes of  
1563 implementing the intent of this part, the authority shall be  
1564 considered an instrumentality of the state, subject to the  
1565 jurisdiction of the state. Any conflict with respect to that  
1566 jurisdiction will be resolved by the authority and respective  
1567 state agencies.

1568       (2) The authority shall operate under the supervision of  
1569 the Commissioner of Agriculture, which supervision may include,  
1570 but is not limited to, assisting, advising, and making  
1571 recommendations regarding the financing and operation of the  
1572 authority. In assisting and advising the authority, the  
1573 Commissioner of Agriculture may make appropriate staff of the  
1574 department available to the authority.

1575       (3) The authority is charged with the responsibility of  
1576 staging an annual fair to serve the entire state. Cash premiums



1577 or awards may be given to exhibitors.

1578 (4) The authority shall be exempt from the requirements of  
1579 part I of this chapter.

1580 (5)-(4) The principal offices of the authority shall be in  
1581 such place or places in or near the City of Tampa as the  
1582 authority may from time to time designate.

1583 Section 47. Subsection (1) of section 843.085, Florida  
1584 Statutes, is amended, and subsection (5) of that section is  
1585 republished, to read:

1586 843.085 Unlawful use of badges or other indicia of  
1587 authority.—

1588 (1) It is unlawful for any person, unless appointed by the  
1589 Governor pursuant to chapter 354, authorized by the appropriate  
1590 agency, or displayed in a closed or mounted case as a collection  
1591 or exhibit, to wear or display any authorized indicia of  
1592 authority, including any badge, insignia, emblem, identification  
1593 card, or uniform, or any colorable imitation thereof, of any  
1594 federal, state, county, or municipal law enforcement agency, or  
1595 other criminal justice agency as defined in s. 943.045, with the  
1596 intent to mislead or cause another person to believe that he or  
1597 she is a member of that agency or is authorized to display or  
1598 wear such item, or to wear or display any item that displays in  
1599 any manner or combination the word or words "police,"  
1600 "patrolman," "patrolwoman," "agent," "sheriff," "deputy,"  
1601 "trooper," "highway patrol," "commission officer," "Wildlife  
1602 Officer," "Department of Environmental Protection officer,"  
1603 "Marine Patrol Officer," "state attorney," "public defender,"  
1604 "marshal," "constable," "bailiff," or "fire department,"  
1605 "concealed weapon permit," or "concealed weapon permitholder"



1606 with the intent to mislead or cause another person to believe  
1607 that he or she is a member of that agency, if applicable, or is  
1608 authorized to wear or display such item.

1609 (5) A violation of this section is a misdemeanor of the  
1610 first degree, punishable as provided in s. 775.082 or s.  
1611 775.083. This section is cumulative to any law now in force in  
1612 the state.

1613 Section 48. Section 865.065, Florida Statutes, is reordered  
1614 and amended to read:

1615 865.065 Disparagement of ~~perishable~~ agricultural food  
1616 products; cause of action; limitation.—

1617 (1) The Legislature finds, determines, and declares that  
1618 the production of agricultural food products constitutes an  
1619 important and significant portion of the state economy and that  
1620 it is imperative to protect the vitality of the agricultural  
1621 economy for the citizens of this state by providing a cause of  
1622 action for agricultural producers to recover damages for the  
1623 disparagement of any ~~perishable~~ agricultural product.

1624 (2) For purposes of this section, the term:

1625 (b) (a) "Disparagement" means the willful or malicious  
1626 dissemination to the public in any manner of any false  
1627 information that an a ~~perishable~~ agricultural food product is  
1628 not safe for human consumption. False information is that  
1629 information which is not based on reliable, scientific facts and  
1630 reliable, scientific data which the disseminator knows or should  
1631 have known to be false.

1632 (a) (b) "Perishable Agricultural food product" means any  
1633 agricultural or aquacultural food product or commodity grown or  
1634 produced within this the state for a commercial purpose. The



1635 term also includes any agricultural practices used in the  
1636 production of such products of Florida which is sold or  
1637 distributed in a form that will perish or decay within a  
1638 reasonable period of time.

1639 (c) "Producer" means the person who actually grows or  
1640 produces perishable agricultural food products.

1641 (3) Any producer or any association representing producers  
1642 of perishable agricultural food products which suffers damages  
1643 as a result of another person's disparagement of any such  
1644 perishable agricultural food product may bring an action for  
1645 damages and for any other relief a court of competent  
1646 jurisdiction deems appropriate, including, but not limited to,  
1647 compensatory and punitive damages, reasonable attorney fees, and  
1648 costs of the action.

1649 (4) The statute of limitations for disparagement of  
1650 perishable agricultural food products is 2 years from the date  
1651 the disparagement occurs.

1652 Section 49. Subsection (27) is added to section 934.02,  
1653 Florida Statutes, to read:

1654 934.02 Definitions.—As used in this chapter:

1655 (27) "Signal jamming device" means a device or process,  
1656 such as a phone jammer, global positioning systems blocker, or  
1657 other similar device designed to intentionally block, jam, or  
1658 interfere with radio communications, such as cellular and  
1659 personal communication services, police radar, or global  
1660 positioning systems.

1661 Section 50. Section 934.51, Florida Statutes, is created to  
1662 read:

1663 934.51 Possession, use, and sale of signal jamming device;



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prohibition; exceptions; penalties.-

(1) PROHIBITION.-It is unlawful to possess, manufacture, hold or offer for sale, sell, import, distribute, or use a signal jamming device in this state.

(2) EXCEPTIONS.-This section does not apply to a federal or military law enforcement agency that lawfully installs, places, or uses a signal jamming device as part of a criminal investigation, or to any person duly authorized by the Federal Communications Commission.

(3) PENALTIES.-A person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 51. Paragraph (a) of subsection (4) and subsection (6) of section 288.1175, Florida Statutes, are amended to read:

288.1175 Agriculture education and promotion facility.-

(4) The Department of Agriculture and Consumer Services shall certify a facility as an agriculture education and promotion facility if the Department of Agriculture and Consumer Services determines that:

(a) The applicant is a unit of local government as defined in s. 218.369, or a fair association as defined in s. 616.001(8) ~~s. 616.001(11)~~, which is responsible for the planning, design, permitting, construction, renovation, management, and operation of the agriculture education and promotion facility or holds title to the property on which such facility is to be developed and located.

(6) Funds may not be expended to develop or subsidize privately owned facilities, except for facilities owned by fair associations as defined in s. 616.001(8) ~~s. 616.001(11)~~.



1693       Section 52. For the purpose of incorporating the amendment  
1694 made by this act to section 287.1351, Florida Statutes, in a  
1695 reference thereto, subsection (4) of section 287.056, Florida  
1696 Statutes, is reenacted to read:

1697       287.056 Purchases from purchasing agreements and state term  
1698 contracts; vendor disqualification.—

1699       (4) A firm or individual placed on the suspended vendor  
1700 list pursuant to s. 287.1351 or placed on a disqualified vendor  
1701 list pursuant to s. 287.133 or s. 287.134 is immediately  
1702 disqualified from state term contract eligibility.

1703       Section 53. For the purpose of incorporating the amendment  
1704 made by this act to section 287.1351, Florida Statutes, in a  
1705 reference thereto, subsection (5) of section 287.138, Florida  
1706 Statutes, is reenacted to read:

1707       287.138 Contracting with entities of foreign countries of  
1708 concern prohibited.—

1709       (5) The Attorney General may bring a civil action in any  
1710 court of competent jurisdiction against an entity that violates  
1711 this section. Violations of this section may result in:

1712       (a) A civil penalty equal to twice the amount of the  
1713 contract for which the entity submitted a bid or proposal for,  
1714 replied to, or entered into;

1715       (b) Ineligibility to enter into, renew, or extend any  
1716 contract, including any grant agreements, with any governmental  
1717 entity for up to 5 years;

1718       (c) Ineligibility to receive or renew any license,  
1719 certification, or credential issued by a governmental entity for  
1720 up to 5 years; and

1721       (d) Placement on the suspended vendor list pursuant to s.



1722 287.1351.

1723       Section 54. For the purpose of incorporating the amendment  
1724 made by this act to section 500.04, Florida Statutes, in a  
1725 reference thereto, subsection (1) of section 500.177, Florida  
1726 Statutes, is reenacted to read:

1727       500.177 Penalty for violation of s. 500.04; dissemination  
1728 of false advertisement.—

1729       (1) Any person who violates any provision of s. 500.04 is  
1730 guilty of a misdemeanor of the second degree, punishable as  
1731 provided in s. 775.082 or s. 775.083; but, if the violation is  
1732 committed after a conviction of such person under this section  
1733 has become final, such person is guilty of a misdemeanor of the  
1734 first degree, punishable as provided in s. 775.082 or s.  
1735 775.083.

1736       Section 55. For the purpose of incorporating the amendment  
1737 made by this act to section 616.07, Florida Statutes, in a  
1738 reference thereto, subsection (13) of section 212.08, Florida  
1739 Statutes, is reenacted to read:

1740       212.08 Sales, rental, use, consumption, distribution, and  
1741 storage tax; specified exemptions.—The sale at retail, the  
1742 rental, the use, the consumption, the distribution, and the  
1743 storage to be used or consumed in this state of the following  
1744 are hereby specifically exempt from the tax imposed by this  
1745 chapter.

1746       (13) LIMITATIONS ON EXEMPTIONS.—No transactions shall be  
1747 exempt from the tax imposed by this chapter except those  
1748 expressly exempted herein. All laws granting tax exemptions, to  
1749 the extent they may be inconsistent or in conflict with this  
1750 chapter, including, but not limited to, the following designated



1751 laws, shall yield to and be superseded by the provisions of this  
1752 subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31,  
1753 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11,  
1754 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09, and the  
1755 following Laws of Florida, acts of the year indicated: s. 31,  
1756 chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter  
1757 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263,  
1758 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13,  
1759 chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754;  
1760 s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter  
1761 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681.  
1762 This subsection does not supersede the authority of a local  
1763 government to adopt financial and local government incentives  
1764 pursuant to s. 163.2517.

1765 Section 56. For the purpose of incorporating the amendment  
1766 made by this act to section 616.15, Florida Statutes, in a  
1767 reference thereto, section 616.185, Florida Statutes, is  
1768 reenacted to read:

1769 616.185 Trespass upon grounds or facilities of public fair;  
1770 penalty; arrests.—

1771 (1) For the purposes of this chapter, trespass upon the  
1772 grounds of the Florida State Fair Authority or any other fair  
1773 association permitted under s. 616.15 means:

1774 (a) Entering and remaining upon any grounds or facilities  
1775 owned, operated, or controlled by the Florida State Fair  
1776 Authority or any other association permitted under s. 616.15 and  
1777 committing any act that disrupts the orderly conduct of any  
1778 authorized activity of the fair association in charge, or its  
1779 lessees, licensees, or the general public on those grounds or



1780 facilities; or

1781 (b) Entering and remaining on those grounds or facilities

1782 after being directed not to enter or to leave them by the

1783 executive director of the authority, chief administrative

1784 officer of the fair association, or any employee or agent of the

1785 association designated by the executive director or

1786 administrator to maintain order on those grounds and facilities,

1787 after a determination by the executive director, administrator,

1788 employee, or agent that the entering or remaining on those

1789 grounds or facilities is in violation of the rules and

1790 regulations of the Florida State Fair Authority or permitted

1791 fair association or is disrupting the orderly conduct of any

1792 authorized activity of the fair association in charge, or its

1793 lessees, licensees, or the general public on those grounds or

1794 facilities.

1795 (2) Any person committing the offense of trespass upon the

1796 grounds of the Florida State Fair Authority or any other fair

1797 association permitted under s. 616.15 commits a misdemeanor of

1798 the second degree, punishable as provided in s. 775.082 or s.

1799 775.083.

1800 (3) A law enforcement officer may arrest any person on or

1801 off the premises, without a warrant, if the officer has probable

1802 cause for believing such person has committed the offense of

1803 trespass upon the grounds of the Florida State Fair Authority or

1804 any fair association permitted under s. 616.15. Such an arrest

1805 does not render the law enforcement officer criminally or

1806 civilly liable for false arrest, false imprisonment, or unlawful

1807 detention.

1808 Section 57. This act shall take effect July 1, 2026.



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1809  
1810 ===== T I T L E A M E N D M E N T =====  
1811 And the title is amended as follows:  
1812 Delete everything before the enacting clause  
1813 and insert:  
1814 A bill to be entitled  
1815 An act relating to the Department of Agriculture and  
1816 Consumer Services; creating s. 125.489, F.S.; defining  
1817 the terms "gasoline-powered farm equipment" and  
1818 "gasoline-powered landscape equipment"; prohibiting  
1819 counties from enacting or enforcing any law that  
1820 restricts or prohibits the use of gasoline-powered  
1821 farm equipment or gasoline-powered landscape equipment  
1822 or that distinguishes such equipment from any other  
1823 equipment under certain circumstances; providing  
1824 construction; amending s. 163.3164, F.S.; defining the  
1825 terms "ecologically significant parcel" and "low-  
1826 density municipality"; amending s. 163.3202, F.S.;  
1827 prohibiting an application for a development on an  
1828 ecologically significant parcel in a low-density  
1829 municipality from being administratively approved  
1830 without an attestation provided by the developer;  
1831 specifying requirements for such attestation;  
1832 providing applicability; specifying requirements for  
1833 the attestation included in certain applications;  
1834 providing for a waiver; creating s. 166.063, F.S.;  
1835 defining the terms "gasoline-powered farm equipment"  
1836 and "gasoline-powered landscape equipment";  
1837 prohibiting municipalities from enacting or enforcing



any law that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment or that distinguishes such equipment from any other equipment under certain circumstances; providing construction; amending s. 212.055, F.S.; conforming a cross-reference; making a technical change; amending s. 253.0341, F.S.; requiring the Acquisition and Restoration Council to determine whether certain surplused lands are suitable for bona fide agricultural purposes; prohibiting a local governmental entity from transferring future development rights for surplused lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, to determine whether certain state-owned conservation lands are suitable for bona fide agricultural purposes; authorizing the Department of Environmental Protection to surplus certain state-owned lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection to retain a rural-lands-protection easement for such surplused lands; requiring that all proceeds from the sale of such surplused lands be deposited in the Department of Agriculture and Consumer Services' Incidental Trust Fund for less than fee simple; requiring the Department of Environmental Protection to annually provide a report of such surplused lands to the Board



1867 of Trustees of the Internal Improvement Trust Fund;  
1868 prohibiting certain lands from being surplused;  
1869 amending s. 259.1053, F.S.; deleting provisions  
1870 relating to the Babcock Ranch Advisory Group; amending  
1871 s. 287.1351, F.S.; revising circumstances under which  
1872 a vendor is prohibited from submitting a bid,  
1873 proposal, or reply to an agency or from entering into  
1874 or renewing any contract to provide goods or services  
1875 to an agency; amending s. 322.12, F.S.; providing  
1876 penalties for an applicant for a commercial driver  
1877 licensee who receives unauthorized assistance on  
1878 certain portions of the examination; amending s.  
1879 322.36, F.S.; prohibiting a person from knowingly or  
1880 willfully providing unauthorized assistance to an  
1881 applicant for the examination required to hold a  
1882 commercial driver license; repealing ss. 377.71,  
1883 377.711, and 377.712, F.S., relating to definitions  
1884 and the Southern States Energy Compact, Florida as  
1885 party to the Southern States Energy Compact, and  
1886 Florida's participation in the Southern States Energy  
1887 Board, respectively; amending s. 403.0855, F.S.;  
1888 deleting a provision relating to legislative approval  
1889 of certain rules adopted by the Department of  
1890 Environmental Protection; revising requirements for  
1891 permittees of biosolids land application sites;  
1892 revising the date by which permits must comply with  
1893 specified provisions; amending s. 482.071, F.S.;  
1894 requiring certain persons applying for a pest control  
1895 business license or renewal to provide the department



1896 with a certificate of insurance; specifying  
1897 requirements for such certificate of insurance;  
1898 amending ss. 482.161, F.S.; revising the severity of  
1899 an administrative fine for violations of certain  
1900 provisions; amending s. 482.165, F.S.; revising civil  
1901 penalties; amending s. 489.105, F.S.; defining the  
1902 terms "subcontractor" and "supplier"; creating s.  
1903 489.1295, F.S.; prohibiting licensed contractors or  
1904 persons holding themselves out as such from failing to  
1905 pay their subcontractor or supplier within a specified  
1906 timeframe without reasonable cause after receiving  
1907 payment for the services the subcontractor or supplier  
1908 performed; providing penalties; amending s. 500.04,  
1909 F.S.; revising the list of prohibited acts related to  
1910 the prevention of fraud, harm, adulteration,  
1911 misbranding, or false advertising in the preparation,  
1912 production, manufacture, storage, or sale of food;  
1913 repealing s. 500.81, F.S., relating to the Healthy  
1914 Food Financing Initiative; amending s. 500.93, F.S.;  
1915 making a technical change; amending s. 501.013, F.S.;  
1916 authorizing the Department of Agriculture and Consumer  
1917 Services to provide an exemption from certain health  
1918 studio regulations; creating s. 501.062, F.S.;  
1919 providing legislative intent; defining the terms  
1920 "commercial solicitation" and "dwelling"; prohibiting  
1921 a person from engaging in commercial solicitation  
1922 under certain circumstances; providing construction;  
1923 providing penalties; amending s. 570.07, F.S.;  
1924 authorizing the Department of Agriculture and Consumer



1925 Services to reorganize departmental units upon the  
1926 approval of the Commissioner of Agriculture; amending  
1927 s. 570.822, F.S.; providing additional eligibility  
1928 requirements for the Agriculture and Aquaculture  
1929 Producers Emergency Recovery Loan Program; creating s.  
1930 570.832, F.S.; requiring the Florida Wildflower  
1931 Foundation, in coordination with the Department of  
1932 Agriculture and Consumer Services, to establish the  
1933 Florida Native Seed Research and Marketing Program,  
1934 subject to legislative appropriation; providing the  
1935 purpose of the program; creating s. 570.846, F.S.;  
1936 establishing the Food Animal Veterinary Medicine Loan  
1937 Repayment Program; providing the purpose of the  
1938 program; defining terms; providing eligibility  
1939 requirements for the program; authorizing the  
1940 Department of Agriculture and Consumer Services to  
1941 make loan principal repayments on behalf of eligible  
1942 candidates up to a certain amount for a specified  
1943 timeframe, subject to legislative appropriation;  
1944 providing construction; authorizing the Department of  
1945 Agriculture and Consumer Services to adopt rules;  
1946 amending s. 570.85, F.S.; prohibiting a local  
1947 government from requiring a property owner to obtain a  
1948 rural event venue permit or license; amending s.  
1949 570.86, F.S.; defining "rural event venue"; amending  
1950 s. 583.01, F.S.; revising the definition of the term  
1951 "dealer"; amending s. 590.02, F.S.; revising the  
1952 Florida Forest Service's powers, authority, and  
1953 duties; authorizing the Florida Forest Service to



1954        manage the Welaka Training Center; conforming  
1955        provisions to changes made by the act; authorizing the  
1956        Withlacoochee and Welaka Training Centers to assess  
1957        certain fees as determined by the Florida Forest  
1958        Service, regardless of where certain training occurs;  
1959        renaming the Bonifay Forestry Station as the John  
1960        Michael Mathis Forestry Station to honor the late John  
1961        Michael Mathis; creating s. 595.421, F.S.;  
1962        establishing the Farmers Feeding Florida Program for  
1963        specified purposes; requiring Feeding Florida to take  
1964        certain actions to implement the program; prohibiting  
1965        the food purchased by Feeding Florida through such  
1966        program from reentering the wholesale, retail, or  
1967        secondary market; prohibiting a candidate for elective  
1968        office from hosting a food distribution event under  
1969        certain circumstances; providing applicability;  
1970        amending s. 597.004, F.S.; making a technical change;  
1971        prohibiting the Department of Agriculture and Consumer  
1972        Services from renewing a certificate of registration  
1973        for a noncompliant facility unless certain  
1974        documentation is provided with the renewal  
1975        application; prohibiting entities whose certificate of  
1976        registration have been revoked from reapplying for a  
1977        specified period of time; amending s. 597.010, F.S.;  
1978        authorizing rather than requiring the periodic  
1979        adjustment of the annual rental fee charged for  
1980        certain leases; amending s. 599.012, F.S.; making  
1981        technical changes; amending s. 616.001, F.S.; revising  
1982        and deleting definitions relating to public fairs and



1983       expositions; amending s. 616.01, F.S.; revising  
1984       application requirements for a proposed charter for an  
1985       association to conduct a public fair or exposition;  
1986       requiring the Department of Agriculture and Consumer  
1987       Services to provide an applicant for a proposed  
1988       charter with specified information upon the denial of  
1989       a proposed charter; revising requirements for  
1990       information that must be included in the proposed  
1991       charter; amending s. 616.02, F.S.; limiting the number  
1992       of incorporated state fair associations per county;  
1993       providing construction; authorizing the Department of  
1994       Agriculture and Consumer Services to waive certain  
1995       requirements at the discretion of the commissioner;  
1996       authorizing fair associations incorporated before a  
1997       certain date to conduct their affairs; deleting  
1998       provisions relating to requirements for a proposed  
1999       charter; amending s. 616.03, F.S.; revising  
2000       requirements for the approval and recordation of the  
2001       charter; amending s. 616.05, F.S.; revising the  
2002       process by which a proposed charter amendment is  
2003       incorporated into the original charter; amending s.  
2004       616.051, F.S.; revising the circumstances under which  
2005       a circuit judge is authorized to dissolve an  
2006       association and order the distribution of its  
2007       remaining assets; requiring that such assets be  
2008       distributed to certain counties; amending s. 616.07,  
2009       F.S.; deleting provisions relating to distribution of  
2010       public funds after the dissolution of an association;  
2011       amending s. 616.101, F.S.; specifying the basis for



2012 annual public fair attendance records; requiring a  
2013 fair association to review its charter every 5 years  
2014 and submit an updated copy of the charter to the  
2015 Department of Agriculture and Consumer Services;  
2016 requiring a designated member of the association to  
2017 make an attestation; amending s. 616.15, F.S.; making  
2018 a technical change; revising the information that an  
2019 applicant must submit to the Department of Agriculture  
2020 and Consumer Services for the department to issue a  
2021 permit for an association to conduct a fair; revising  
2022 the timeframe within which the Department of  
2023 Agriculture and Consumer Services is required to issue  
2024 the permit upon the receipt of specified information;  
2025 making technical changes; amending s. 616.251, F.S.;  
2026 exempting the Florida State Fair Authority from  
2027 specified provisions; amending s. 843.085, F.S.;  
2028 prohibiting a person from wearing or displaying an  
2029 item that displays the words "concealed weapon permit"  
2030 or "concealed weapon permit holder" with the intent to  
2031 mislead another to believe that the person is  
2032 authorized to wear or display such item; reordering  
2033 and amending s. 865.065, F.S.; revising definitions;  
2034 conforming provisions to changes made by the act;  
2035 amending s. 934.02, F.S.; defining the term, "signal  
2036 jamming device"; creating s. 934.51, F.S.; prohibiting  
2037 the possession, manufacture, sale, importation,  
2038 distribution, or use of a signal jamming device;  
2039 providing exceptions; providing criminal penalties;  
2040 amending s. 288.1175, F.S.; conforming cross-



2041 references; reenacting ss. 287.056(4) and 287.138(5),  
2042 F.S., relating to disqualification for state term  
2043 contract eligibility, and contracting with entities of  
2044 foreign countries of concern prohibited, respectively,  
2045 to incorporate the amendment made to s. 287.1351,  
2046 F.S., in references thereto; reenacting s. 500.177(1),  
2047 F.S., relating to penalties for dissemination of a  
2048 false advertisement, to incorporate the amendment made  
2049 to s. 500.04, F.S., in a reference thereto; reenacting  
2050 s. 212.08(13), F.S., relating to taxation and  
2051 specified exemptions, to incorporate the amendment  
2052 made to s. 616.07, F.S., in a reference thereto;  
2053 reenacting s. 616.185, F.S., relating to trespass upon  
2054 grounds or facilities of a public fair, to incorporate  
2055 the amendment made to s. 616.15, F.S., in a reference  
2056 thereto; providing an effective date.



LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/13/2026	.	
	.	
	.	
	.	

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

1                   **Senate Amendment (with title amendment)**

2

3                   Between lines 237 and 238

4                   insert:

5                   Section 2. Present subsections (18) through (30) and (31)  
6                   through (54) of section 163.3164, Florida Statutes, are  
7                   redesignated as subsections (19) through (31) and (33) through  
8                   (56), respectively, and new subsections (18) and (32) are added  
9                   to that section, to read:

10                  163.3164 Community Planning Act; definitions.—As used in



11 this act:

12       (18) "Ecologically significant parcel" means a parcel of  
13 land located within the boundaries of a low-density municipality  
14 which is currently undeveloped and has been designated as either  
15 rural, conservation, agricultural, or greenspace as provided by  
16 a local government comprehensive plan developed pursuant to s.  
17 163.3177.

18       (32) "Low-density municipality" means a municipality  
19 existing on or before January 1, 2025, which is less than 2,500  
20 acres in total size and contains a population of 5,000 or fewer  
21 legal residents.

22       Section 3. Present subsection (7) of section 163.3202,  
23 Florida Statutes, is redesignated as subsection (8), and a new  
24 subsection (7) is added to that section, to read:

25       163.3202 Land development regulations.—

26       (7) (a) Notwithstanding any ordinance to the contrary, an  
27 application for a development on an ecologically significant  
28 parcel in a low-density municipality may not be administratively  
29 approved without an attestation provided by the developer, under  
30 penalty of perjury, to the low-density municipality which states  
31 that the development will not exceed a maximum density of 1  
32 residential unit per 20 acres.

33       (b) This subsection does not apply to applications for the  
34 construction of residential units on an ecologically significant  
35 parcel for the express purpose of providing housing for family  
36 members of the applicant. However, the applicant must provide an  
37 attestation, under penalty of perjury, to the low-density  
38 municipality which states that the residential units being  
39 constructed will be used for such express purpose before the



40 administrative approval of an application for development.

41 (c) The density requirements provided in this subsection  
42 may be waived upon a resolution approved by a unanimous vote of  
43 the commission or council of the low-density municipality.

44 Section 4. Paragraph (d) of subsection (2) of section  
45 212.055, Florida Statutes, is amended to read:

46 212.055 Discretionary sales surtaxes; legislative intent;  
47 authorization and use of proceeds.—It is the legislative intent  
48 that any authorization for imposition of a discretionary sales  
49 surtax shall be published in the Florida Statutes as a  
50 subsection of this section, irrespective of the duration of the  
51 levy. Each enactment shall specify the types of counties  
52 authorized to levy; the rate or rates which may be imposed; the  
53 maximum length of time the surtax may be imposed, if any; the  
54 procedure which must be followed to secure voter approval, if  
55 required; the purpose for which the proceeds may be expended;  
56 and such other requirements as the Legislature may provide.  
57 Taxable transactions and administrative procedures shall be as  
58 provided in s. 212.054.

59 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

60 (d) The proceeds of the surtax authorized by this  
61 subsection and any accrued interest shall be expended by the  
62 school district, within the county and municipalities within the  
63 county, or, in the case of a negotiated joint county agreement,  
64 within another county, to finance, plan, and construct  
65 infrastructure; to acquire any interest in land for public  
66 recreation, conservation, or protection of natural resources or  
67 to prevent or satisfy private property rights claims resulting  
68 from limitations imposed by the designation of an area of



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69 critical state concern; to provide loans, grants, or rebates to  
70 residential or commercial property owners who make energy  
71 efficiency improvements to their residential or commercial  
72 property, if a local government ordinance authorizing such use  
73 is approved by referendum; or to finance the closure of county-  
74 owned or municipally owned solid waste landfills that have been  
75 closed or are required to be closed by order of the Department  
76 of Environmental Protection. Any use of the proceeds or interest  
77 for purposes of landfill closure before July 1, 1993, is  
78 ratified. The proceeds and any interest may not be used for the  
79 operational expenses of infrastructure, except that a county  
80 that has a population of fewer than 75,000 and that is required  
81 to close a landfill may use the proceeds or interest for long-  
82 term maintenance costs associated with landfill closure.  
83 Counties, as defined in s. 125.011, and charter counties may, in  
84 addition, use the proceeds or interest to retire or service  
85 indebtedness incurred for bonds issued before July 1, 1987, for  
86 infrastructure purposes, and for bonds subsequently issued to  
87 refund such bonds. Any use of the proceeds or interest for  
88 purposes of retiring or servicing indebtedness incurred for  
89 refunding bonds before July 1, 1999, is ratified.

90 1. For the purposes of this paragraph, the term  
91 "infrastructure" means:

92 a. Any fixed capital expenditure or fixed capital outlay  
93 associated with the construction, reconstruction, or improvement  
94 of public facilities that have a life expectancy of 5 or more  
95 years, any related land acquisition, land improvement, design,  
96 and engineering costs, and all other professional and related  
97 costs required to bring the public facilities into service. For



98 purposes of this sub-subparagraph, the term "public facilities"  
99 has the same meaning ~~means facilities~~ as defined in s.

100 163.3164(43) ~~s. 163.3164(41)~~, s. 163.3221(13), or s. 189.012(5),  
101 and includes facilities that are necessary to carry out  
102 governmental purposes, including, but not limited to, fire  
103 stations, general governmental office buildings, and animal  
104 shelters, regardless of whether the facilities are owned by the  
105 local taxing authority or another governmental entity.

106 b. A fire department vehicle, an emergency medical service  
107 vehicle, a sheriff's office vehicle, a police department  
108 vehicle, or any other vehicle, and the equipment necessary to  
109 outfit the vehicle for its official use or equipment that has a  
110 life expectancy of at least 5 years.

111 c. Any expenditure for the construction, lease, or  
112 maintenance of, or provision of utilities or security for,  
113 facilities, as defined in s. 29.008.

114 d. Any fixed capital expenditure or fixed capital outlay  
115 associated with the improvement of private facilities that have  
116 a life expectancy of 5 or more years and that the owner agrees  
117 to make available for use on a temporary basis as needed by a  
118 local government as a public emergency shelter or a staging area  
119 for emergency response equipment during an emergency officially  
120 declared by the state or by the local government under s.

121 252.38. Such improvements are limited to those necessary to  
122 comply with current standards for public emergency evacuation  
123 shelters. The owner must enter into a written contract with the  
124 local government providing the improvement funding to make the  
125 private facility available to the public for purposes of  
126 emergency shelter at no cost to the local government for a



127 minimum of 10 years after completion of the improvement, with  
128 the provision that the obligation will transfer to any  
129 subsequent owner until the end of the minimum period.

130 e. Any land acquisition expenditure for a residential  
131 housing project in which at least 30 percent of the units are  
132 affordable to individuals or families whose total annual  
133 household income does not exceed 120 percent of the area median  
134 income adjusted for household size, if the land is owned by a  
135 local government or by a special district that enters into a  
136 written agreement with the local government to provide such  
137 housing. The local government or special district may enter into  
138 a ground lease with a public or private person or entity for  
139 nominal or other consideration for the construction of the  
140 residential housing project on land acquired pursuant to this  
141 sub subparagraph.

142 f. Instructional technology used solely in a school  
143 district's classrooms. As used in this sub subparagraph, the  
144 term "instructional technology" means an interactive device that  
145 assists a teacher in instructing a class or a group of students  
146 and includes the necessary hardware and software to operate the  
147 interactive device. The term also includes support systems in  
148 which an interactive device may mount and is not required to be  
149 affixed to the facilities.

150 2. For the purposes of this paragraph, the term "energy  
151 efficiency improvement" means any energy conservation and  
152 efficiency improvement that reduces consumption through  
153 conservation or a more efficient use of electricity, natural  
154 gas, propane, or other forms of energy on the property,  
155 including, but not limited to, air sealing; installation of



156 insulation; installation of energy-efficient heating, cooling,  
157 or ventilation systems; installation of solar panels; building  
158 modifications to increase the use of daylight or shade;  
159 replacement of windows; installation of energy controls or  
160 energy recovery systems; installation of electric vehicle  
161 charging equipment; installation of systems for natural gas fuel  
162 as defined in s. 206.9951; and installation of efficient  
163 lighting equipment.

164 3. Notwithstanding any other provision of this subsection,  
165 a local government infrastructure surtax imposed or extended  
166 after July 1, 1998, may allocate up to 15 percent of the surtax  
167 proceeds for deposit into a trust fund within the county's  
168 accounts created for the purpose of funding economic development  
169 projects having a general public purpose of improving local  
170 economies, including the funding of operational costs and  
171 incentives related to economic development. The ballot statement  
172 must indicate the intention to make an allocation under the  
173 authority of this subparagraph.

174 4. Surtax revenues that are shared with eligible charter  
175 schools pursuant to paragraph (c) shall be allocated among such  
176 schools based on each school's proportionate share of total  
177 school district capital outlay full-time equivalent enrollment  
178 as adopted by the education estimating conference established in  
179 s. 216.136. Surtax revenues must be expended by the charter  
180 school in a manner consistent with the allowable uses provided  
181 in s. 1013.62(4). All revenues and expenditures shall be  
182 accounted for in a charter school's monthly or quarterly  
183 financial statement pursuant to s. 1002.33(9). If a school's  
184 charter is not renewed or is terminated and the school is

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185 dissolved under the provisions of law under which the school was  
186 organized, any unencumbered funds received under this paragraph  
187 shall revert to the sponsor.

188

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

190 And the title is amended as follows:

191 Delete lines 3 - 6

192 and insert:

193 Consumer Services; creating s. 125.489, F.S.; defining  
194 the terms "gasoline-powered farm equipment" and  
195 "gasoline-powered landscape equipment"; prohibiting  
196 counties from enacting or enforcing any law that  
197 restricts or prohibits the use of gasoline-powered  
198 farm equipment or gasoline-powered landscape equipment  
199 or that distinguishes such equipment from any other  
200 equipment under certain circumstances; providing  
201 construction; amending s. 163.3164, F.S.; defining  
202 terms; amending s. 163.3202, F.S.; requiring that  
203 applications for development on certain parcels  
204 include a certain attestation for approval; providing  
205 applicability; providing requirements for the  
206 attestation included in certain applications;  
207 providing a waiver; amending s. 212.055, F.S.;  
208 conforming a cross-reference; creating s. 166.063,  
209 F.S.; defining the terms "gasoline-powered farm  
210 equipment" and "gasoline-powered landscape equipment";  
211 prohibiting municipalities

By the Committee on Agriculture; and Senator Truenow

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surplused lands be deposited in the Department of Agriculture and Consumer Services' Incidental Trust Fund for less than fee simple; requiring the Department of Environmental Protection to annually provide a report of such surplused lands to the Board of Trustees of the Internal Improvement Trust Fund; prohibiting certain lands from being surplused; amending s. 259.1053, F.S.; deleting provisions relating to the Babcock Ranch Advisory Group; amending s. 287.1351, F.S.; revising circumstances under which a vendor is prohibited from submitting a bid, proposal, or reply to an agency or from entering into or renewing any contract to provide goods or services to an agency; amending s. 322.12, F.S.; providing penalties for an applicant for a commercial driver license who receives unauthorized assistance on certain portions of the examination; amending s. 322.36, F.S.; prohibiting a person from knowingly or willfully providing unauthorized assistance to an applicant for the examination required to hold a commercial driver license; repealing ss. 377.71, 377.711, and 377.712, F.S., relating to definitions and the Southern States Energy Compact, Florida as party to the Southern States Energy Compact, and Florida's participation in the Southern States Energy Board, respectively; amending s. 403.0855, F.S.; deleting provisions relating to legislative approval of certain rules adopted by the Department of Environmental Protection; revising requirements for

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59 permittees of biosolids land application sites;  
 60 deleting an obsolete provision; amending s. 489.105,  
 61 F.S.; defining the terms "subcontractor" and  
 62 "supplier"; creating s. 489.1295, F.S.; prohibiting  
 63 licensed contractors or persons holding themselves out  
 64 as such from failing to pay their subcontractor or  
 65 supplier within a specified timeframe without  
 66 reasonable cause after receiving payment for the  
 67 services the subcontractor or supplier performed;  
 68 providing penalties; amending s. 500.04, F.S.;  
 69 revising the list of prohibited acts related to the  
 70 prevention of fraud, harm, adulteration, misbranding,  
 71 or false advertising in the preparation, production,  
 72 manufacture, storage, or sale of food; repealing s.  
 73 500.81, F.S., relating to the Healthy Food Financing  
 74 Initiative; amending s. 500.93, F.S.; making a  
 75 technical change; amending s. 501.013, F.S.;  
 76 authorizing the Department of Agriculture and Consumer  
 77 Services to provide an exemption from certain health  
 78 studio regulations; creating s. 501.062, F.S.;  
 79 providing legislative intent; defining the terms  
 80 "commercial solicitation" and "dwelling"; prohibiting  
 81 a person from engaging in commercial solicitation  
 82 under certain circumstances; providing construction;  
 83 providing penalties; amending s. 570.07, F.S.;  
 84 authorizing the Department of Agriculture and Consumer  
 85 Services to reorganize departmental units upon the  
 86 approval of the Commissioner of Agriculture; amending  
 87 s. 570.822, F.S.; providing additional eligibility

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88 requirements for the Agriculture and Aquaculture  
 89 Producers Emergency Recovery Loan Program; creating s.  
 90 570.832, F.S.; requiring the Florida Wildflower  
 91 Foundation, in coordination with the Department of  
 92 Agriculture and Consumer Services, to establish the  
 93 Florida Native Seed Research and Marketing Program,  
 94 subject to legislative appropriation; providing the  
 95 purpose of the program; creating s. 570.846, F.S.;  
 96 establishing the Food Animal Veterinary Medicine Loan  
 97 Repayment Program; providing the purpose of the  
 98 program; defining terms; providing eligibility  
 99 requirements for the program; authorizing the  
 100 Department of Agriculture and Consumer Services to  
 101 make loan principal repayments on behalf of eligible  
 102 candidates up to a certain amount for a specified  
 103 timeframe, subject to legislative appropriation;  
 104 providing construction; authorizing the Department of  
 105 Agriculture and Consumer Services to adopt rules;  
 106 amending s. 583.01, F.S.; revising the definition of  
 107 the term "dealer"; amending s. 590.02, F.S.; revising  
 108 the Florida Forest Service powers, authority, and  
 109 duties; authorizing the Forest Service to manage the  
 110 Welaka Training Center; conforming provisions to  
 111 changes made by the act; authorizing the Withlacoochee  
 112 or Welaka Training Centers to assess certain fees as  
 113 determined by the Florida Forest Service, regardless  
 114 of where certain training occurs; creating s. 595.421,  
 115 F.S.; establishing the Farmers Feeding Florida Program  
 116 for specified purposes; requiring Feeding Florida to

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117 take certain actions to implement the program;  
 118 prohibiting the food purchased by Feeding Florida  
 119 through such program from reentering the wholesale,  
 120 retail, or secondary market; prohibiting a candidate  
 121 for elective office from hosting a food distribution  
 122 event under certain circumstances; providing  
 123 nonapplicability; amending s. 597.004, F.S.; making a  
 124 technical change; prohibiting the Department of  
 125 Agriculture and Consumer Services from renewing a  
 126 certificate of registration for a noncompliant  
 127 facility unless certain documentation is provided with  
 128 the renewal application; prohibiting entities whose  
 129 certificate of registration has been revoked from  
 130 reapplying for a specified period of time; amending s.  
 131 597.010, F.S.; authorizing rather than requiring the  
 132 periodic adjustment of the annual rental fee charged  
 133 for certain leases; amending s. 599.012, F.S.; making  
 134 technical changes; amending s. 616.001, F.S.; revising  
 135 and deleting definitions relating to public fairs and  
 136 expositions; amending s. 616.01, F.S.; revising  
 137 application requirements for a proposed charter for an  
 138 association to conduct a public fair or exposition;  
 139 requiring the Department of Agriculture and Consumer  
 140 Services to provide an applicant for a proposed  
 141 charter with specified information upon the denial of  
 142 a proposed charter; revising requirements for  
 143 information that must be included in the proposed  
 144 charter; amending s. 616.02, F.S.; limiting the number  
 145 of incorporated state fair associations per county;

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146 providing construction; authorizing the Department of  
 147 Agriculture and Consumer Services to waive certain  
 148 requirements at the discretion of the commissioner;  
 149 authorizing fair associations incorporated before a  
 150 certain date to conduct their affairs; deleting  
 151 provisions relating to requirements for a proposed  
 152 charter; amending s. 616.03, F.S.; revising  
 153 requirements for the approval and recordation of the  
 154 charter; amending s. 616.05, F.S.; revising the  
 155 process by which a proposed charter amendment is  
 156 incorporated into the original charter; amending s.  
 157 616.051, F.S.; revising the circumstances under which  
 158 a circuit judge is authorized to dissolve an  
 159 association and order the distribution of its  
 160 remaining assets; requiring that such assets be  
 161 distributed to certain counties; amending s. 616.07,  
 162 F.S.; deleting provisions relating to distribution of  
 163 public funds after the dissolution of an association;  
 164 amending s. 616.101, F.S.; specifying the basis for  
 165 annual public fair attendance records; requiring a  
 166 fair association to review its charter every 5 years  
 167 and submit an updated copy of the charter to the  
 168 Department of Agriculture and Consumer Services;  
 169 requiring a designated member of the association to  
 170 make an attestation; amending s. 616.15, F.S.; making  
 171 a technical change; revising the information that an  
 172 applicant must submit to the Department of Agriculture  
 173 and Consumer Services for the department to issue a  
 174 permit for an association to conduct a fair; revising

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175 the timeframe within which the Department of  
 176 Agriculture and Consumer Services is required to issue  
 177 the permit upon the receipt of specified information;  
 178 making technical changes; amending s. 616.251, F.S.;  
 179 exempting the Florida State Fair Authority from  
 180 specified provisions; amending s. 843.085, F.S.;  
 181 prohibiting a person from wearing or displaying an  
 182 item that displays the words "concealed weapon permit"  
 183 or "concealed weapon permit holder" with the intent to  
 184 mislead another to believe that the person is  
 185 authorized to wear or display such item; reordering  
 186 and amending s. 865.065, F.S.; revising definitions;  
 187 conforming provisions to changes made by the act;  
 188 amending s. 934.02, F.S.; defining the term, "signal  
 189 jamming device"; creating s. 934.51, F.S.; prohibiting  
 190 the possession, manufacture, sale, importation,  
 191 distribution, or use of a signal jamming device;  
 192 providing exceptions; providing criminal penalties;  
 193 amending s. 288.1175, F.S.; conforming cross-  
 194 references; reenacting ss. 287.056(4) and 287.138(5),  
 195 F.S., relating to disqualification for state term  
 196 contract eligibility, and contracting with entities of  
 197 foreign countries of concern prohibited, respectively,  
 198 to incorporate the amendment made to s. 287.1351,  
 199 F.S., in references thereto; reenacting s. 500.177(1),  
 200 F.S., relating to penalties for dissemination of a  
 201 false advertisement, to incorporate the amendment made  
 202 to s. 500.04, F.S., in a reference thereto; reenacting  
 203 s. 212.08(13), F.S., relating to taxation and

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204 specified exemptions, to incorporate the amendment  
 205 made to s. 616.07, F.S., in a reference thereto;  
 206 reenacting s. 616.185, F.S., relating to trespass upon  
 207 grounds or facilities of a public fair, to incorporate  
 208 the amendment made to s. 616.15, F.S., in a reference  
 209 thereto; providing an effective date.  
 210  
 211 Be It Enacted by the Legislature of the State of Florida:  
 212  
 213 Section 1. Section 125.489, Florida Statutes, is created to  
 214 read:  
 215 125.489 Preemption of restrictions on gasoline-powered farm  
equipment or gasoline-powered landscape equipment.—  
 216 (1) As used in this section, the term:  
 217 (a) "Gasoline-powered farm equipment" means any machine  
powered by an internal combustion engine or motor that uses  
 218 gasoline, diesel, or a blend of gasoline and oil which is used  
 219 on a farm or used to transport farm products.  
 220 (b) "Gasoline-powered landscape equipment" means any  
 221 machine powered by an internal combustion engine or motor that  
 222 uses gasoline, diesel, or a blend of gasoline and oil which is  
 223 used to provide landscape management or maintenance or to move  
 224 leaves, dirt, grass, or other debris off of sidewalks,  
 225 driveways, lawns, or other surfaces.  
 226 (2) A county may not enact or enforce a resolution, an  
 227 ordinance, a rule, a code, or a policy or take any action that  
 228 restricts or prohibits the use of gasoline-powered farm  
 229 equipment or gasoline-powered landscape equipment and may not  
 230 create differing standards for such equipment or distinguish  
 231  
 232

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233 such equipment from any electric or similar equipment in a  
 234 retail, manufacturer, or distributor setting.  
 235 (3) This section does not prohibit or limit a county from  
 236 encouraging the use of alternative farm or landscape equipment,  
 237 such as battery-powered farm or landscape equipment.

238 Section 2. Section 166.063, Florida Statutes, is created to  
 239 read:

240 166.063 Preemption of restrictions on gasoline-powered farm  
 241 equipment or gasoline-powered landscape equipment.-

242 (1) As used in this section, the term:

243 (a) "Gasoline-powered farm equipment" means a machine  
 244 powered by an internal combustion engine or motor that uses  
 245 gasoline, diesel, or a blend of gasoline and oil which is used  
 246 on a farm or used to transport farm products.

247 (b) "Gasoline-powered landscape equipment" means any  
 248 machine powered by an internal combustion engine or motor that  
 249 uses gasoline, diesel, or a blend of gasoline and oil which is  
 250 used to provide landscape management or maintenance or to move  
 251 leaves, dirt, grass, or other debris off of sidewalks,  
 252 driveways, lawns, or other surfaces.

253 (2) A municipality may not enact or enforce a resolution,  
 254 an ordinance, a rule, a code, or a policy or take any action  
 255 that restricts or prohibits the use of gasoline-powered farm  
 256 equipment or gasoline-powered landscape equipment and may not  
 257 create differing standards for such equipment or distinguish  
 258 such equipment from any electric or similar equipment in a  
 259 retail, manufacturer, or distributor setting.

260 (3) This section does not prohibit or limit a municipality  
 261 from encouraging the use of alternative farm or landscape

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262 equipment, such as battery-powered farm or landscape equipment.  
 263 Section 3. Present subsection (19) of section 253.0341,  
 264 Florida Statutes, is redesignated as subsection (21), and new  
 265 subsections (19) and (20) are added to that section, to read:  
 266 253.0341 Surplus of state-owned lands.-  
 267 (19) The Acquisition and Restoration Council shall  
 268 determine whether any lands surplused by a local governmental  
 269 entity, as defined in s. 218.72, on or after January 1, 2024,  
 270 are suitable for bona fide agricultural purposes, as defined in  
 271 s. 193.461(3)(b). A local governmental entity may not transfer  
 272 future development rights for any surplused lands determined to  
 273 be suitable for bona fide agricultural purposes on or after  
 274 January 1, 2024.  
 275 (20) The Department of Environmental Protection, in  
 276 coordination with the Department of Agriculture and Consumer  
 277 Services, shall determine whether any state-owned conservation  
 278 lands acquired on or after January 1, 2024, are suitable for  
 279 bona fide agricultural purposes, as defined in s. 193.461(3)(b).  
 280 (a) Notwithstanding any other law or rule, the Department  
 281 of Environmental Protection may surplus state-owned conservation  
 282 lands acquired on or after January 1, 2024, determined to be  
 283 suitable for bona fide agricultural purposes.  
 284 (b) For all state-owned conservation lands determined to be  
 285 suitable for bona fide agricultural production and surplused by  
 286 the Department of Environmental Protection, the department shall  
 287 retain a rural-lands-protection easement pursuant to s.  
 288 570.71(3). All proceeds from the sale of such surplused lands  
 289 must be deposited into the Incidental Trust Fund within the  
 290 Department of Agriculture and Consumer Services for less than

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291 ~~fee simple land acquisition pursuant to ss. 570.71 and 570.715.~~

292 ~~(c) By January 1, 2027, and each January 1 thereafter, the~~

293 ~~Department of Environmental Protection shall provide a report of~~

294 ~~state-owned conversation lands surplused pursuant to this~~

295 ~~subsection to the Board of Trustees of the Internal Improvement~~

296 ~~Trust Fund.~~

297 ~~(d) Designated state forest lands, state park lands, or~~

298 ~~wildlife management areas may not be surplused pursuant to this~~

299 ~~subsection.~~

300 Section 4. Section 259.1053, Florida Statutes, is amended

301 to read:

302 259.1053 Babcock Ranch Preserve; Babcock Ranch Advisory

303 Group.—

304 (1) SHORT TITLE.—This section may be cited as the "Babcock

305 Ranch Preserve Act."

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

307 (a) "Babcock Ranch Preserve" and "preserve" mean the lands

308 and facilities acquired in the purchase of the Babcock Crescent

309 B Ranch, as provided in s. 259.1052.

310 (b) "Commission" means the Fish and Wildlife Conservation

311 Commission.

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

313 (d) "Department" means the Department of Agriculture and

314 Consumer Services.

315 (e) "Executive director" means the Executive Director of

316 the Fish and Wildlife Conservation Commission.

317 (f) "Financially self-sustaining" means having management

318 and operation expenditures not more than the revenues collected

319 from fees and other receipts for resource use and development

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320 and from interest and invested funds.

321 (g) "Florida Forest Service" means the Florida Forest

322 Service of the Department of Agriculture and Consumer Services.

323 (h) "Multiple use" means the management of all of the

324 renewable surface resources of the Babcock Ranch Preserve to

325 best meet the needs of the public, including the use of the land

326 for some or all of the renewable surface resources or related

327 services over areas large enough to allow for periodic

328 adjustments in use to conform to the changing needs and

329 conditions of the preserve while recognizing that a portion of

330 the land will be used for some of the renewable surface

331 resources available on that land. The goal of multiple use is

332 the harmonious and coordinated management of the renewable

333 surface resources without impairing the productivity of the land

334 and considering the relative value of the renewable surface

335 resources, and not necessarily a combination of uses to provide

336 the greatest monetary return or the greatest unit output.

337 (i) "Sustained yield of the renewable surface resources"

338 means the achievement and maintenance of a high level of annual

339 or regular periodic output of the various renewable surface

340 resources of the preserve without impairing the productivity of

341 the land.

342 (3) CREATION OF BABCOCK RANCH PRESERVE.—

343 (a) Upon the date of acquisition of the Babcock Crescent B

344 Ranch, there is created the Babcock Ranch Preserve, which shall

345 be managed in accordance with the purposes and requirements of

346 this section.

347 (b) The preserve is established to protect and preserve the

348 environmental, agricultural, scientific, scenic, geologic,

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349 watershed, fish, wildlife, historic, cultural, and recreational  
 350 values of the preserve, and to provide for the multiple use and  
 351 sustained yield of the renewable surface resources within the  
 352 preserve consistent with this section.

353 (c) This section does not preclude the use of common  
 354 varieties of mineral materials such as sand, stone, and gravel  
 355 for construction and maintenance of roads and facilities within  
 356 the preserve.

357 (d) This section does not affect the constitutional  
 358 responsibilities of the commission in the exercise of its  
 359 regulatory and executive power with respect to wild animal life  
 360 and freshwater aquatic life, including the regulation of  
 361 hunting, fishing, and trapping within the preserve.

362 (e) This section does not interfere with or prevent the  
 363 implementation of agricultural practices authorized by the  
 364 agricultural land use designations established in the local  
 365 comprehensive plans of either Charlotte County or Lee County as  
 366 those plans apply to the Babcock Ranch Preserve.

367 (f) This section does not preclude the maintenance and use  
 368 of roads and trails or the relocation of roads in existence on  
 369 the effective date of this section, or the construction,  
 370 maintenance, and use of new trails, or any motorized access  
 371 necessary for the administration of the land contained within  
 372 the preserve, including motorized access necessary for  
 373 emergencies involving the health or safety of persons within the  
 374 preserve.

375 ~~(4) BABCOCK RANCH ADVISORY GROUP.~~

376 ~~(a) The purpose of the Babcock Ranch Advisory Group is to~~  
 377 ~~assist the department by providing guidance and advice~~

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378 ~~concerning the management and stewardship of the Babcock Ranch  
 379 Preserve.~~

380 ~~(b) The Babcock Ranch Advisory Group shall be comprised of  
 381 nine members appointed to 5-year terms. Based on recommendations  
 382 from the Governor and Cabinet, the commission, and the governing  
 383 boards of Charlotte County and Lee County, the commissioner  
 384 shall appoint members as follows:~~

385 ~~1. One member with experience in sustainable management of  
 386 forest lands for commodity purposes.~~

387 ~~2. One member with experience in financial management,  
 388 budget and program analysis, and small business operations.~~

389 ~~3. One member with experience in management of game and  
 390 nongame wildlife and fish populations, including hunting,  
 391 fishing, and other recreational activities.~~

392 ~~4. One member with experience in domesticated livestock  
 393 management, production, and marketing, including range  
 394 management and livestock business management.~~

395 ~~5. One member with experience in agriculture operations or  
 396 forestry management.~~

397 ~~6. One member with experience in hunting, fishing, nongame  
 398 species management, or wildlife habitat management, restoration,  
 399 and conservation.~~

400 ~~7. One member with experience in public outreach and  
 401 education.~~

402 ~~8. One member who is a resident of Lee County, to be  
 403 designated by the Board of County Commissioners of Lee County.~~

404 ~~9. One member who is a resident of Charlotte County, to be  
 405 designated by the Board of County Commissioners of Charlotte  
 406 County.~~

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407 Vacancies will be filled in the same manner in which the  
 408 original appointment was made. A member appointed to fill a  
 409 vacancy shall serve for the remainder of that term.  
 410  
 411 (e) Members of the Babcock Ranch Advisory Group shall:  
 412 1. Elect a chair and vice chair from among the group  
 413 members.  
 414 2. Meet regularly as determined by the chair.  
 415 3. Serve without compensation but shall receive  
 416 reimbursement for travel and per diem expenses as provided in s.  
 417 112.061.  
 418 (4) (5) MANAGEMENT OF PRESERVE; FEES.—  
 419 (a) The department shall assume all authority provided by  
 420 this section to manage and operate the preserve as a working  
 421 ranch upon the termination or expiration of the management  
 422 agreement attached as Exhibit "E" to that certain agreement for  
 423 sale and purchase approved by the Board of Trustees of the  
 424 Internal Improvement Trust Fund on November 22, 2005, and by Lee  
 425 County on November 20, 2005.  
 426 (b) Upon assuming management and operation of the preserve,  
 427 the department shall:  
 428 1. Manage and operate the preserve and the uses thereof,  
 429 including, but not limited to, the activities necessary to  
 430 administer and operate the preserve as a working ranch; the  
 431 activities necessary for the preservation and development of the  
 432 land and renewable surface resources of the preserve; the  
 433 activities necessary for interpretation of the history of the  
 434 preserve on behalf of the public; the activities necessary for  
 435 the management, public use, and occupancy of facilities and

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436 lands within the preserve; and the maintenance, rehabilitation,  
 437 repair, and improvement of property within the preserve.  
 438 2. Develop programs and activities relating to the  
 439 management of the preserve as a working ranch.  
 440 3. Establish procedures for entering into lease agreements  
 441 and other agreements for the use and occupancy of the facilities  
 442 of the preserve. The procedures shall ensure reasonable  
 443 competition and set guidelines for determining reasonable fees,  
 444 terms, and conditions for such agreements.  
 445 4. Assess reasonable fees for admission to, use of, and  
 446 occupancy of the preserve to offset costs of operating the  
 447 preserve as a working ranch. These fees are independent of fees  
 448 assessed by the commission for the privilege of hunting,  
 449 fishing, or pursuing outdoor recreational activities within the  
 450 preserve, and shall be deposited into the Incidental Trust Fund  
 451 of the Florida Forest Service, subject to appropriation by the  
 452 Legislature.  
 453 (c) The commission, in cooperation with the department,  
 454 shall:  
 455 1. Establish and implement public hunting and other fish  
 456 and wildlife management activities. Tier I and Tier II public  
 457 hunting opportunities shall be provided consistent with the  
 458 management plan and the recreation master plan. Tier I public  
 459 hunting shall provide hunting opportunities similar to those  
 460 offered on wildlife management areas with an emphasis on youth  
 461 and family-oriented hunts. Tier II public hunting shall be  
 462 provided specifically by fee-based permitting to ensure  
 463 compatibility with livestock grazing and other essential  
 464 agricultural operations on the preserve.

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465 2. Establish and administer permit fees for Tier II public  
 466 hunting to capitalize on the value of hunting on portions of the  
 467 preserve and to help ensure the preserve is financially self-  
 468 sufficient. The fees shall be deposited into the State Game  
 469 Trust Fund of the Fish and Wildlife Conservation Commission to  
 470 be used to offset the costs of providing public hunting and to  
 471 support fish and wildlife management and other land management  
 472 activities on the preserve.

473 (d) The Board of Trustees of the Internal Improvement Trust  
 474 Fund or its designated agent may:

475 1. Negotiate directly with and enter into such agreements,  
 476 leases, contracts, and other arrangements with any person, firm,  
 477 association, organization, corporation, or governmental entity,  
 478 including entities of federal, state, and local governments, as  
 479 are necessary and appropriate to carry out the purposes and  
 480 activities authorized by this section.

481 2. Grant privileges, leases, concessions, and permits for  
 482 the use of land for the accommodation of visitors to the  
 483 preserve, provided no natural curiosities or objects of interest  
 484 shall be granted, leased, or rented on such terms as shall deny  
 485 or interfere with free access to them by the public. Such  
 486 grants, leases, and permits may be made and given without  
 487 advertisement or securing competitive bids. Such grants, leases,  
 488 or permits may not be assigned or transferred by any grantee  
 489 without consent of the Board of Trustees of the Internal  
 490 Improvement Trust Fund or its designated agent.

491 ~~(5)(6)~~ DISSOLUTION OF BABCOCK RANCH, INC.—Upon dissolution  
 492 of the Babcock Ranch, Inc., all statutory powers, duties,  
 493 functions, records, personnel, property, and unexpended balances

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494 of appropriations, allocations, and other funds of the  
 495 corporation shall be transferred to the Department of  
 496 Agriculture and Consumer Services unless otherwise provided by  
 497 law. Any cash balances of funds shall revert to the Incidental  
 498 Trust Fund of the Florida Forest Service.

499 Section 5. Paragraph (a) of subsection (2) of section  
 500 287.1351, Florida Statutes, is amended, and subsection (3) of  
 501 that section is republished, to read:

502 287.1351 Suspended vendors; state contracts.—

503 (2)(a) A vendor that is in default on any contract with an  
 504 agency, has failed to timely compensate its subcontractors or  
 505 suppliers, or has otherwise repeatedly demonstrated a recent  
 506 inability to fulfill the terms and conditions of previous state  
 507 contracts or to adequately perform its duties under those  
 508 contracts may not submit a bid, proposal, or reply to an agency  
 509 or enter into or renew a contract to provide any goods or  
 510 services to an agency after its placement, pursuant to this  
 511 section, on the suspended vendor list.

512 (3) An agency shall notify the department of any vendor  
 513 that has met the grounds for suspension described in paragraph  
 514 (2)(a). The agency must provide documentation to the department  
 515 evidencing the vendor's default or other grounds for suspension.  
 516 The department shall review the documentation provided and  
 517 determine whether good cause exists to remove the vendor from  
 518 the vendor list and to place it on the suspended vendor list. If  
 519 good cause exists, the department must notify the vendor in  
 520 writing of its intent to remove the vendor from the vendor list  
 521 and of the vendor's right to an administrative hearing and the  
 522 applicable procedures and time requirements for any such

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523 hearing. If the vendor does not request an administrative  
 524 hearing, the department must enter a final order removing the  
 525 vendor from the vendor list. A vendor may not be removed from  
 526 the vendor list without receiving an individual notice of intent  
 527 from the department.

528 Section 6. Paragraph (c) is added to subsection (4) of  
 529 section 322.12, Florida Statutes, to read:

530 322.12 Examination of applicants.—

531 (4) The examination for an applicant for a commercial  
 532 driver license shall include a test of the applicant's eyesight  
 533 given by a driver license examiner designated by the department  
 534 or by a licensed ophthalmologist, optometrist, or physician and  
 535 a test of the applicant's hearing given by a driver license  
 536 examiner or a licensed physician. The examination shall also  
 537 include a test of the applicant's ability to read and understand  
 538 highway signs regulating, warning, and directing traffic; his or  
 539 her knowledge of the traffic laws of this state pertaining to  
 540 the class of motor vehicle which he or she is applying to be  
 541 licensed to operate, including laws regulating driving under the  
 542 influence of alcohol or controlled substances, driving with an  
 543 unlawful blood-alcohol level, and driving while intoxicated; his  
 544 or her knowledge of the effects of alcohol and controlled  
 545 substances and the dangers of driving a motor vehicle after  
 546 having consumed alcohol or controlled substances; and his or her  
 547 knowledge of any special skills, requirements, or precautions  
 548 necessary for the safe operation of the class of vehicle which  
 549 he or she is applying to be licensed to operate. In addition,  
 550 the examination shall include an actual demonstration of the  
 551 applicant's ability to exercise ordinary and reasonable control

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552 in the safe operation of a motor vehicle or combination of  
 553 vehicles of the type covered by the license classification which  
 554 the applicant is seeking, including an examination of the  
 555 applicant's ability to perform an inspection of his or her  
 556 vehicle.

557 (c) An applicant for a commercial driver license who  
 558 receives unauthorized assistance from another person in  
 559 completing the portion of the examination which tests the  
 560 applicant's ability to read and understand highway signs  
 561 regulating, warning, and directing traffic or his or her  
 562 knowledge of the traffic laws of this state pertaining to the  
 563 class of motor vehicle for which he or she is applying to be  
 564 licensed to operate, including laws regulating driving under the  
 565 influence of alcohol or controlled substances, driving with an  
 566 unlawful blood-alcohol level, and driving while intoxicated,  
 567 commits a misdemeanor of the second degree, punishable as  
 568 provided in s. 775.082 or s. 775.083.

569 Section 7. Section 322.36, Florida Statutes, is amended to  
 570 read:

571 322.36 Permitting unauthorized operator to drive.—

572 (1) A person may not authorize or knowingly permit a motor  
 573 vehicle owned by him or her or under his or her dominion or  
 574 control to be operated upon any highway or public street except  
 575 by a person who is duly authorized to operate a motor vehicle  
 576 under this chapter.

577 (2) A person may not knowingly or willfully provide  
 578 unauthorized assistance to an applicant for the examination  
 579 required to hold a commercial driver license pursuant to s.  
 580 322.12(4).

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581       (3) A Any person who violates this section commits a  
 582 misdemeanor of the second degree, punishable as provided in s.  
 583 775.082 or s. 775.083. If a person violates this section by  
 584 knowingly loaning a vehicle to a person whose driver license is  
 585 suspended and if that vehicle is involved in an accident  
 586 resulting in bodily injury or death, the driver license of the  
 587 person violating this section must shall be suspended for 1  
 588 year.

589       Section 8. Section 377.71, Florida Statutes, is repealed.

590       Section 9. Section 377.711, Florida Statutes, is repealed.

591       Section 10. Section 377.712, Florida Statutes, is repealed.

592       Section 11. Present paragraphs (a) and (b) of subsection  
 593 (3) of section 403.0855, Florida Statutes, are redesignated as  
 594 paragraphs (b) and (c), respectively, a new paragraph (a) is  
 595 added to that subsection, and subsections (2) and (4) of that  
 596 section are amended, to read:

597       403.0855 Biosolids management.—

598       (2) The department shall adopt rules for biosolids  
 599 management. Rules adopted by the department pursuant to this  
 600 section may not take effect until ratified by the Legislature.

601       (3) For a new land application site permit or a permit  
 602 renewal issued after July 1, 2020, the permittee of a biosolids  
 603 land application site shall:

604       (a) Ensure that only Class AA biosolids are applied to the  
 605 soil.

606       (4) All permits shall comply with the requirements of  
 607 subsection (3) by July 1, 2022.

608       Section 12. Subsections (20) and (21) are added to section  
 609 489.105, Florida Statutes, to read:

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610       489.105 Definitions.—As used in this part:  
 611       (20) “Subcontractor” has the same meaning as in s. 558.002.  
 612       (21) “Supplier” has the same meaning as in s. 558.002.  
 613       Section 13. Section 489.1295, Florida Statutes, is created  
 614 to read:  
 615       489.1295 Theft of subcontractor or supplier services.—

616       (1) A person licensed as a contractor or who otherwise  
 617 holds himself or herself out to be a contractor may not  
 618 knowingly or willfully fail to compensate his or her  
 619 subcontractors or suppliers without reasonable cause within 15  
 620 business days after receiving payment for the services performed  
 621 by the subcontractor or supplier.

622       (2) A person licensed as a contractor or who otherwise  
 623 holds himself or herself out to be a contractor who violates  
 624 this section commits a misdemeanor of the first degree,  
 625 punishable as provided in s. 775.082 or s. 775.083.

626       (3) If a person licensed as a contractor or who otherwise  
 627 holds himself or herself out to be a contractor violates this  
 628 section and the services performed by the subcontractor or  
 629 supplier are valued at \$20,000 or more, such person commits a  
 630 felony of the third degree, punishable as provided in s.  
 631 775.082, s. 775.083, or s. 775.084.

632       Section 14. Subsection (6) of section 500.04, Florida  
 633 Statutes, is amended to read:

634       500.04 Prohibited acts.—The following acts and the causing  
 635 thereof within the state are prohibited:

636       (6) The obstruction of or refusal to permit entry or  
 637 inspection, or to permit the taking of a sample, as authorized  
 638 by s. 500.147.

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639       Section 15. Section 500.81, Florida Statutes, is repealed.

640       Section 16. Subsection (5) of section 500.93, Florida

641       Statutes, is amended to read:

642       500.93 Mislabeling of plant-based products as milk, meat,

643       or poultry.-

644       (5) The Department of Agriculture and Consumer Services

645       shall notify the Division of Law Revision upon the enactment

646       into law by any 11 of the group of 14 states composed of

647       Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,

648       Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,

649       Texas, Virginia, and West Virginia of the mandatory labeling

650       requirements pursuant to paragraphs (2)(a), (3)(a), and (4)(a)

651       subsections (2) and (3).

652       Section 17. Section 501.013, Florida Statutes, is amended

653       to read:

654       501.013 Health studios; exemptions.-

655       (1) The following businesses or activities may be declared

656       exempt from the provisions of ss. 501.012-501.019 upon the

657       filing of an affidavit with the department establishing that the

658       stated qualifications are met:

659       (a)(1) A bona fide nonprofit organization which has been

660       granted tax-exempt status by the Internal Revenue Service.

661       (b)(2) A gymnastics school which engages only in

662       instruction and training and in which exercise is only

663       incidental to such instruction and training.

664       (c)(3) A golf, tennis, or racquetball club in which sports

665       play is the only activity offered by the club. If the facility

666       offers the use of physical exercise equipment, this exemption

667       shall not apply.

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668       (d)(4) A program or facility which is offered and used

669       solely for the purpose of dance, aerobic exercise, or martial

670       arts, and which utilizes no physical exercise equipment.

671       (e)(5) A country club that has as its primary function the

672       provision of a social life and recreational amenities to its

673       members, and for which a program of physical exercise is merely

674       incidental to membership. As used in this paragraph subsection,

675       the term "country club" means a facility that offers its members

676       a variety of services that may include, but need not be limited

677       to, social activities; dining, banquet, catering, and lounge

678       facilities; swimming; yachting; golf; tennis; card games such as

679       bridge and canasta; and special programs for members' children.

680       Upon the filing of an affidavit with the department establishing

681       that the stated qualifications of this paragraph subsection were

682       met before July 1, 1997, this paragraph subsection will apply

683       retroactively to the date that the country club met these

684       qualifications.

685       (f)(6) A program or facility that is offered by an

686       organization for the exclusive use of its employees and their

687       family members.

688       (2) In addition to the businesses and activities listed in

689       subsection (1), the department may exempt any other business or

690       activity not in existence as of July 1, 2026, from ss. 501.012-

691       501.019.

692       Section 18. Section 501.062, Florida Statutes, is created

693       to read:

694       501.062 Unauthorized commercial solicitation; legislative

695       intent; definitions; prohibited acts; penalties.-

696       (1) LEGISLATIVE INTENT.-It is the intent of the Legislature

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697 to protect, preserve, and promote the safety, welfare, and peace  
 698 of the citizens of this state by adopting measures to reduce the  
 699 threat to private property rights, including the right to  
 700 exclude and to be free from trespass of unauthorized commercial  
 701 solicitation on private property when noticed by the property  
 702 owner. It is the intent of this section to protect such private  
 703 property rights by creating a uniform standard for notifying  
 704 individuals or groups of individuals that commercial  
 705 solicitation is prohibited on private property.

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

707 (a) "Commercial solicitation" means the act of attempting  
 708 to sell goods or services, or to raise funds for a commercial  
 709 purpose, through direct or indirect contact with individuals,  
 710 including, but not limited to, using words, body gestures, or  
 711 signs, on behalf of a business or commercial entity.

712 (b) "Dwelling" has the same meaning as in s. 810.011(2).

713 (3) PROHIBITED ACTS.—A person may not engage in commercial  
 714 solicitation on any dwelling that clearly and prominently  
 715 displays a sign that is no less than 8.5 by 11 inches, is  
 716 visible to any person approaching the dwelling, and clearly  
 717 displays a statement which identifies the dwelling as private  
 718 property on which commercial solicitation is prohibited, in  
 719 substantially the following manner with letters at least 1 inch  
 720 in height:

721 THIS DWELLING IS DESIGNATED PRIVATE PROPERTY. NO  
 722 COMMERCIAL SOLICITATION IS PERMITTED PURSUANT TO  
 723 SECTION 501.062, FLORIDA STATUTES.

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726 (4) PENALTIES.—A person who violates subsection (3) commits  
 727 a noncriminal violation, punishable as provided in s. 775.083. A  
 728 person who commits a second or subsequent violation commits a  
 729 misdemeanor of the second degree, punishable as provided in s.  
 730 775.082 or s. 775.083.

731 Section 19. Subsection (50) is added to section 570.07, Florida Statutes, to read:

732 570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

733 (50) Notwithstanding s. 20.04(7), to reorganize  
 734 departmental units upon the approval of the commissioner.

735 Section 20. Paragraph (c) is added to subsection (3) of section 570.822, Florida Statutes, to read:

736 570.822 Agriculture and Aquaculture Producers Emergency Recovery Loan Program.—

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

738 (c) Be a United States citizen and a legal resident of this  
 739 state before or on the date of the declared emergency. If the  
 740 applicant is an entity as defined in s. 605.0102, the entity  
 741 must be wholly owned and operated in the United States and  
 742 possess an active certificate of status issued by the Department  
 743 of State pursuant to chapter 605.

744 Section 21. Section 570.832, Florida Statutes, is created to read:

745 570.832 Florida Native Seed Research and Marketing Program.—The Florida Wildflower Foundation, in coordination with the department, shall, subject to appropriation, establish the

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755 Florida Native Seed Research and Marketing Program to conduct  
 756 research designed to expand the availability and uses of native  
 757 seeds and strengthen the market position of this state's native  
 758 seed industry through marketing campaigns and promotions in this  
 759 state and the nation.

760 Section 22. Section 570.846, Florida Statutes, is created  
 761 to read:

762 570.846 Food Animal Veterinary Medicine Loan Repayment  
 763 Program.

764 (1) PURPOSE.—To encourage specialized and qualified  
 765 veterinary professionals to practice in this state, to retain  
 766 the employment of such professionals in this state, and to  
 767 promote the care and treatment of food animals intended for  
 768 human consumption, there is established the Florida Food Animal  
 769 Veterinary Medicine Loan Repayment Program. The purpose of the  
 770 program is to authorize the department to make payments that  
 771 offset loans incurred, for up to three new eligible candidates  
 772 annually, for studies leading to a veterinary degree with a  
 773 specialization in food animal veterinary medicine.

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

775 (a) "Food animal" means a species of animal raised for the  
 776 human food supply. Food animal species include cattle, swine,  
 777 sheep, goat, poultry, aquaculture, and apiary species.

778 (b) "Food animal veterinarian" means a veterinarian working  
 779 in food animal veterinary medicine who focuses on the management  
 780 and health of food animals, and who spends a minimum of 20 hours  
 781 per week on food animal species care and treatment.

782 (c) "Food animal veterinary medicine" means veterinary  
 783 medical practice that encompasses medical care, disease

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784 prevention, and consultation on feeding, housing, and overall  
 785 herd management of food animals to ensure a safe, healthy, and  
 786 sustainable food supply for the public.

787 (3) ELIGIBILITY.—To be eligible for the program, a  
 788 candidate must have graduated from an American Veterinary  
 789 Medical Association-accredited college of veterinary medicine,  
 790 have received a Florida veterinary medical license, have  
 791 obtained a Category II Accreditation from the United States  
 792 Department of Agriculture, and be a practicing food animal  
 793 veterinarian in this state.

794 (4) FUNDING.—Subject to legislative appropriation, the  
 795 department may make loan principal repayments of up to \$25,000 a  
 796 year for up to 5 years on behalf of eligible candidates. All  
 797 repayments are contingent upon continued proof of employment in  
 798 this state as a practicing food animal veterinarian.

799 (5) DUPLICATION OF FINANCIAL ASSISTANCE.—An eligible  
 800 candidate receiving financial assistance from the federal  
 801 veterinary medicine loan repayment program as established in 7  
 802 U.S.C. part 3151a is ineligible to receive financial assistance  
 803 from the program under this section.

804 (6) RULEMAKING.—The department may adopt any rule necessary  
 805 for the administration of the program.

806 Section 23. Subsection (4) of section 583.01, Florida  
 807 Statutes, is amended to read:

808 583.01 Definitions.—For the purpose of this chapter, unless  
 809 elsewhere indicated, the term:

810 (4) "Dealer" means a person, firm, or corporation,  
 811 including a producer, processor, retailer, or wholesaler, that  
 812 sells, offers for sale, or holds for the purpose of sale in this

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813 state 30 dozen or more eggs or its equivalent in any one week,  
 814 or more than 20,000 384 dressed birds annually in any one week.  
 815 Section 24. Section 590.02, Florida Statutes, is amended to  
 816 read:  
 817 590.02 Florida Forest Service; powers, authority, and  
 818 duties; liability; building structures; Withlacoochee and Welaka  
 819 Training Centers Center.—  
 820 (1) The Florida Forest Service has the following powers,  
 821 authority, and duties to:  
 822 (a) Enforce the provisions of this chapter;  
 823 (b) Prevent, detect, and suppress wildfires wherever they  
 824 may occur on public or private land in this state and do all  
 825 things necessary in the exercise of such powers, authority, and  
 826 duties;  
 827 (c) Provide firefighting crews, who shall be under the  
 828 control and direction of the Florida Forest Service and its  
 829 designated agents;  
 830 (d) Appoint center managers, forest area supervisors,  
 831 forestry program administrators, a forest protection bureau  
 832 chief, a forest protection assistant bureau chief, a field  
 833 operations bureau chief, deputy chiefs of field operations,  
 834 district managers, forest operations administrators, senior  
 835 forest rangers, investigators, forest rangers, firefighter  
 836 rotorcraft pilots, and other employees who may, at the Florida  
 837 Forest Service's discretion, be certified as forestry  
 838 firefighters pursuant to s. 633.408(8). Other law  
 839 notwithstanding, center managers, district managers, forest  
 840 protection assistant bureau chief, and deputy chiefs of field  
 841 operations have Selected Exempt Service status in the state

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842 personnel designation;  
 843 (e) Develop a training curriculum for wildland firefighters  
 844 which must contain a minimum of 40 hours of structural  
 845 firefighter training, a minimum of 40 hours of emergency medical  
 846 training, and a minimum of 376 hours of wildfire training;  
 847 (f) Pay the cost of the initial commercial driver license  
 848 examination fee, and renewal, for those employees whose position  
 849 requires them to operate equipment requiring a license. This  
 850 paragraph is intended to be an authorization to the department  
 851 to pay such costs, not an obligation;  
 852 (g) Provide fire management services and emergency response  
 853 assistance and set and charge reasonable fees for performance of  
 854 those services. Moneys collected from such fees shall be  
 855 deposited into the Incidental Trust Fund of the Florida Forest  
 856 Service;  
 857 (h) Require all state, regional, and local government  
 858 agencies operating aircraft in the vicinity of an ongoing  
 859 wildfire to operate in compliance with the applicable state  
 860 Wildfire Aviation Plan;  
 861 (i) Authorize broadcast burning, prescribed burning, pile  
 862 burning, and land clearing debris burning to carry out the  
 863 duties of this chapter and the rules adopted thereunder; and  
 864 (j) Make rules to accomplish the purposes of this chapter.  
 865 (2) The Florida Forest Service's employees, and the  
 866 firefighting crews under their control and direction, may enter  
 867 upon any lands for the purpose of preventing, detecting, and  
 868 suppressing wildfires and investigating smoke complaints or open  
 869 burning not in compliance with authorization and to enforce the  
 870 provisions of this chapter.

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871 (3) Employees of the Florida Forest Service and of federal,  
 872 state, and local agencies, and all other persons and entities  
 873 that are under contract or agreement with the Florida Forest  
 874 Service to assist in firefighting operations as well as those  
 875 entities, called upon by the Florida Forest Service to assist in  
 876 firefighting may, in the performance of their duties, set  
 877 counterfires, remove fences and other obstacles, dig trenches,  
 878 cut firelines, use water from public and private sources, and  
 879 carry on all other customary activities in the fighting of  
 880 wildfires without incurring liability to any person or entity.  
 881 The manner in which the Florida Forest Service monitors a  
 882 smoldering wildfire or smoldering prescribed fire or fights any  
 883 wildfire are planning level activities for which sovereign  
 884 immunity applies and is not waived.

885 (4)(a) The department may build structures, notwithstanding  
 886 chapters 216 and 255, not to exceed a cost of \$50,000 per  
 887 structure from existing resources on forest lands, federal  
 888 excess property, and unneeded existing structures. These  
 889 structures must meet all applicable building codes.

890 (b) Notwithstanding s. 553.80(1), the department shall  
 891 exclusively enforce the Florida Building Code as it pertains to  
 892 wildfire, law enforcement, and other Florida Forest Service  
 893 facilities under the jurisdiction of the department.

894 (5) The Florida Forest Service shall organize its  
 895 operational units to most effectively prevent, detect, and  
 896 suppress wildfires, and to that end, may employ the necessary  
 897 personnel to manage its activities in each unit. The Florida  
 898 Forest Service may construct lookout towers, roads, bridges,  
 899 firelines, and other facilities and may purchase or fabricate

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900 tools, supplies, and equipment for firefighting. The Florida  
 901 Forest Service may reimburse the public and private entities  
 902 that it engages to assist in the suppression of wildfires for  
 903 their personnel and equipment, including aircraft.

904 (6) The Florida Forest Service shall undertake  
 905 privatization alternatives for fire prevention activities  
 906 including constructing fire lines and conducting prescribed  
 907 burns and, where appropriate, entering into agreements or  
 908 contracts with the private sector to perform such activities.

909 (7) The Florida Forest Service may organize, staff, equip,  
 910 and operate the Withlacoochee and Welaka Training Centers  
 911 center. The centers center shall serve as sites ~~a~~ site where  
 912 fire and forest resource managers can obtain current knowledge,  
 913 techniques, skills, and theory as they relate to their  
 914 respective disciplines, and the centers:-

915 (a) ~~The~~ center May establish cooperative efforts involving  
 916 federal, state, and local entities; hire appropriate personnel;  
 917 and engage others by contract or agreement with or without  
 918 compensation to assist in carrying out the training and  
 919 operations of the centers center.

920 (b) ~~The~~ center Shall provide wildfire suppression training  
 921 opportunities for rural fire departments, volunteer fire  
 922 departments, and other local fire response units.

923 (c) ~~The~~ center Shall focus on curriculum related to, but  
 924 not limited to, fuel reduction, an incident management system,  
 925 prescribed burning certification, multiple-use land management,  
 926 water quality, forest health, environmental education, and  
 927 wildfire suppression training for structural firefighters.

928 (d) ~~The~~ center May assess appropriate fees for food,

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929 lodging, travel, course materials, and supplies in order to meet  
 930 its operational costs and may grant free meals, room, and  
 931 scholarships to persons and other entities as determined by the  
 932 Florida Forest Service, regardless of whether training occurs at  
 933 the Withlacoochee or Welaka Training Center or at another  
 934 location in exchange for instructional assistance.

935 (8) (a) The Cross City Work Center shall be named the L.  
 936 Earl Peterson Forestry Station. This is to honor Mr. L. Earl  
 937 Peterson, Florida's sixth state forester, whose distinguished  
 938 career in state government has spanned 44 years, and who is a  
 939 native of Dixie County.

940 (b) The Madison Forestry Station shall be named the Harvey  
 941 Greene Sr. Forestry Station. This is to honor Mr. Harvey Greene  
 942 Sr., a World War I veteran and pioneer in forestry in Madison  
 943 County. In 1947, Mr. Harvey Greene Sr. offered to give the land  
 944 on which the forestry station is located to the state; however,  
 945 at that time, the state could not accept donations of land.  
 946 Instead, Mr. Harvey Greene Sr. sold the land to the state and,  
 947 with the proceeds of the sale, purchased forestry equipment to  
 948 be used by the citizens of Madison County to plant trees and  
 949 fight wildfires.

950 (9) (a) Notwithstanding ss. 273.055 and 287.16, the  
 951 department may retain, transfer, warehouse, bid, destroy, scrap,  
 952 or otherwise dispose of surplus equipment and vehicles that are  
 953 used for wildland firefighting.

954 (b) All money received from the disposition of state-owned  
 955 equipment and vehicles that are used for wildland firefighting  
 956 shall be retained by the department. Money received pursuant to  
 957 this section is appropriated for and may be disbursed for the

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958 acquisition of exchange and surplus equipment used for wildland  
 959 firefighting, and for all necessary operating expenditures  
 960 related to such equipment, in the same fiscal year and the  
 961 fiscal year following the disposition. The department shall  
 962 maintain records of the accounts into which the money is  
 963 deposited.

964 (10) (a) Notwithstanding the provisions of s. 252.38, the  
 965 Florida Forest Service has exclusive authority to require and  
 966 issue authorizations for broadcast burning and agricultural and  
 967 silvicultural pile burning. An agency, commission, department,  
 968 county, municipality, or other political subdivision of the  
 969 state may not adopt or enforce laws, regulations, rules, or  
 970 policies pertaining to broadcast burning or agricultural and  
 971 silvicultural pile burning.

972 (b) The Florida Forest Service may delegate to a county,  
 973 municipality, or special district its authority:

974 1. As delegated by the Department of Environmental  
 975 Protection pursuant to ss. 403.061(29) and 403.081, to manage  
 976 and enforce regulations pertaining to the burning of yard trash  
 977 in accordance with s. 590.125(6).

978 2. To manage the open burning of land clearing debris in  
 979 accordance with s. 590.125.

980 Section 25. Section 595.421, Florida Statutes, is created  
 981 to read:

982 595.421 Farmers Feeding Florida Program.—There is  
 983 established the Farmers Feeding Florida Program to coordinate  
 984 with Feeding Florida, or its successor entity, for the  
 985 acquisition, transportation, and distribution of non-Emergency  
 986 Food Assistance Program fresh food products for the benefit of

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987 residents who are food insecure due to a lack of local food  
 988 resources, accessibility, and affordability.

989 (1) In order to implement the program, Feeding Florida  
 990 shall:

991 (a) Enter into an agreement with the department to provide,  
 992 at a minimum, all of the following services:

993 1. Transportation of non-Emergency Food Assistance Program  
 994 fresh food products using owned vehicles or contracted  
 995 commercial vehicles.

996 2. Coordination of the purchase and pickup of food from the  
 997 purchase location and delivery to the distribution location.

998 (b) Submit monthly reports to the department, beginning  
 999 July 1, 2026, which include, at a minimum, all of the following:

1000 1. A detailed record of the amount of food purchased,  
 1001 measured per pound and itemized according to its commodity type.

1002 2. Food purchase locations.

1003 3. Food purchase dates.

1004 4. The date of delivery and locations to which the food was  
 1005 distributed.

1006 (c) Submit quarterly reports, beginning July 1, 2026, to  
 1007 the chairs of the legislative appropriations committees,  
 1008 including all of the following information:

1009 1. A detailed record of the amount of food distributed,  
 1010 measured per pound and itemized according to its commodity type.

1011 2. The distribution locations.

1012 3. An itemized list of the types of commodities  
 1013 distributed.

1014 (2) Foods purchased by Feeding Florida through the program  
 1015 are restricted to charitable purposes for hunger relief and may

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1016 not reenter the wholesale, retail, or secondary market.

1017 (3) Feeding Florida may not, in implementing this section,  
 1018 allow a candidate for elective office to host a food  
 1019 distribution event during the period of time between the last  
 1020 day of the election qualifying period and the date of the  
 1021 election if the candidate is opposed for election or reelection  
 1022 at the time of the event. This subsection does not apply if the  
 1023 event is in response to a declared state of emergency.

1024 Section 26. Present paragraph (c) of subsection (7) of  
 1025 section 597.004, Florida Statutes, is redesignated as paragraph  
 1026 (d) and amended, a new paragraph (c) is added to that  
 1027 subsection, and paragraph (a) of subsection (2) of that section  
 1028 is amended, to read:

1029 597.004 Aquaculture certificate of registration.—

1030 (2) RULES.—

1031 (a) The department, in consultation with the Department of  
 1032 Environmental Protection, the water management districts,  
 1033 environmental groups, and representatives from the affected  
 1034 farming groups, shall adopt rules to:

1035 1. Specify the requirement of best management practices to  
 1036 be implemented by holders of aquaculture certificates of  
 1037 registration.

1038 2. Establish procedures for holders of aquaculture  
 1039 certificates of registration to submit the notice of intent to  
 1040 comply with best management practices.

1041 3. Establish schedules for implementation of best  
 1042 management practices, and of interim measures that can be taken  
 1043 prior to adoption of best management practices. Interim measures  
 1044 may include the continuation of regulatory requirements in

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1045 effect on June 30, 1998.

1046 4. Establish a system to assure the implementation of best  
1047 management practices, including recordkeeping requirements.

1048 5. Require any facility that cultures *Micropterus salmoides*  
1049 *floridanus* to maintain stock acquisition documentation or  
1050 records of genetic testing.

1051 (7) REGISTRATION AND RENEWALS.—

1052 (c) The department may not renew a certificate of  
1053 registration for a facility that is not compliant with this  
1054 section unless documentation of corrective action is provided  
1055 with the renewal application.

1056 (d) ~~(e)~~ A Any person whose certificate of registration has  
1057 been revoked or suspended must reapply to the department for  
1058 certification. A person, a company, or an entity, or a principal  
1059 of a company or an entity whose certificate of registration has  
1060 been revoked, may not reapply for a period of 3 years.

1061 Section 27. Paragraph (a) of subsection (5) of section  
1062 597.010, Florida Statutes, is amended to read:

1063 597.010 Shellfish regulation; leases.—

1064 (5) LEASES IN PERPETUITY; RENT.—

1065 (a) All leases issued previously under ~~the provisions of s.~~  
1066 379.2525 shall be enforced under the authority of this chapter,  
1067 notwithstanding any other law to the contrary, and shall  
1068 continue in perpetuity under such restrictions as stated in the  
1069 lease agreement. The annual rental fee charged for all leases  
1070 shall consist of the minimum rate of \$15 per acre, or any  
1071 fraction of an acre, per year and may shall be adjusted on  
1072 January 1, 1995, and every 5 years thereafter, based on the 5-  
1073 year average change in the Consumer Price Index. Rent must shall

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1074 be paid in advance of January 1 of each year or, in the case of  
1075 a new lease, at the time of signing, regardless of who holds the  
1076 lease.

1077 Section 28. Paragraphs (b) and (c) of subsection (1) of  
1078 section 599.012, Florida Statutes, are amended to read:

1079 599.012 Florida Wine Trust Fund; creation.—

1080 (1) There is established the Florida Wine Trust Fund within  
1081 the Department of Agriculture and Consumer Services. The  
1082 department shall use the moneys deposited in the trust fund  
1083 pursuant to subsection (2) to do all the following:

1084 (b) Promote wine viticulture products manufactured from  
1085 products grown in the state.

1086 (c) Provide grants for wine and viticultural research.

1087 Section 29. Section 616.001, Florida Statutes, is amended  
1088 to read:

1089 616.001 Definitions.—As used in this chapter, the term:

1090 (1) "Annual public fair" means a ~~community, county,~~  
1091 ~~district, regional, or state~~ fair that is held and conducted by  
1092 a fair association and permitted by the department pursuant to  
1093 s. 616.15.

1094 (2) "Authority" means the Florida State Fair Authority.

1095 (3) "Community fair" means an annual public fair that  
1096 serves an area of less than an entire county, has exhibits that  
1097 are in accordance with s. 616.17, and gives premiums or awards  
1098 to exhibitors. Agricultural products shall be produced in the  
1099 community the exhibit represents. The majority of the board of  
1100 directors of the fair shall reside, be employed, or operate a  
1101 business in the community the fair represents.

1102 (4) "Concession" means use by a fair association, or a

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1103 grant, lease, or license to a third party, of a portion of the  
 1104 land under the ownership, custody, or control of a fair  
 1105 association for specific uses, or the right to enter upon the  
 1106 land for specific purposes, such as providing rides, games,  
 1107 food, beverage, merchandise for sale, exhibits, projects,  
 1108 activities, events, programs, or other uses authorized in this  
 1109 chapter.

1110 ~~(5) "County fair" means an annual public fair that serves  
 1111 an entire county and provides exhibitors with premiums or awards  
 1112 for exhibits that are in accordance with s. 616.17. Agricultural  
 1113 products must be typical of those produced in the county the  
 1114 exhibit represents. The majority of the board of directors of  
 1115 the fair shall reside, be employed, or operate a business in the  
 1116 county that the fair association represents.~~

1117 ~~(4) (6) "Department" means the Department of Agriculture and  
 1118 Consumer Services.~~

1119 ~~(7) "District fair" means an annual public fair that serves  
 1120 at least five counties and has exhibits that meet the  
 1121 requirements of s. 616.17. A district fair shall pay at least  
 1122 \$25,000 in cash premiums or awards to exhibitors. Agricultural  
 1123 products must be typical of those produced in the counties the  
 1124 exhibit represents. Livestock may originate from outside the  
 1125 district, but must be registered in the exhibitor's name at  
 1126 least 30 days before the opening day of the fair. Each county is  
 1127 encouraged to have proportionate exhibits, typical of its  
 1128 respective natural resources. Each county shall have exhibits  
 1129 representing basic resources in agriculture and industry.~~

1130 ~~(5) (8) "Entry" means one item entered for competition or  
 1131 show. An entry may constitute an exhibit, depending upon the~~

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1132 regulations stated in the premium book.  
 1133 ~~(6) (9) "Exhibit" means one or more entries entered for  
 1134 exhibition and constituting a unit. An exhibit may consist of  
 1135 one or more entries, depending upon the regulations stated in  
 1136 the premium book. The term includes parades and displays of  
 1137 articles or a collection of articles, whether static,  
 1138 interactive, or dynamic, by a fair association or a third party  
 1139 contracting with a fair association, such as exhibits of  
 1140 animals, art, housewares, or motor vehicles.~~

1141 ~~(7) (10) "Exhibitor" means an individual, a group of  
 1142 individuals, or a business, including a fair association or  
 1143 third party contracting with a fair association, which has an  
 1144 exhibit.~~

1145 ~~(8) (11) "Fair association" or "association" means an  
 1146 association not for profit incorporated under this chapter for  
 1147 the purpose of conducting and operating public fairs or  
 1148 expositions.~~

1149 ~~(9) (12) "Public fair or exposition" means a project,  
 1150 activity, event, or program, and use by a fair association,  
 1151 including, but not limited to, the annual public fair, which  
 1152 serves the purposes specified in s. 616.08 and benefits and  
 1153 develops the educational, agricultural, horticultural,  
 1154 livestock, charitable, historical, civic, cultural, scientific,  
 1155 and other resources of this state, or any county, municipality,  
 1156 or other community in this state.~~

1157 ~~(13) "Regional fair" or "interstate fair" means an annual  
 1158 public fair of this state and other states in which fair  
 1159 exhibits meet the requirements of s. 616.17. Agricultural  
 1160 products must be typical of those produced in the area the~~

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1161 ~~exhibit represents.~~

1162 (10)-(14) "Specialized show" means a show or an exhibition  
1163 exhibiting and emphasizing livestock or poultry, or a fruit or  
1164 vegetable festival, and must meet the minimum exhibit  
1165 requirements specified in s. 616.17. ~~A specialized show may~~  
1166 ~~qualify under one of the definitions in subsections (3), (5),~~  
1167 ~~(7), and (15).~~

1168 (11)-(15) "State fair" means an annual public fair that  
1169 serves the entire state. ~~Exhibits must comply with s. 616.17,~~  
1170 ~~and cash premiums or awards may be given to exhibitors.~~

1171 Section 30. Section 616.01, Florida Statutes, is amended to  
1172 read:

1173 616.01 Requirements for Number of persons required,  
1174 ~~requisites of proposed charter. Twenty-five or more persons who~~  
1175 ~~are Residents and qualified electors of the county in which the~~  
1176 ~~annual public fair is to be located, who wish to form an~~  
1177 ~~association not for profit for the purpose of conducting and~~  
1178 ~~operating public fairs or expositions, may become incorporated~~  
1179 ~~in the following manner. The applicant must subscribers shall~~  
1180 ~~submit the proposed charter to the department for review and~~  
1181 ~~approval or denial. If the proposed charter is denied, the~~  
1182 ~~department must provide the applicant with a letter sent to the~~  
1183 ~~mailing address provided on the proposed charter and include a~~  
1184 ~~complete listing of all deficiencies, if any, which must be~~  
1185 ~~remedied before resubmittal of the proposed charter for~~  
1186 ~~approval. If the proposed charter is approved, the applicant~~  
1187 ~~must subscribers shall sign and present a notarized copy of the~~  
1188 ~~proposed charter to the judge of the circuit court for the~~  
1189 ~~county in which the principal office of the association will be~~

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1190 located. The proposed charter must specify:

1191 (1) The name of the association and the place where the  
1192 principal office is to be located. The name of the association  
1193 must shall include the word, "Inc."

1194 (2) The general nature of the objectives and powers of the  
1195 association, including a provision that the association is  
1196 incorporated for the sole purpose of conducting and operating  
1197 public fairs or expositions.

1198 (3) The qualifications and terms of association members and  
1199 criteria for their admission and expulsion. Provision must may  
1200 be made in the charter for ex officio membership.

1201 (4) The time for which the association is to exist.

1202 (5) The name and residence of each subscriber.

1203 (6) Procedures for the election of and governance by  
1204 officers, who may be elected or appointed.

1205 (7) The designation of officers who will manage the affairs  
1206 of the association until the first election or appointment under  
1207 the charter.

1208 (8) Procedures for the adoption, amendment, or rescission  
1209 of bylaws of the association.

1210 (9) The highest amount of indebtedness or liability that  
1211 may be accrued by the association.

1212 (10) The name of an elected member of the board of county  
1213 commissioners of the county in which the principal office of the  
1214 association will be located, who will serve as an ex officio  
1215 member of the board of directors of the association.

1216 (11) The official e-mail address of the association which  
1217 will be used for the purpose of official communication between  
1218 the association and governmental entities.

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1219 (12) The language for the oath that will be taken by the  
 1220 applicant, which must include, but is not limited to, all of the  
 1221 following:

1222 (a) That the primary objective of the association is for  
 1223 public service and to hold, conduct, and promote public fairs or  
 1224 expositions.

1225 (b) That money and other available assets in value  
 1226 exceeding \$5,000 have been provided for purposes designated by  
 1227 the association.

1228 (c) That the association will operate in good faith to  
 1229 carry out the purposes and objectives set forth in the charter.

1230 Section 31. Section 616.02, Florida Statutes, is amended to  
 1231 read:

1232 616.02 Fair associations per county Acknowledgment of  
 1233 charter.—

1234 (1) Beginning July 1, 2026, there may be only one  
 1235 incorporated fair association per county in this state,  
 1236 excluding the state fair, which may be incorporated and  
 1237 conducted in any county. The department may not approve a  
 1238 proposed charter incorporating a fair association within the  
 1239 same county in which a fair association currently exists. The  
 1240 department may waive this requirement at the discretion of the  
 1241 Commissioner of Agriculture.

1242 (2) Any fair association incorporated before July 1, 2026,  
 1243 may conduct public fairs or expositions and exercise the  
 1244 authority provided to them pursuant to this chapter. The proposed  
 1245 charter of a fair association shall be acknowledged by at least  
 1246 three of its subscribers before an officer authorized to make  
 1247 acknowledgment of deeds. Subscribers shall also make and take an

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1248 ~~oath, which must be attached to the proposed charter, stating~~  
 1249 ~~that the primary objective of the association is public service~~  
 1250 ~~and holding, conducting, and promoting public fairs or~~  
 1251 ~~expositions; that money and other available assets in value~~  
 1252 ~~exceeding \$5,000 have been provided for the purposes of the~~  
 1253 ~~association, and that the association will operate in good faith~~  
 1254 ~~to carry out the purposes and objectives set forth in its~~  
 1255 ~~charter.~~

1256 Section 32. Section 616.03, Florida Statutes, is amended to  
 1257 read:

1258 616.03 Notice of application; Approval and record of  
 1259 charter.—Upon approval by the department, A notice of intention  
 1260 to apply to the circuit court for the charter of a fair  
 1261 association must specify the date that application will be made,  
 1262 shall be sent to the department for approval, and shall be  
 1263 published in a newspaper in the county where the principal  
 1264 office of the association will be located once each week for 4  
 1265 consecutive weeks. The notice must briefly summarize the charter  
 1266 and objectives of the proposed association. the proposed charter  
 1267 must shall be submitted to and approved by the board of county  
 1268 commissioners of the county in which the principal office of the  
 1269 association will be located. After approval by the department  
 1270 and the board of county commissioners, the proposed charter and  
 1271 proof of approval must and publication shall be submitted to the  
 1272 circuit judge on the date specified in the notice. If no cause  
 1273 is shown to the contrary and the judge finds that the proposed  
 1274 charter is in proper form and will serve the primary objective  
 1275 of public service, the judge must shall approve the charter and  
 1276 issue an order incorporating the applicant subscribers under the

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1277 charter for the objectives and purposes specified in the  
 1278 charter. The charter and order of incorporation must ~~shall~~ be  
 1279 recorded in the office of the clerk of the circuit court in the  
 1280 county where the principal office of the association will be  
 1281 located and provided to the department. After the order is  
 1282 recorded, the applicant subscribers and any ~~their~~ associates are  
 1283 incorporated with the objectives and powers established in the  
 1284 charter and under the name given in the charter. ~~During the~~  
 1285 ~~publication period, the proposed charter shall be on file in the~~  
 1286 ~~office of the clerk of the circuit court.~~ This section does not  
 1287 preclude a fair association from also filing its duly approved  
 1288 charter with the Department of State pursuant to chapter 617 for  
 1289 notice purposes.

1290 Section 33. Subsection (2) of section 616.05, Florida  
 1291 Statutes, is amended to read:

1292 616.05 Amendment of charter.—A fair association may propose  
 1293 an amendment to its charter by resolution as provided in its  
 1294 charter or bylaws.

1295 (2) After the department approves the proposed amendment,  
 1296 it will be incorporated into the original charter upon:

1297 (a) ~~Publication of notice in the same manner as provided in~~  
 1298 ~~s. 616.03;~~

1299 (b) Filing the order of the circuit judge approving the  
 1300 amendment with the office of the clerk of the circuit court and  
 1301 the department; and

1302 (b) ~~(e)~~ Being recorded in the clerk's office.

1303 If a fair association has filed its charter with the Department  
 1304 of State pursuant to chapter 617, a copy of any amendment to the

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1306 charter must be filed with the Department of State for notice  
 1307 purposes.

1308 Section 34. Section 616.051, Florida Statutes, is amended  
 1309 to read:

1310 616.051 Dissolving a charter.—

1311 (1) A fair association may dissolve its charter by  
 1312 resolution as provided in its charter or bylaws. The proposal  
 1313 for dissolving the charter shall be submitted to the department  
 1314 for approval.

1315 (2) Upon approval by the department and upon presentation  
 1316 of sufficient evidence demonstrating and publication of notice  
 1317 and proof that all indebtedness has been paid and no claims are  
 1318 outstanding against the association, the circuit judge may, by  
 1319 decree, dissolve the association and order the distribution of  
 1320 its remaining assets. Such assets must be distributed, by  
 1321 resolution of the board of directors, to the county in which the  
 1322 principal office of the association is located unless otherwise  
 1323 specified by the deed of the property held by the association  
 1324 its remaining public funds to be distributed as recommended by  
 1325 the board of directors.

1326 Section 35. Subsection (3) of section 616.07, Florida  
 1327 Statutes, is amended, and subsections (1) and (2) of that  
 1328 section are republished, to read:

1329 616.07 Members not personally liable; property of  
 1330 association held in trust; exempt from taxation.—

1331 (1) A member, officer, director, or trustee of a fair  
 1332 association is not personally liable for any of the debts of the  
 1333 association, and money or property of a fair association may not  
 1334 be distributed as profits or dividends among its members,

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1335 officers, directors, or trustees.

1336 (2) All money and property of the association, except that  
1337 necessary for the payment of its just debts and liabilities, are  
1338 public property, shall be administered by the association as  
1339 trustee, and shall be used exclusively for the legitimate  
1340 purpose of the association. So long as they are used for that  
1341 purpose, all money and property of the association are exempt  
1342 from all forms of taxation, including special assessments, and  
1343 any projects, activities, events, programs, and uses authorized  
1344 by this part serve an essential governmental purpose and,  
1345 therefore, are not taxable and are not subject to assessments.  
1346 This subsection does not apply to chapter 212.

1347 ~~(3) Upon order of the circuit judge, any public funds or  
1348 property remaining in a fair association when the association is  
1349 dissolved shall be distributed by resolution of the board of  
1350 directors to any county or any municipality within the county.  
1351 The board may designate in the distribution resolution the  
1352 public project that will benefit from the funds or the manner in  
1353 which the property will be used. If property has been  
1354 contributed by a municipality or county, the property shall be  
1355 reconveyed to the municipality or county that gave the property  
1356 to the association.~~

1357 Section 36. Section 616.101, Florida Statutes, is amended  
1358 to read:

1359 616.101 Annual review of accounts and records; review of  
1360 charter.—

1361 (1) The accounts and records of a ~~every~~ fair association  
1362 whose annual public fair has an annual attendance of more than  
1363 25,000, based upon recorded attendance from the previous year,

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1364 must ~~shall~~ be reviewed annually by a qualified accountant  
1365 licensed by the state. A fair association whose annual public  
1366 fair has an annual attendance of 25,000 or fewer, based upon  
1367 recorded attendance from the previous year, or a fair  
1368 association that is holding an annual public fair for the first  
1369 time, must submit an annual financial statement that has been  
1370 signed by an officer of the county. The results of the reviews  
1371 must ~~shall~~ be kept in the official records of each association,  
1372 available to all directors of the association. A certified copy  
1373 of the review must ~~shall~~ be filed with the department:

1374 (a) ~~(1)~~ On request by the department to certify expenditures  
1375 of the premiums awarded to exhibitors of a fair or of building  
1376 funds if ~~when~~ there is evidence of a ~~violation~~ of state laws; or  
1377 (b) ~~(2)~~ When the association is applying for a fair permit.

1378 (2) A fair association shall, every 5 years beginning July  
1379 1, 2026, review its charter and submit to the department a  
1380 certified copy of the charter which incorporates any amendment  
1381 made during the last 5 years. A designated member of the  
1382 association shall attest that the charter is accurate and  
1383 factual when submitting the certified copy to the department.

1384 Section 37. Section 616.15, Florida Statutes, is amended to  
1385 read:

1386 616.15 Permit from Department of Agriculture and Consumer  
1387 Services required.—

1388 (1) An annual public fair may not be conducted by a fair  
1389 association without a permit issued by the department. The  
1390 association shall present to the department an application for a  
1391 permit, signed by an officer of the association, at least 90  
1392 calendar days ~~3 months~~ before holding the annual public fair.

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1393 The application must shall be accompanied by a fee in an amount  
 1394 to be determined by the department for processing the  
 1395 application and making any required investigation. The  
 1396 application fee must be at least \$183 and may not exceed \$366.  
 1397 Fees collected under this subsection shall be deposited in the  
 1398 General Inspection Trust Fund of the State Treasury in a special  
 1399 account to be known as the "Agricultural and Livestock Fair  
 1400 Account." A copy of the application must be sent to each fair  
 1401 association located within 50 miles of the site of the proposed  
 1402 annual public fair at the same time the application is sent to  
 1403 the department. The department may issue a permit if the  
 1404 applicant provides:  
 1405 (a) The opening and closing dates of the proposed annual  
 1406 public fair.  
 1407 (b) The name and address of the owner of the central  
 1408 amusement attraction that will operate during the annual public  
 1409 fair.  
 1410 (c) An affidavit properly executed by the president or  
 1411 chief executive officer of the applicant association certifying  
 1412 the existence of a binding contract entered into by the  
 1413 association and the owner of the central amusement attraction  
 1414 covering the period for which the permit from the department is  
 1415 applied. The contract between the parties must shall be  
 1416 available for inspection by duly authorized agents of the  
 1417 department in administering this chapter.  
 1418 (d) A copy of the association's charter which incorporates  
 1419 all amendments made A written statement that the main purpose of  
 1420 the association is to conduct and operate a public fair and  
 1421 exposition, including the annual fair, for the benefit and

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1422 ~~development of the educational, agricultural, horticultural,~~  
 1423 ~~livestock, charitable, historical, civic, cultural, scientific,~~  
 1424 ~~and other resources of the geographical area the fair~~  
 1425 ~~association represents and serves. The statement must be~~  
 1426 ~~subscribed and acknowledged by an officer of the association~~  
 1427 ~~before an officer authorized to take acknowledgments.~~  
 1428 (e) A premium list of the current annual public fair to be  
 1429 conducted and ~~or~~ a copy of the previous year's premium list  
 1430 showing all premiums and awards to be offered to exhibitors in  
 1431 various departments of the annual public fair, which may  
 1432 include, but are not limited to, art exhibition, beef cattle,  
 1433 county exhibits, dairy cattle, horticulture, swine, women's  
 1434 department, 4-H Club activities, Future Farmers of America  
 1435 activities, Future Homemakers of America activities, poultry and  
 1436 egg exhibits, and community exhibits. The premium list, which  
 1437 may be submitted separately from the application, must be  
 1438 submitted at least 60 calendar days before the annual public  
 1439 fair begins operation.  
 1440 (f) A complete listing of all exhibits required pursuant to  
 1441 s. 616.17 Proof of liability insurance insuring the association  
 1442 against liability for injury to persons, in an amount of not  
 1443 less than \$300,000 per occurrence.  
 1444 (g) A copy of the most recent review.  
 1445 (h) A list of all current members of the board of directors  
 1446 of the association and their contact information, including home  
 1447 address.  
 1448  
 1449 The department shall issue the permit within 10 calendar days  
 1450 after it receives all the information required by this

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1451 subsection and the applicant qualifies pursuant to this section.

1452 (2) At least 21 calendar days before holding the annual

1453 public fair, the association shall present the department with

1454 all of the following information:

1455 (a) Proof of liability insurance insuring the association

1456 against liability for injury to persons, in an amount not less

1457 than \$300,000 per occurrence.

1458 (b) A copy of the association's most recent annual

1459 financial statement pursuant to s. 616.101.

1460 (c) A list of all current members of the board of directors

1461 of the association and their contact information, including home

1462 addresses.

1463 (3) The department shall administer and enforce the

1464 provisions of this chapter except as to the regulation of games,

1465 which shall be regulated by local law enforcement agencies. The

1466 department shall adopt rules to administer this chapter,

1467 including rules governing the form and contents of the

1468 application for the permit and any reports that it deems may

1469 deem necessary in enforcing the provisions of this chapter.

1470 (4) Notwithstanding any fair association meeting the

1471 requirements set forth in subsection (1), the department may

1472 order a full investigation to determine if the fair association

1473 meets the requirements of this part s. 616.01, and may withhold

1474 a permit from, deny a permit to, or withdraw a permit once

1475 issued to the association. The department shall also consider

1476 whether any proposed annual public fair, as set forth in an

1477 application for a permit, will compete with another annual

1478 public fair within 50 miles of the proposed annual public fair

1479 with respect to name, dates of operation, or market. The

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1480 department may deny, withhold, or withdraw a permit from a fair

1481 association if the department determines that such fair

1482 association will compete with another association. The

1483 department shall give preference to existing fair associations

1484 with established dates, locations, and names. The determination

1485 by the department is final.

1486 Section 38. Section 616.251, Florida Statutes, is amended

1487 to read:

1488 616.251 Florida State Fair Authority; creation;

1489 responsibility for staging annual state fair; exemptions.—

1490 (1) There is created and constituted the "Florida State

1491 Fair Authority," a public body corporate and politic, for the

1492 purposes and with the powers set forth in this part. Such

1493 instrumentality, hereinafter referred to as "the authority,"

1494 shall have perpetual succession. For the purposes of

1495 implementing the intent of this part, the authority shall be

1496 considered an instrumentality of the state, subject to the

1497 jurisdiction of the state. Any conflict with respect to that

1498 jurisdiction will be resolved by the authority and respective

1499 state agencies.

1500 (2) The authority shall operate under the supervision of

1501 the Commissioner of Agriculture, which supervision may include,

1502 but is not limited to, assisting, advising, and making

1503 recommendations regarding the financing and operation of the

1504 authority. In assisting and advising the authority, the

1505 Commissioner of Agriculture may make appropriate staff of the

1506 department available to the authority.

1507 (3) The authority is charged with the responsibility of

1508 staging an annual fair to serve the entire state. Cash premiums

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1509 or awards may be given to exhibitors.

1510 (4) The authority shall be exempt from part I of this  
chapter.

1511 (5) ~~44~~ The principal offices of the authority shall be in  
 1512 such place or places in or near the City of Tampa as the  
 1513 authority may from time to time designate.

1514 Section 39. Subsection (1) of section 843.085, Florida  
 1515 Statutes, is amended, and subsection (5) of that section is  
 1516 republished, to read:

1517 843.085 Unlawful use of badges or other indicia of  
 1518 authority.—

1519 (1) It is unlawful for any person, unless appointed by the  
 1520 Governor pursuant to chapter 354, authorized by the appropriate  
 1521 agency, or displayed in a closed or mounted case as a collection  
 1522 or exhibit, to wear or display any authorized indicia of  
 1523 authority, including any badge, insignia, emblem, identification  
 1524 card, or uniform, or any colorable imitation thereof, of any  
 1525 federal, state, county, or municipal law enforcement agency, or  
 1526 other criminal justice agency as defined in s. 943.045, with the  
 1527 intent to mislead or cause another person to believe that he or  
 1528 she is a member of that agency or is authorized to display or  
 1529 wear such item, or to wear or display any item that displays in  
 1530 any manner or combination the word or words "police,"  
 1531 "patrolman," "patrolwoman," "agent," "sheriff," "deputy,"  
 1532 "trooper," "highway patrol," "commission officer," "Wildlife  
 1533 Officer," "Department of Environmental Protection officer,"  
 1534 "Marine Patrol Officer," "state attorney," "public defender,"  
 1535 "marshal," "constable," "bailiff," ~~or~~ "fire department,"  
 1536 "concealed weapon permit," or "concealed weapon permitholder"

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1538 with the intent to mislead or cause another person to believe  
 1539 that he or she is a member of that agency, if applicable, or is  
 1540 authorized to wear or display such item.

1541 (5) A violation of this section is a misdemeanor of the  
 1542 first degree, punishable as provided in s. 775.082 or s.  
 1543 775.083. This section is cumulative to any law now in force in  
 1544 the state.

1545 Section 40. Section 865.065, Florida Statutes, is reordered  
 1546 and amended to read:

1547 865.065 Disparagement of ~~perishable~~ agricultural food  
 1548 products; cause of action; limitation.—

1549 (1) The Legislature finds, determines, and declares that  
 1550 the production of agricultural food products constitutes an  
 1551 important and significant portion of the state economy and that  
 1552 it is imperative to protect the vitality of the agricultural  
 1553 economy for the citizens of this state by providing a cause of  
 1554 action for agricultural producers to recover damages for the  
 1555 disparagement of any ~~perishable~~ agricultural product.

1556 (2) For purposes of this section, the term:

1557 (b) ~~44~~ "Disparagement" means the willful or malicious  
 1558 dissemination to the public in any manner of any false  
 1559 information that ~~an a~~ ~~perishable~~ agricultural food product is  
 1560 not safe for human consumption. False information is that  
 1561 information which is not based on reliable, scientific facts and  
 1562 reliable, scientific data which the disseminator knows or should  
 1563 have known to be false.

1564 (a) ~~44~~ "Perishable Agricultural food product" means any  
 1565 agricultural or aquacultural food product or commodity grown or  
 1566 produced within this the state for a commercial purpose. The

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1567 term also includes any agricultural practices used in the  
 1568 production of such products of Florida which is sold or  
 1569 distributed in a form that will perish or decay within a  
 1570 reasonable period of time.

1571 (c) "Producer" means the person who actually grows or  
 1572 produces perishable agricultural food products.

1573 (3) Any producer or any association representing producers  
 1574 of perishable agricultural food products which suffers damages  
 1575 as a result of another person's disparagement of any such  
 1576 perishable agricultural food product may bring an action for  
 1577 damages and for any other relief a court of competent  
 1578 jurisdiction deems appropriate, including, but not limited to,  
 1579 compensatory and punitive damages, reasonable attorney fees, and  
 1580 costs of the action.

1581 (4) The statute of limitations for disparagement of  
 1582 perishable agricultural food products is 2 years from the date  
 1583 the disparagement occurs.

1584 Section 41. Subsection (27) is added to section 934.02,  
 1585 Florida Statutes, to read:

1586 934.02 Definitions.—As used in this chapter:

1587 (27) "Signal jamming device" means a device or process,  
 1588 such as a phone jammer, global positioning systems blocker, or  
 1589 other similar device designed to intentionally block, jam, or  
 1590 interfere with radio communications, such as cellular and  
 1591 personal communication services, police radar, or global  
 1592 positioning systems.

1593 Section 42. Section 934.51, Florida Statutes, is created to  
 1594 read:

1595 934.51 Possession, use, and sale of signal jamming device;

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1596 prohibition; exceptions; penalties.—

1597 (1) PROHIBITION.—It is unlawful to possess, manufacture,  
 1598 hold or offer for sale, sell, import, distribute, or use a  
 1599 signal jamming device in this state.

1600 (2) EXCEPTIONS.—This section does not apply to a federal or  
 1601 military law enforcement agency that lawfully installs, places,  
 1602 or uses a signal jamming device as part of a criminal  
 1603 investigation, or to any person duly authorized by the Federal  
 1604 Communications Commission.

1605 (3) PENALTIES.—A person who violates this section commits a  
 1606 misdemeanor of the first degree, punishable as provided in s.  
 1607 775.082 or s. 775.083.

1608 Section 43. Paragraph (a) of subsection (4) and subsection  
 1609 (6) of section 288.1175, Florida Statutes, are amended to read:

1610 288.1175 Agriculture education and promotion facility.—

1611 (4) The Department of Agriculture and Consumer Services  
 1612 shall certify a facility as an agriculture education and  
 1613 promotion facility if the Department of Agriculture and Consumer  
 1614 Services determines that:

1615 (a) The applicant is a unit of local government as defined  
 1616 in s. 218.369, or a fair association as defined in s. 616.001(8)  
 1617 ~~s. 616.001(11)~~, which is responsible for the planning, design,  
 1618 permitting, construction, renovation, management, and operation  
 1619 of the agriculture education and promotion facility or holds  
 1620 title to the property on which such facility is to be developed  
 1621 and located.

1622 (6) Funds may not be expended to develop or subsidize  
 1623 privately owned facilities, except for facilities owned by fair  
 1624 associations as defined in s. 616.001(8) ~~s. 616.001(11)~~.

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1625        Section 44. For the purpose of incorporating the amendment  
 1626 made by this act to section 287.1351, Florida Statutes, in a  
 1627 reference thereto, subsection (4) of section 287.056, Florida  
 1628 Statutes, is reenacted to read:  
 1629        287.056 Purchases from purchasing agreements and state term  
 1630 contracts; vendor disqualification.—  
 1631        (4) A firm or individual placed on the suspended vendor  
 1632 list pursuant to s. 287.1351 or placed on a disqualified vendor  
 1633 list pursuant to s. 287.133 or s. 287.134 is immediately  
 1634 disqualified from state term contract eligibility.  
 1635        Section 45. For the purpose of incorporating the amendment  
 1636 made by this act to section 287.1351, Florida Statutes, in a  
 1637 reference thereto, subsection (5) of section 287.138, Florida  
 1638 Statutes, is reenacted to read:  
 1639        287.138 Contracting with entities of foreign countries of  
 1640 concern prohibited.—  
 1641        (5) The Attorney General may bring a civil action in any  
 1642 court of competent jurisdiction against an entity that violates  
 1643 this section. Violations of this section may result in:  
 1644        (a) A civil penalty equal to twice the amount of the  
 1645 contract for which the entity submitted a bid or proposal for,  
 1646 replied to, or entered into;  
 1647        (b) Ineligibility to enter into, renew, or extend any  
 1648 contract, including any grant agreements, with any governmental  
 1649 entity for up to 5 years;  
 1650        (c) Ineligibility to receive or renew any license,  
 1651 certification, or credential issued by a governmental entity for  
 1652 up to 5 years; and  
 1653        (d) Placement on the suspended vendor list pursuant to s.

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1654        287.1351.  
 1655        Section 46. For the purpose of incorporating the amendment  
 1656 made by this act to section 500.04, Florida Statutes, in a  
 1657 reference thereto, subsection (1) of section 500.177, Florida  
 1658 Statutes, is reenacted to read:  
 1659        500.177 Penalty for violation of s. 500.04; dissemination  
 1660 of false advertisement.—  
 1661        (1) Any person who violates any provision of s. 500.04 is  
 1662 guilty of a misdemeanor of the second degree, punishable as  
 1663 provided in s. 775.082 or s. 775.083; but, if the violation is  
 1664 committed after a conviction of such person under this section  
 1665 has become final, such person is guilty of a misdemeanor of the  
 1666 first degree, punishable as provided in s. 775.082 or s.  
 1667 775.083.  
 1668        Section 47. For the purpose of incorporating the amendment  
 1669 made by this act to section 616.07, Florida Statutes, in a  
 1670 reference thereto, subsection (13) of section 212.08, Florida  
 1671 Statutes, is reenacted to read:  
 1672        212.08 Sales, rental, use, consumption, distribution, and  
 1673 storage tax; specified exemptions.—The sale at retail, the  
 1674 rental, the use, the consumption, the distribution, and the  
 1675 storage to be used or consumed in this state of the following  
 1676 are hereby specifically exempt from the tax imposed by this  
 1677 chapter.  
 1678        (13) LIMITATIONS ON EXEMPTIONS.—No transactions shall be  
 1679 exempt from the tax imposed by this chapter except those  
 1680 expressly exempted herein. All laws granting tax exemptions, to  
 1681 the extent they may be inconsistent or in conflict with this  
 1682 chapter, including, but not limited to, the following designated

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1683 laws, shall yield to and be superseded by the provisions of this  
 1684 subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31,  
 1685 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11,  
 1686 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09, and the  
 1687 following Laws of Florida, acts of the year indicated: s. 31,  
 1688 chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter  
 1689 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263,  
 1690 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13,  
 1691 chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754;  
 1692 s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter  
 1693 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681.  
 1694 This subsection does not supersede the authority of a local  
 1695 government to adopt financial and local government incentives  
 1696 pursuant to s. 163.2517.

1697 Section 48. For the purpose of incorporating the amendment  
 1698 made by this act to section 616.15, Florida Statutes, in a  
 1699 reference thereto, section 616.185, Florida Statutes, is  
 1700 reenacted to read:

1701 616.185 Trespass upon grounds or facilities of public fair;  
 1702 penalty; arrests.—

1703 (1) For the purposes of this chapter, trespass upon the  
 1704 grounds of the Florida State Fair Authority or any other fair  
 1705 association permitted under s. 616.15 means:

1706 (a) Entering and remaining upon any grounds or facilities  
 1707 owned, operated, or controlled by the Florida State Fair  
 1708 Authority or any other association permitted under s. 616.15 and  
 1709 committing any act that disrupts the orderly conduct of any  
 1710 authorized activity of the fair association in charge, or its  
 1711 lessees, licensees, or the general public on those grounds or

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1712 facilities; or

1713 (b) Entering and remaining on those grounds or facilities  
 1714 after being directed not to enter or to leave them by the  
 1715 executive director of the authority, chief administrative  
 1716 officer of the fair association, or any employee or agent of the  
 1717 association designated by the executive director or  
 1718 administrator to maintain order on those grounds and facilities,  
 1719 after a determination by the executive director, administrator,  
 1720 employee, or agent that the entering or remaining on those  
 1721 grounds or facilities is in violation of the rules and  
 1722 regulations of the Florida State Fair Authority or permitted  
 1723 fair association or is disrupting the orderly conduct of any  
 1724 authorized activity of the fair association in charge, or its  
 1725 lessees, licensees, or the general public on those grounds or  
 1726 facilities.

1727 (2) Any person committing the offense of trespass upon the  
 1728 grounds of the Florida State Fair Authority or any other fair  
 1729 association permitted under s. 616.15 commits a misdemeanor of  
 1730 the second degree, punishable as provided in s. 775.082 or s.  
 1731 775.083.

1732 (3) A law enforcement officer may arrest any person on or  
 1733 off the premises, without a warrant, if the officer has probable  
 1734 cause for believing such person has committed the offense of  
 1735 trespass upon the grounds of the Florida State Fair Authority or  
 1736 any fair association permitted under s. 616.15. Such an arrest  
 1737 does not render the law enforcement officer criminally or  
 1738 civilly liable for false arrest, false imprisonment, or unlawful  
 1739 detention.

1740 Section 49. This act shall take effect July 1, 2026.

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

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 320

INTRODUCER: Senator Simon

SUBJECT: Administrative Efficiency in Public Schools

DATE: January 13, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick, Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav</u>
2. <u>Brick, Sabitsch</u>	<u>Siples</u>	<u>FP</u>	<u>Pre-meeting</u>

## **I. Summary:**

SB 320 streamlines administrative processes for school districts by reducing regulations, increasing flexibility in policymaking, and enhancing financial and facilities management. Relating to:

- Assessment and accountability, the bill:
  - Eliminates certain school district requirements relating to the uniform assessment calendar, but requires the calendar to indicate state and district assessments.
  - Specifies that the value-added model (VAM) may not be the sole determinate in recruiting instructional personnel.
  - Requires State Board of Education (SBE) rule to provide a timeline for approving school turnaround plans and for the release of Title I funding.
- Instructional personnel, the bill:
  - Expands eligibility requirements for the Teacher Apprenticeship Program.
  - Clarifies options for an advanced degree that may be used for salary adjustments.
  - Specifies that collective bargaining may not preclude a district from providing salary supplements based on critical statewide or district needs.
  - Creates a three-year instructional multiyear contract.
  - Establishes a 10-year renewable professional certificate.
  - Authorizes school districts or regional consortia to issue temporary educator certificates.
  - Limits the requirement for demonstration of general knowledge to classroom teachers.
- School district operations, the bill:
  - Exempts school boards from Administrative Procedures Act rulemaking requirements, but maintains requirements for public input and transparency.
  - Removes the requirement that certain districts employ an internal auditor, but maintains general financial audit requirements.
  - Authorizes district school board instructional materials purchases to follow the full five-year adoption cycle.

- School district facilities, the bill:
  - Removes prescribed 5-year, 10-year, and 20-year school facility work program mandates, but maintains requirements for district long-term facility planning.
  - Modifies the conditions for districts to employ an architect.
  - Repeals life-cycle cost analysis requirements for school construction projects.
  - Expands the use of funds for the sale of school district airspace.
- School district finance and budgets, the bill:
  - Removes the requirement for graphical representation of a district budget.
  - Expands district school board discretion in allocating Title I funding and clarifies that charter schools can access services or programs funded by Title I.
  - Authorizes district school boards to use proceeds from the 1.5 mill discretionary capital levy for operational and capital purposes.
  - Requires charter schools to directly respond to expenditure questions from the Department of Education (DOE).
  - Expands the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.
  - Authorizes district school boards to determine the need to make up days lost because of a bona fide emergency.
- Early learning, the bill:
  - Shifts oversight of public school Voluntary Prekindergarten (VPK) programs from early learning coalitions to the school district.
  - Authorizes public VPK programs to verify attendance using existing electronic systems.
- DOE oversight, the bill requires the DOE to provide district school boards with annual guidance on statutory and rule-based requirements, including information on the availability of declaratory statements.

This bill does not have a fiscal impact on state revenues or expenditures. However, the bill reduces regulations and increases flexibility in policymaking, finance, and facilities management, which could result in cost savings for school districts.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

## **III. Effect of Proposed Changes:**

### **Assessment and Accountability**

#### ***Present Situation***

#### **Pre-K-12 Assessments**

The Department of Education (DOE) is required to operate a statewide assessment program designed to accurately measure the core curricula content of the state educational standards.

Participation in the assessment program is mandatory for all school districts and all students attending public schools.<sup>1</sup>

The statewide, standardized Coordinated Screening and Progress Monitoring (CSPM) system is used to measure student progress in public schools as well as in the Voluntary Prekindergarten (VPK) program to identify the educational strengths and needs of students. The CSPM system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts (ELA) and mathematics standards.<sup>2</sup>

Florida allows a student with a disability to receive an extraordinary exemption from an assessment if the Individualized Educational Plan (IEP) team determines that the student would be prevented from demonstrating mastery of skills measured by a statewide or alternate assessment. The IEP team may submit to the superintendent a written request for an extraordinary exemption at any time during the school year but not later than 60 days prior to the current year's assessment administration.<sup>3</sup>

By January of each year, the Commissioner of Education must publish on the DOE's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next two school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information when reporting the district assessment schedules must include:

- Whether the assessment is a district-required assessment or a state-required assessment.
- The specific date or dates that each assessment will be administered, including administrations of the CSPM system.
- The time allotted to administer each assessment.
- Whether the assessment is a computer-based assessment or a paper-based assessment.
- The grade level or subject area associated with the assessment.
- The date that the assessment results are expected to be available to teachers and parents.
- The type of assessment, the purpose of the assessment, and the use of the assessment results.
- A glossary of assessment terminology.
- Estimates of average time for administering state-required and district-required assessments, by grade level.<sup>4</sup>

School districts are required to establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district is required to publish the testing schedules on its website using the uniform calendar and submit the schedules to the DOE by October 1 of each year; however, the DOE is not required to post the assessment calendars on its website. Each public school must publish schedules for statewide, standardized assessments and district-required assessments on its website using the uniform calendar.<sup>5</sup>

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<sup>1</sup> Section 1008.22(3), F.S.

<sup>2</sup> Section 1008.25, F.S.

<sup>3</sup> Section 1008.212, F.S.

<sup>4</sup> Section 1008.22(7), F.S.

<sup>5</sup> *Id.*

### School Improvement and Turnaround

Florida's system of improving low-performing schools is referred to as "school improvement" (SI). Under SI, the lowest-performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting student achievement goals.<sup>6</sup> Intervention and support is required for traditional public schools earning a letter grade of "D," or "F."<sup>7</sup> Upon receipt of its first grade of "D," a school is considered a Tier I SI school in need of support and intervention from the school district and the DOE.<sup>8</sup> Intensive intervention and support strategies must be applied through turnaround plans to schools earning two consecutive grades of "D" or a grade of "F."<sup>9</sup>

The DOE requires that a school that has been identified as an SI school must meet the following educator staff requirements:

- Provide a literacy coach who has a record of effectiveness as an English Language Arts teacher or coach with a value-added model (VAM) rating of Highly Effective or Effective.
- Provide a mathematics coach who has a record of effectiveness as a mathematics teacher or coach with a VAM rating of Highly Effective or Effective.
- Staff the SI school so that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five total schools and less than the state average, if the district has five or fewer schools.<sup>10</sup>

Through section 1003 of Title I, the United States Department of Education administers three grants specifically targeted to improving student performance at schools in need of improvement:

- Unified School Improvement Grant (UniSIG) grant – In the 2023-24 school year, Florida's state allocation was \$72,623,399. The UniSIG grant is allocated to school districts to serve traditional and charter Title I public schools implementing comprehensive support and improvement activities to support the schools SI plan and provide resources to raise student achievement in the lowest-performing schools.
- UniSIG Supplemental Teacher and Administrator Allocation (STAA) - In the 2023-24 school year, Florida's state allocation was \$30,000,000. The UniSIG STAA grant allocates funding for districts to recruit teachers, to schools in need of improvement, who have a rating of highly effective or effective according to VAM. Educators who teach grades K-3, exceptional student education (ESE) and English for Speakers of Other Languages (ESOL) certified teachers, and science teachers are often not eligible for the STAA award because they do not earn a VAM score.
- UniSIG Closing Achievement Gaps Between Subgroups and All Students (CAGSS) In the 2023-24 school year, Florida's allocation was \$98,193,480. The UniSIG CAGSS support

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<sup>6</sup> Section 1008.33 , F.S.; *see rule 6A-1.099811, F.A.C.* School Improvement requirements were originally established under the 2002 reauthorization of ESEA, otherwise known as the No Child Left Behind (NCLB) Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

<sup>7</sup> Section 1008.33(3), F.S.

<sup>8</sup> Rule 6A-1.099811(3)(a), F.A.C.

<sup>9</sup> Section 1008.33(4), F.S.

<sup>10</sup> Rule 6A-1.099811, F.A.C. VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

Local Educational Agencies that are serving low-performing subgroups of students in schools implementing targeted and comprehensive support and improvement activities.<sup>11</sup>

### ***Effect of Proposed Changes***

#### **Pre-K-12 Assessments**

The bill amends s. 1008.22, F.S., to remove the requirement for school districts and schools to submit their uniform assessment calendar to the DOE. Instead, by November 1, each school district must post an assessment calendar on its website and include it in the district's parent guide. The calendar must indicate whether each assessment is state- or district-required and specify the grade bands or subject areas to which it applies. However, the bill maintains the prohibition against school districts exceeding five percent of a student's total school hours for administering statewide standardized assessments, the CSPM, and district-required local assessments.

The bill modifies s. 1008.212, F.S., regarding extraordinary exemptions for assessments to specify that the first two administrations of the CSPM system or associated alternative assessments are exempt from extraordinary exemption requirements. Rather, the 60-day deadline for such request applies only to the third administration of the CSPM.

#### **School Improvement and Turnaround**

The bill modifies s. 1008.33, F.S., to require the DOE to adopt, in rule, a timeline for approving a district's turnaround plan and a timeline for the release of the UniSIG funding, which should not exceed 20 calendar days after the school improvement plan has been approved by the DOE. The bill also prohibits the use of VAM<sup>12</sup> as the sole determinant in recruiting instructional personnel to provide school districts with greater flexibility in staffing schools identified as in need of improvement.

### **Instructional Personnel**

#### ***Present Situation***

#### **Salary Schedules and Collective Bargaining**

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees. Additionally, school districts are required to develop a compensation and salary schedule that includes:

- A grandfathered salary schedule for employees hired before July 1, 2014, which must base a portion of compensation on performance under the district's evaluation system and provide differentiated pay for instructional personnel and school administrators based on district-determined factors such as additional responsibilities, school demographics, high-need areas, and job difficulty.

<sup>11</sup> Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Education Pre-K-12).

<sup>12</sup> VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

- A performance salary schedule for employees hired on or after July 1, 2014, or employees who opt out of the grandfathered schedule, which must provide annual salary adjustments for instructional personnel and school administrators based on their performance evaluations.<sup>13</sup>

In addition to establishing grandfathered and performance salary schedules, district school boards must provide salary adjustments and supplements consistent with law. A salary adjustment is an increase to an employee's base salary that becomes part of permanent compensation, while a supplement is an annual addition to base salary that does not become part of the continuing base salary but is treated as compensation for retirement purposes.<sup>14</sup>

School districts are prohibited from using advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only a salary supplement.<sup>15</sup>

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Implementing student discipline policies, including reviewing a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.
- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district's website.
- The school district's calendar.<sup>16</sup>

### Educator Contracts

Each person employed as a member of the instructional staff in any district school system is entitled to and must receive a written contract.<sup>17</sup> Three types of contracts are used to employ instructional personnel in Florida: continuing contracts, professional service contracts, and annual contracts.

An annual contract is an employment contract for a period of no longer than one school year that a district school board may choose to award or not award without cause. As of July 1, 2011, instructional personnel may only be employed on an annual contract basis. For newly hired instructional personnel, beginning July 1, 2011, school districts are required to award a probationary contract and after successful completion of the probationary contract, the district

<sup>13</sup> Section 1012.22(1), F.S.

<sup>14</sup> Section 1012.22(1)(c)1.a. and g., F.S.

<sup>15</sup> Section 1012.22(1)(c), F.S.

<sup>16</sup> Section 1012.22(3), F.S.

<sup>17</sup> Section 1012.33(1), F.S.

school board may award an annual contract. An annual contract may be awarded only if the employee:

- Holds an active professional certificate or temporary certificate.
- Has been recommended by the district school superintendent for the annual contract based upon the individual's evaluation and approved by the district school board.
- Has not received two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.<sup>18</sup>

Instructional personnel hired on or after July 1, 1984, and up to July 1, 2011, were awarded professional service contracts after three years of probationary service on annual contracts.

Professional service contracts were automatically renewed each year, unless the employee was charged with unsatisfactory performance based upon his or her annual performance evaluation or the employee's performance evaluations indicate chronically ineffective performance.<sup>19</sup>

Instructional personnel hired before July 1, 1984, entered into continuing contracts upon meeting eligibility requirements. After completing three years of probationary service on annual contracts. A continuing contract entitled the employee to continued employment without the necessity of annual renewal until discontinuation of the position, resignation, dismissal, or removal from continuing contract status.<sup>20</sup>

#### Nondegree Teachers of Career Education

Each district school board is required to establish the minimal qualifications for part-time and full-time nondegree teachers of career programs. The qualifications for such teachers must require the filing of a complete set of fingerprints for background screening and documentation of:

- A high school diploma or the equivalent.
- Completion of three years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.
- For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students.
- Completion of an industry certification when state or national industry certifications are available and applicable.<sup>21</sup>

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<sup>18</sup> Section 1012.335, F.S.

<sup>19</sup> Section 1012.33(3), F.S.

<sup>20</sup> Section 231.36(3)(e), F.S. (1981). A continuing contract employee may be dismissed or returned to annual contract status for a period of three years based upon the recommendation of the district school superintendent, school principal, or a majority of the school board. Section 1012.33(4)(b), F.S.; see also s. 231.36(4), F.S. (1981).

<sup>21</sup> Section 1012.39(1), F.S.

### Teacher Apprenticeship Program

In 2023, the legislature created the Teacher Apprenticeship Program (TAP).<sup>22</sup> The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required to administer the program in accordance with legislative intent regarding apprenticeship training<sup>23</sup> provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:

- Earned an associate degree from an accredited postsecondary institution.
- Earned a cumulative grade point average (GPA) of 2.5 in that degree program.
- Successfully passed a background screening pursuant to law.
- Received a temporary apprenticeship certificate.<sup>24</sup>

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law<sup>25</sup> and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.<sup>26</sup>

### Educator Certification

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence to demonstrate an acceptable level of professional performance.<sup>27</sup> For a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.<sup>28</sup>

The SBE designates the certification subject areas, establishes competencies, and adopts rules by which educator certificates are issued by the DOE to qualified applicants.<sup>29</sup>

To seek educator certification, a person must attest to uphold the principles of the United States and meet other general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution and minimum age, background screening, moral character, and competence requirements.<sup>30</sup>

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<sup>22</sup> Ch. 2023-38, s. 6, Laws of Fla.

<sup>23</sup> Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

<sup>24</sup> Section 1012.555(2), F.S.

<sup>25</sup> “Team teaching” or “co-teaching” means two or more teachers are assigned to a group of students and each teacher is responsible for all the students during the entire class period. Section 1003.03(5) (c), F.S.

<sup>26</sup> Section 1012.555(2), F.S.

<sup>27</sup> Section 1012.54, F.S.

<sup>28</sup> Sections 1012.55(1) and 1002.33(12), F.S.

<sup>29</sup> Section 1012.55(1), F.S.

<sup>30</sup> Section 1012.56(2), F.S., and Rule 6A-4.003, F.A.C.

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge;
- Subject area knowledge; and
- Professional preparation and education competence.<sup>31</sup>

Acceptable means of demonstrating mastery of general knowledge include:

- Achievement of passing scores on the general knowledge (GK) examination;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS) or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that meets certain criteria;
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the GK exam, including but not limited to Graduate Record Examination; or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.<sup>32</sup>

A school district that employs an individual who does not achieve passing scores on any subtest of the GK examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been provided three years of support and instruction and who has been rated effective or highly effective for each of the last three years.<sup>33</sup>

The acceptable means of demonstrating mastery of subject area knowledge include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.<sup>34</sup>

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE.<sup>35</sup> Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.<sup>36</sup>

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<sup>31</sup> Section 1012.56, F.S.

<sup>32</sup> Section 1012.56(3), F.S.

<sup>33</sup> *Id.* (flush left)

<sup>34</sup> Section 1012.56(5), F.S. and Rule 6A-4002(4), F.A.C.

<sup>35</sup> Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, incorporated by reference in rule 6A-4.0021, F.A.C.

<sup>36</sup> Section 1012.56(6), F.S.

For the renewal of a professional certificate, applicants must earn a minimum of six college credits or 120 inservice points or a combination thereof, which must include at least one college credit or 20 inservice points in teaching students with disabilities. All renewal credits must be earned during the validity period and prior to the expiration date of the current professional certificate.<sup>37</sup> In lieu of college credit or inservice points, applicants may renew a subject area specialization by passing a state board approved Florida-developed subject area examination.<sup>38</sup>

For renewal of a professional certificate in any area of certification identified by SBE rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of two college credits or 40 inservice points in evidence-based instruction and interventions grounded in the science of reading.<sup>39</sup>

A temporary teaching certificate is valid for five school fiscal years and is nonrenewable. The DOE is required to issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer and is required to electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant with an official statement of status of eligibility at the time the certificate is issued.<sup>40</sup>

The DOE must issue a temporary certificate to any applicant who:

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and
- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in SBE rule.<sup>41</sup>

A person issued a temporary certificate must be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor selected must:

- Hold a valid professional certificate;
- Have earned at least three years of teaching experience in prekindergarten through grade 12; and
- Have earned an effective or highly effective rating on the prior year's performance evaluation.<sup>42</sup>

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<sup>37</sup> Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fl DOE.org/teaching/certification/renewal-requirements/> (last visited December 3, 2025).

<sup>38</sup> Section 1012.585(3), F.S.

<sup>39</sup> *Id.* The evidence-based instruction and interventions grounded in the science of reading must be specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies.

<sup>40</sup> Section 1012.56, F.S.

<sup>41</sup> Section 1012.56(7), F.S. As specified in law, alternative pathways for a temporary certificate are available for military service members and participants in the Teacher Apprenticeship Program.

<sup>42</sup> Section 1012.56(7), F.S.

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.<sup>43</sup>

### ***Effect of Proposed Changes***

#### Salary Schedules and Collective Bargaining

The bill modifies s. 1012.22, F.S., to clarify that an advanced degree used for salary adjustments does not have to be solely in the individual's area of certification, instead, it allows for flexibility by permitting either a doctorate or master's degree in the certification area or any doctorate or master's degree that includes at least 18 graduate semester hours in the certification area.

The bill also specifies that collective bargaining may not preclude a district from providing salary supplements to address identified high demand teacher needs.

#### Educator Contracts

The bill modifies s. 1012.335, F.S., to allow instructional personnel hired on or after July 1, 2011, to be offered, beginning July 1, 2026, an instructional multi-year contract. An instructional multi-year contract is an employment contract for a period not to exceed three years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract. The instructional multi-year contract may only be awarded to an instructional personnel, and only if he or she:

- Holds an active professional certificate;
- Has been recommended by the district school superintendent for the instructional multi-year contract based upon the individual's evaluation under and approved by the district school board; and
- Has not received, in the past three years, an annual performance evaluation rating of unsatisfactory or needs improvement.

The bill requires that an employee awarded an instructional multi-year contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause.<sup>44</sup>

#### Non-degreed Teachers of Career Education

The bill modifies s. 1012.39, F.S., to provide flexibility from certification requirements for school boards in hiring non-degree career and technical education (CTE) teachers by removing

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<sup>43</sup> Florida Department of Education, *Upgrading from the Temporary to the Professional Certificate*, <https://www.fl DOE.org/teaching/certification/general-cert-requirements/moving-from-the-temporary-to-the-profe.shtml> (last visited Dec. 3, 2025).

<sup>44</sup> Section 1012.33, F.S. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory, gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

the 3-year experience and specified training requirements in favor of a minimum level established by the district school board.

### Teacher Apprenticeship Program

The bill modifies s. 1012.555, F.S., to expand eligibility for the TAP by allowing candidates who are enrolled in a postsecondary institution to be eligible for the TAP, instead of requiring the candidate to have earned an associate degree prior to being eligible. The bill also expands eligibility for the TAP by authorizing individuals who are working in the district as a paraprofessional but not necessarily employed through the district, to enroll in the TAP. This would allow paraprofessionals who are contracted by the district through a staffing agency to qualify as a teacher candidate.

### Educator Certification

The bill modifies s. 1012.56, F.S., to specify that the requirement to demonstrate mastery of general knowledge applies only to individuals serving as classroom teachers thereby removing from the requirement instructional personnel such as librarians/media specialists, school counselors, and social workers.

The bill authorizes school districts or regional education consortia<sup>45</sup> to issue temporary certificates and requires the DOE to adopt reporting requirements regarding the award of such certificates.

The bill modifies the renewal of educator certification requirements in s. 1012.585, F.S., by:

- Establishing an additional professional certificate with a 10-year validity period. Applicants for the 10-year professional certificate must have been awarded at least one 5-year professional certificate and must have been rated highly effective in the first four years of the 5-year validity period of his or her professional certificate.
- Specifying that applicants rated effective or highly effective for the first nine years of the 10-year validity period of his or her professional certificate are eligible to renew the 10-year professional certificate. The applicant must earn a minimum of twelve college credits or 240 inservice points or a combination thereof for a professional certificate valid for 10 years. A minimum of five college credits or 100 inservice points or a combination thereof must be earned within the first 5 years of a professional certificate valid for 10 years.

## **School District Operations**

### ***Present Situation***

#### District School Board Policymaking

District school boards derive their primary policymaking authority from the Florida Constitution, which grants them the power to operate, control, and supervise all free public schools within the district and to determine the local school tax rate.<sup>46</sup> The Administrative Procedures Act (APA)

<sup>45</sup> A regional education consortium is a non-profit, educational service agency established to provide cooperative services to small and rural member districts. The regional education consortia in Florida are the North East Florida Educational Consortium, Heartland Educational Consortium, and the Panhandle Area Educational Consortium.

<sup>46</sup> FLA. CONST. art. IX, s. 4(b).

applies to district school boards only when they act pursuant to statutory authority rather than their constitutional authority.<sup>47</sup> Policies adopted under constitutional authority are subject to judicial review, typically in the local circuit court.<sup>48</sup>

The Legislature also identifies the general powers of district school boards. These include, for example, the authority to:

- Determine policies and programs necessary for the efficient operation and general improvement of the district school system, provided they align with state law and rule.
- Adopt rules under the APA to implement their statutory duties and supplement those established by the SBE and commissioner.
- Establish standards and policies that ensure every student has access to a comprehensive education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as outlined by state academic standards.<sup>49</sup>

When promulgating rules under the APA, district school boards are required to notify the public:

- By publication in a newspaper in the affected area or on a publicly accessible website;
- By mail to all persons who have made requests for advance notice of its proceedings and to organizations representing persons affected by the proposed rule; and
- By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.<sup>50</sup>

Unlike state agencies, which must adhere to the APA, local government entities (including counties, municipalities, and special districts) are not subject to APA rulemaking procedures. Instead, they must comply with Florida's open government laws, including:

- Florida's Sunshine Law, which requires all meetings of local government boards to be open to the public, with reasonable notice provided.<sup>51</sup>
- Requirements for notices of public meetings to include information on how affected persons may appeal decisions made at the meeting.<sup>52</sup>
- Requirements for public participation, which guarantee the public a reasonable opportunity to be heard before local governing bodies make decisions.<sup>53</sup>

Charter schools are not required to follow rulemaking procedures prescribed by the APA.<sup>54</sup>

#### Instructional Materials Purchase and Reporting

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students. Adequate instructional materials is defined as a sufficient number of student or site licenses or set of materials that are available in bound,

<sup>47</sup> See s. 120.52(1)(a) and (6), F.S. See also *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

<sup>48</sup> See *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

<sup>49</sup> Section 1001.41, F.S.

<sup>50</sup> Section 120.81(1), F.S.

<sup>51</sup> Section 286.011, F.S.

<sup>52</sup> Section 286.0105, F.S.

<sup>53</sup> Section 286.0114, F.S.

<sup>54</sup> Section 1002.33(16), F.S.

unbound, kit or package form and may consist of textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software that serve as the basis for instruction for each student in the core subject areas. The core subject areas are mathematics, language arts, social studies, science, reading and literature.<sup>55</sup> Each district school board is required to purchase current instructional materials to provide for each student in grades K-12 with a major tool of instruction for core courses. Purchases are required to be made within the first three years after the effective date of the adoption cycle for materials adopted by the state.<sup>56</sup>

Each district school board or a consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instruction materials.<sup>57</sup> Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.<sup>58</sup>

#### Internal Auditor

All district school boards are required to conduct an annual financial audit of their accounts and records by an independent certified public accountant.<sup>59</sup> In addition, school districts receiving annual federal, state, and local funds in excess of \$500 million are required to employ an internal financial auditor.<sup>60</sup>

#### School Financial Report

Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable, the school's improvement rating, and the school's accountability report, including the school financial report. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.<sup>61</sup>

#### ***Effect of Proposed Changes***

##### District School Board Policymaking

The bill amends s. 120.81, F.S., to remove district school boards from the APA rulemaking requirements, aligning their rulemaking procedures with those of other similarly situated local government entities. The bill clarifies that district school boards must adopt rules with public input at a public meeting, rather than through APA rulemaking procedures.

By removing APA rulemaking requirements, the bill creates consistency in how district school boards and other local governments adopt rules. Public notice and participation requirements will remain governed by Florida's Sunshine Law and related provisions, ensuring continued public

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<sup>55</sup> Section 1006.28, F.S.

<sup>56</sup> Section 1006.40(3), F.S.

<sup>57</sup> Section 1006.283(1), F.S.

<sup>58</sup> Section 1006.28(2), F.S.

<sup>59</sup> Section 218.39, F.S.

<sup>60</sup> Section 1001.42(12), F.S.

<sup>61</sup> Section 1002.20(16), F.S.

access to school board policymaking processes. Legal challenges to school board rules would likely be brought in circuit court, similar to municipal or county rule challenges.

#### Instructional Materials Purchase and Reporting

The bill amends s. 1006.40, F.S., to extend from 3 years to 5 years the period following the effective date of an adoption cycle during which a district school board must purchase current instructional materials, unless the SBE by rule requires an earlier purchase date for a specific subject area.

#### Internal Auditor

The bill amends s. 1001.42, F.S., to remove the requirement that school districts receiving annual federal, state, and local funds in excess of \$500 million employ an internal financial auditor. The bill maintains the requirement for all school districts to have an annual financial audit conducted by an independent certified public accountant.

#### School Financial Report

The bill amends s. 1002.20, F.S., to remove the requirement that the school financial report be included in the student handbook or similar publication. The bill requires the DOE to produce the easy-to-read report card about the school's grade designation or improvement rating, the school's accountability report, and the school financial report and make the reports for each school available on the DOE's website in a prominent location. The bill requires each district school board to provide a link to these reports for parent access.

### **District School Board Facilities**

#### *Present Situation*

##### District School Board Educational Facilities Plans

Annually, prior to the adoption of the district school budget, each district school board is required to prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. Florida law enumerates specific requirements that the district school board must evaluate at over the course of the plan, including for 5-year, 10-year, and 20-year periods.<sup>62</sup>

The plan is required to include a financially feasible district facilities work program for a 5-year period. The work program is required to include:<sup>63</sup>

- A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.
- A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs, with detailed specifications set forth in state law.

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<sup>62</sup> Section 1013.35, F.S.

<sup>63</sup> Section 1013.35(2), F.S.

- The projected cost for each project identified in the district facilities work program, including a schedule of cost comparisons for the planned cost of each new student station compared with the low, average, and high cost of facilities constructed throughout the state.
- A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.
- A schedule indicating which projects included in the district facilities work program will be funded from current revenues.
- A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded with currently approved revenue sources.
- The number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year.<sup>64</sup>
- Prototype construction and design to be used for the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school.<sup>65</sup>

To the extent available, the tentative district educational facilities plan is required to be based on information produced by the state demographic, revenue, and education estimating conferences. Not less than once every five years, the district school board must have an audit conducted of the board's educational planning and construction activities. An operational audit conducted by the Auditor General satisfies this requirement.<sup>66</sup>

Annually, the district school board is required to consider and adopt the tentative district educational facilities plan. The adopted district educational facilities plan must:

- Be a complete, balanced, and financially feasible capital outlay financial plan for the district.
- Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.<sup>67</sup>

Charter schools share in district school board capital outlay funding but are not subject to any of the facilities plan requirements.<sup>68</sup>

#### Public Education Capital Outlay (PECO) Allocations

Public Education Capital Outlay and Debt Service (PECO) funding is a state source of fixed capital outlay for K-20 educational facilities. PECO funded projects include site acquisition, renovation, remodeling, construction, and site improvements necessary to serve primarily the instructional programs of district school boards, Florida College System institutions, and state

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<sup>64</sup> Section 1002.33(18), F.S.

<sup>65</sup> Section 1013.45(4), F.S.

<sup>66</sup> Section 1013.35(2), F.S.

<sup>67</sup> Section 1013.35(4), F.S.

<sup>68</sup> Sections 1002.33 and 1013.62, F.S.

universities.<sup>69</sup> PECO revenues are appropriated annually in the General Appropriations Act and are distributed under the framework governing funds for comprehensive educational plant needs.<sup>70</sup>

For district school boards, PECO funds are used to address needs identified in an educational plant survey conducted under SBE rules and reflected in the district's educational facilities plan.<sup>71</sup> Funds must be expended on "needed projects as shown by survey or surveys" approved in accordance with those rules.<sup>72</sup>

Current law ties several PECO allocation and eligibility concepts to two statewide data systems:

- The Florida Inventory of School Houses (FISH), which is the statewide inventory of district-owned (or certain long-term leased) educational facilities, including building capacity and utilization.<sup>73</sup>
- Capital outlay full-time equivalent (COFTE) enrollment, which uses unweighted FTE from the statewide enrollment surveys to measure the number of students served for capital planning and funding purposes.<sup>74</sup>

In practice, the DOE and the education estimating conferences rely on FISH and COFTE together to project capacity, identify districts with relatively greater facility needs, and support PECO allocation formulas that distinguish between base and growth capital outlay FTE.<sup>75</sup>

### Educational Facilities Contracting and Construction Techniques

The State Requirements for Educational Facilities (SREF) is the uniform statewide building code for the planning and construction of public educational facilities and ancillary plants.<sup>76</sup> District school boards must adhere to the SREF when planning and constructing new facilities.

Generally, SREF standards are premised on providing enhanced safety for occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.<sup>77</sup> SREF requires district school boards to employ the services of an architect for all construction projects for which the construction cost is at least \$300,000.<sup>78</sup>

The law imposes additional requirements for the employment of an architect by district school boards. District school boards are required to use the services of a registered architect for the

<sup>69</sup> Art. XII, s. 9(a)(2), Fla. Const.; s. 1013.01(16), F.S. (defining "Public education capital outlay (PECO) funded projects").

<sup>70</sup> Sections 1013.60, 1013.61, 1013.62, 1013.64, 1013.65, F.S.

<sup>71</sup> Sections 1013.31, 1013.35, 1013.64(1), F.S. (educational plant surveys; school district educational facilities plan; funds for comprehensive educational plant needs).

<sup>72</sup> Section 1013.64(1)(b), F.S. (funds accruing to a district must be expended on needed projects shown by survey).

<sup>73</sup> Section 1013.31, F.S.; State Requirements for Educational Facilities (SREF) references to FISH as the inventory of educational facilities and capacity.

<sup>74</sup> Section 1013.64, F.S. (capital outlay FTE membership definition and use); DOE and FSFOA presentations on COFTE.

<sup>75</sup> DOE "Red Book" and related capital outlay presentations describing use of FISH and COFTE in projecting facility needs and allocating PECO.

<sup>76</sup> The State Requirements for Educational Facilities (SREF) is incorporated in Rule 6A-2.0010, F.A.C., The SREF does not apply to charter schools. Section 1002.33(18), F.S.

<sup>77</sup> See, e.g., s. 1013.12, F.S. (casualty, safety, sanitation, and fire safety standards and inspection of property) and s. 1013.451, F.S. (life-cycle cost comparison).

<sup>78</sup> Florida Department of Education, *State Requirements for Educational Facilities* § 4.3(7)(c) (2014), available at <https://flrules.org/Gateway/reference.asp?No=Ref-04664>, at 58.

development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required, however, for a minor renovation project for which the construction cost is less than \$50,000 or for the placement or hookup of relocatable educational facilities.<sup>79</sup>

District school boards are required to compare the following life-cycle costs of materials used by competing providers when constructing or expanding school capacity:

- The anticipated annual energy consumption;
- The relative resistance to damage by wind loads and associated debris;
- The resistance to wood-destroying organisms;
- The perpetual maintenance costs;
- The resistance to fire; and
- A comparison of the annual insurance costs.<sup>80</sup>

#### Use of Airspace for Joint-Use Development and Capital Outlay

District school boards, Florida College System institution boards, and state university boards may sell, lease, or encumber airspace for joint-use development, including nonpublic uses, with proceeds reinvested in fixed capital outlay projects. Funds may support renovations, remodeling, or new construction, though new facilities at colleges and universities require legislative approval. Any joint-use structure must comply with all applicable regulations, and educational facilities within these structures remain under their governing boards' oversight.<sup>81</sup>

#### *Effect of Proposed Changes*

##### District School Board Educational Facilities Plans

The bill amends s. 1013.35, F.S., to replace the specifically enumerated requirements for school board educational facilities plans and work programs with the general requirement that each school board adopt a facilities plan to meet the needs of the district, with public participation. The bill maintains the required 5-year audit of the board's educational planning and construction activities, and maintains the requirements for the general balanced nature of the plans, developed through public participation and local cooperation.

The bill makes corresponding changes in ss. 1002.33 and 1013.41, F.S., to reflect the removal of the requirement for district school boards to include a specific 5-year work program in the school board educational facilities plan.

These changes may bring district school boards closer to the operational flexibility of charter schools, which typically have more autonomy in facility planning and management.

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<sup>79</sup> Section 1013.45(4), F.S.

<sup>80</sup> Section 1013.451(1), F.S.

<sup>81</sup> Section 1013.19, F.S.

### Public Education Capital Outlay (PECO) Allocations

The bill amends s. 1013.64, F.S., to specify that for district school boards, remodeling projects funded under PECO must be based on relative need as determined by the FISH and the district's COFTE. This aligns remodeling projects with existing facility survey and capacity measures.

### Educational Facilities Contracting and Construction Techniques

The bill amends s. 1013.45, F.S., to remove the requirement for school boards to employ an architect for the erection, enlargement, or alteration of any educational facility, or for minor renovation projects in which the cost of construction is at least \$50,000. Instead, district school boards would adhere to applicable building codes when determining architectural requirements.

The bill repeals s. 1013.451, F.S., to remove the requirement for school boards to compare specific life-cycle costs of materials used by competing providers when constructing or expanding school capacity.

### Use of Airspace for Joint-Use Development and Capital Outlay

The bill amends s. 1013.19, F.S., by removing the requirement that proceeds from the sale or lease of airspace by district school boards must be used for fixed capital outlay. Removing this requirement may provide district school boards with greater flexibility in allocating these funds toward operational or capital expenses.

## **School District Finance and Budgets**

### ***Present Situation***

#### Cost Accounting and Reporting for School Districts

School districts must account for all state, local, and federal funds on a school-by-school and district-aggregate basis using cost accounting and reporting guidelines specified in law. District reporting is required as prescribed in law or in a manual developed by the DOE.<sup>82</sup>

School districts are required to provide cost reporting on a district-aggregate basis, expenditures for inservice training, and categorical funds. School districts are required to report to the DOE on a school-by-school and district-aggregate basis expenditures for:

- Funds for the operation of schools under the Florida Education Finance Program (FEFP).
- Total operational costs for administrative expenditures.
- Expenditures for classroom instruction.<sup>83</sup>

The DOE must categorize all public schools into appropriate groups based primarily on average full-time equivalent (FTE) student enrollment as reported and to calculate for all schools, districts and the entire state the average percentage of classroom expenditures for various reporting categories of expenditures. The DOE is required to develop a web-based fiscal transparency tool that displays and identifies the financial efficiency of each public school and

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<sup>82</sup> Section 1010.20(1), F.S.

<sup>83</sup> Section 1010.20(2), F.S.

district. The Commissioner of Education is required to report to the Legislature prior to the open of the regular session each year a district-by-district report of expenditures.<sup>84</sup>

Each district must expend a specified percentage of funds on programs that generated the funds. For example, a district must expend 90 percent of funds for kindergarten through grade 3, while districts must expend 95 percent of funds on juvenile justice programs.<sup>85</sup>

Charter schools are public schools for funding and reporting purposes and must report their financial information to their sponsor in accordance with law and the sponsor's reporting requirements.<sup>86</sup> District school boards are responsible for including charter school revenues and expenditures in the district's financial reports submitted to the DOE, and charter school financial data are included in the DOE's school-level fiscal transparency reporting.<sup>87</sup>

### School District Fiscal Transparency

District school boards are required to post on their websites a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public. The website must include a link to the web-based fiscal transparency tool developed by the DOE to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other similarly situated school districts. The plain language version must also include graphical representations of:

- Summary of financial efficiency data.
- Fiscal trend information for the previous three years on:
  - The ratio of FTE students to FTE instructional personnel.
  - The ratio of FTE students to FTE administrative personnel.
  - The total operating expenditures per FTE student.
  - The total instructional expenditures per FTE student.
  - The general administrative expenditures as a percentage of total budget.
  - The rate of change in the general fund's ending fund balance not classified as restricted.<sup>88</sup>

The district school board website should contain links to:

- Help explain or provide background information on various budget items that are required by state or federal law.
- Allow users to navigate to related sites to view supporting details.
- Enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.<sup>89</sup>

Charter schools are exempt from these requirements.<sup>90</sup>

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<sup>84</sup> Section 1010.20(2), F.S.

<sup>85</sup> Section 1010.20(3), F.S.

<sup>86</sup> Section 1002.33(9)(g), (h), F.S.

<sup>87</sup> Section 1010.20, F.S.

<sup>88</sup> Section 1011.035(2), F.S.

<sup>89</sup> Section 1011.035(4), F.S.

<sup>90</sup> Section 1002.33(16), F.S.

### Short-Term Loans for Education Capital Outlay

District school boards can create short-term obligations based on anticipated revenues without pledging district credit or requiring future tax levies. These obligations are limited to one year but may be extended annually with lender approval for up to a total of five years. These short-term obligations may be used only for only the purchase of school buses, land, and equipment for educational purposes; the erection of, alteration to, or addition to educational facilities; and the adjustment of insurance on educational property on a 5-year plan, as provided by rules of the SBE. District school boards may only borrow money through this process if:

- The proposed obligation does not exceed one-fourth of the revenue received during the preceding year for the district school fund for operating expenses.
- The school board adopts and includes in its minutes a resolution giving the nature of the obligations to be incurred, stating the plan of payment, and providing that such funds will be budgeted during the period of the loan from the current revenue to retire the obligations maturing during the year.
- The school board issues interest-bearing notes for the obligations that do not exceed the maximum rate for government bonds.<sup>91</sup>

### Emergency Make-up Days

The Florida Legislature established the FEFP to equalize funding for educational programs and services for all students in the K-12 public school system, regardless of geographic or local economic factors. The FEFP is the primary mechanism for funding the operating costs of Florida school districts.<sup>92</sup>

Charter schools also receive funding through the FEFP. Students enrolled in a charter school, regardless of the sponsorship, are funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district.<sup>93</sup>

To receive state funding through the FEFP, district school boards are required to meet minimum requirements, including operating all schools for a term of 180 actual teaching days or the equivalent on an hourly basis each school year. The SBE may alter this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the SBE, it is not feasible to make up lost days or hours. The apportionment from the FEFP may, at the discretion of the commissioner, and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.<sup>94</sup>

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<sup>91</sup> Section 1011.14, F.S.

<sup>92</sup> Section 1011.62, F.S.; Florida Department of Education, *2024-25 Funding for Florida School Districts*, (2024), available at <http://www.fl DOE.org/core/fileparse.php/7507/ur1t/Fefpdist.pdf>, at 4 (last visited Dec. 3, 2025).

<sup>93</sup> Section 1002.33(17), F.S.

<sup>94</sup> Section 1011.60(2), F.S.

### Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965 (ESEA),<sup>95</sup> as amended by the Every Student Succeeds Act of 2015,<sup>96</sup> is a federal funding program to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.<sup>97</sup> For the 2024-2025 fiscal year, Florida received approximately \$1.09 billion for Title I programs.<sup>98</sup>

Part A of Title I focuses on improving basic programs operated by local educational agencies, including district school boards and eligible charter schools within the school district.<sup>99</sup>

District school boards must allocate Title I-A funds first to serve schools in areas with poverty rates of at least 75 percent, or 50 percent for high schools.<sup>100</sup> If funds remain, the school board may serve schools in rank order according to the percentage of children from low-income families in the area, but a school board may only serve schools in areas with a poverty rate of less than 35 percent if the per student allocation of state and local funds is 125 percent greater than the per student amount received under Title I-A.<sup>101</sup>

Florida law limits the threshold for identifying eligible schools to the threshold established by a district school board for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually, which was 53.8 percent<sup>102</sup> in 2024.<sup>103</sup>

Prior to the allocation of Title I funds to eligible schools, Florida law authorizes a district school board to withhold funds only as follows:

- One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
- A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of ten percent;
- A reasonable and necessary amount to provide:
  - Homeless programs;
  - Delinquent and neglected programs;
  - Prekindergarten programs and activities;
  - Private school equitable services; and
  - Transportation for foster care children to their school of origin or choice programs; and

<sup>95</sup> Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

<sup>96</sup> Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

<sup>97</sup> 20 U.S.C. s. 6301.

<sup>98</sup> Florida Department of Education, *Finance Data Base: Fiscal Year 2024-2025*, available at <https://www.fl DOE.org/core/fileparse.php/7507/urll/StateTotalBUD2425.pdf>, at 8 (last visited Dec. 3, 2025).

<sup>99</sup> 20 U.S.C. s. 6311, et. seq. Local educational agencies are public boards of education and include district school boards. 34 C.F.R. s. 303.23. *See also* s. 1011.69(2), F.S., specifying that an eligible school includes a charter school that is eligible to receive Title I funds.

<sup>100</sup> 20 U.S.C. s. 6313(a)(3).

<sup>101</sup> 34 C.F.R. s. 200.78(b).

<sup>102</sup> FLHealthCharts, *Elementary School Students Eligible for Free/Reduced Lunch*, <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=NonVitalIndNoGrp.DataViewer&cid=497> (last visited Dec. 3, 2025).

<sup>103</sup> Section 1011.69(4), F.S.

- A necessary and reasonable amount, not to exceed one percent, for eligible schools to provide educational services in accordance with the approved Title I plan.<sup>104</sup>

Title I also authorizes district school boards to provide up to five percent of the Title I-A allocation to provide financial incentives and rewards to teachers who serve in eligible schools that are identified for comprehensive support and improvement activities or targeted support and improvement activities for the purpose of attracting and retaining qualified and effective teachers.<sup>105</sup> The DOE requires all recruitment, retention, and reward incentives under the ESEA, including Title I-A and Title II,<sup>106</sup> to be based on the state value-added model or an alternative state-approved student growth model for personnel evaluations.<sup>107</sup>

In accordance with federal law and the district's approved Title I plan, districts may use Title I funds to provide a wide range of supplemental academic services and supports in eligible schools, including evidence-based interventions and enrichment in core subjects such as reading, mathematics, and science, as well as science, technology, engineering, and mathematics (STEM) activities that are designed to improve student achievement.<sup>108</sup>

Under the ESEA, the state education agency must liquidate all obligations incurred under the Federal award not later than 120 calendar days after the end date of the period of availability. Under section 412(b) of the General Education Provisions Act,<sup>109</sup> grants issued for a fiscal year may be made available for obligation on the basis of an academic or school basis.<sup>110</sup> As a result of these requirements, many Federal programs – including the Title I, Title II,<sup>111</sup> and Title III<sup>112</sup> programs – have a total period of availability of 27 months (from July 1st of the award year to September 30th of the carryover year) and a subsequent liquidation period of 120 days (October 1st through approximately January 28).<sup>113</sup> In addition, a state educational agency is required to award each subgrant for school improvement for a period of not more than four years, which may include a planning year.<sup>114</sup>

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<sup>104</sup> Section 1011.69(4), F.S.

<sup>105</sup> 20 U.S.C. s. 6313(c)(4).

<sup>106</sup> Florida's Title II allocation was approximately \$119.8 million for the 2023-2024 fiscal year. Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at

<https://www.fl DOE.org/core/fileparse.php/7507/urll/StateTotalBUD2324.pdf>, at 8 (last visited Dec. 3, 2025).

<sup>107</sup> Florida Department of Education, K12 ESEA Federal Programs, 2023-24 *Elementary and Secondary Education Act (ESEA) Federal Programs Application Companion Guide*, available at <https://www.floridacims.org/downloads>, at 61.

<sup>108</sup> See, e.g., 20 U.S.C. ss. 6314(b), 6315(b).

<sup>109</sup> Pub. L. No. 90-247.

<sup>110</sup> 20 U.S.C. s. 1225b.

<sup>111</sup> Title II of the ESEA provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement consistent with the challenging State academic standards; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. 20 U.S.C. s. 6601.

<sup>112</sup> Title III of the ESEA is the English Language Acquisition, Language Enhancement, and Academic Achievement Act. 20 U.S.C. s. 6811.

<sup>113</sup> US Department of Education, *Florida Consolidated Performance Review Report FY 2023*, available at <https://oese.ed.gov/files/2023/04/FDOE-2023-Performance-Report.pdf>, at 11 (last visited Dec. 3 2025).

<sup>114</sup> 20 U.S.C. s. 6303(c).

### School Board Discretionary Millage Levy

Each district school board is authorized to levy up to a 1.5 mill discretionary ad valorem tax against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities,<sup>115</sup> athletic facilities, or ancillary facilities.<sup>116</sup>
- Purchase, lease-purchase, and lease of school buses.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.<sup>117</sup>

Current law also authorizes districts, subject to a per-student cap, to use a portion of proceeds from this levy for certain additional expenses such as specified vehicles and property and casualty insurance for educational and ancillary plants. Expenditures from the discretionary 1.5 mill levy are limited to the detailed list of allowed uses in statute. Violations of these expenditure provisions result in an equal dollar reduction in the district's Florida Education Finance Program (FEFP) funds in the fiscal year following the audit citation.<sup>118</sup>

### ***Effect of Proposed Changes***

#### Cost Accounting and Reporting for School Districts

The bill modifies s. 1010.20, F.S., by requiring each charter school to receive and respond to monitoring questions from the DOE. The change removes the school district as an intermediary between the DOE and the individual charter school.

#### School District Fiscal Transparency

The bill amends s. 1011.035, F.S., by removing the requirement that the plain language version of the school board budget posted on its website include graphical representations of the budget. The bill maintains the requirement for the website to enable individuals to ask questions about the budget but removes the requirement for the website to include links to help explain or provide background information on various budget items that are required by state or federal law and allow users to navigate to related sites to view supporting details.

#### Short-Term Loans for Education Capital Outlay

The bill modifies s. 1011.14, F.S., to expand the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.

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<sup>115</sup> "Auxiliary facility" means the spaces located at educational plants which are not designed for student occupant stations. Section 1013.01(1), F.S.

<sup>116</sup> "Ancillary plant" is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program. Section 1013.01(2), F.S.

<sup>117</sup> Section 1011.71(2), F.S.

<sup>118</sup> Section 1011.71(6), F.S.

This bill authorizes district school boards to incur obligations not only for the construction and renovation of educational facilities but also for the development and enhancement of support and supplemental structures associated with the educational process, which include the entire educational plant, ancillary plants, and auxiliary facilities.

By broadening the permissible use of anticipated revenue for these additional categories of capital projects, the bill allows for a more comprehensive development of the educational environment, acknowledging the role of various facilities in delivering a full spectrum of educational services. The district school boards would remain bound by the existing fiscal constraints—namely, the limitation of indebtedness to no more than one-fourth of the district ad valorem tax revenue for operations for the preceding year and the requirement for a detailed resolution outlining the nature and plan of repayment for the obligations.

#### Emergency Make-up Days

The bill modifies s. 1011.60, F.S., to remove the required threshold of infeasibility that a district school board must demonstrate to be released from making up days or hours lost because of a bona fide emergency. This may provide more flexibility to district school boards in determining whether the additional days are necessary for students to learn the required academic standards.

#### Equity in School-Level Funding

The bill modifies s. 1011.69, F.S., to remove the provision that prohibits a school district from identifying any other eligible schools that exceed the poverty threshold established by a school district for the 2016-2017 school year, or the statewide percentage of economically disadvantaged students determined annually. This may afford discretion to the district school board to focus services on the schools with the highest needs.

The bill also removes the cap of one percent of Title I funds that a district may withhold to provide district educational services to Title I schools, including charter schools. This may provide flexibility for a district school board to leverage district resources to provide programs across all eligible schools, including eligible charter schools.

The bill also specifies that the education services for which a school district may withhold a portion of Title I funds prior to allocation include the provision of science, technology, engineering, and mathematics (STEM) curricula, instructional materials, and related learning technologies that support academic achievement in Title I schools. Such technologies may include drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics. Such withholding must comply with allocation levels required in federal law.

The bill authorizes district school boards to utilize up to five percent of its Title I allocation to provide financial incentives and rewards to teachers who serve students in Title I schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a state-approved measurement of student performance is unavailable.

The bill clarifies that the DOE must make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law. This may provide stability for district school boards in the implementation of Title I services.

#### School Board Discretionary Millage Levy

The bill amends s. 1011.71, F.S., by expanding the allowable uses of proceeds from the district discretionary 1.5 mill levy to include operating or capital purposes for both district schools and charter schools.

This may provide school districts with greater flexibility in using revenue from the discretionary 1.5 mill capital levy, allowing for more efficient student transportation options, investment in essential support facilities, and improved resource allocation to meet local needs.

Accordingly, the bill repeals the penalty provision in s. 1011.71(6), F.S., that requires an equal dollar reduction in a district's FEFP funds in the fiscal year following an audit citation for expenditures that do not comply with the detailed use provisions in statute, as these specified uses have been removed.

### **Early Learning**

#### ***Present Situation***

Since the inception of the Voluntary Prekindergarten (VPK) program, public schools have been instrumental in delivering the program. Public schools deliver both the 540 hour school year VPK program<sup>119</sup> and the 300 hour summer VPK program.<sup>120</sup> Historically, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.<sup>121</sup>

Public schools are required to contract through the early learning coalitions (ELCs) and are subject to the same requirements as non-public programs in terms of implementing instructional standards, personnel requirements, and program accountability. While both public schools and private providers offer the school year prekindergarten program, public school districts are required to offer the summer VPK program, consisting of 300 hours of instruction, to any parent who enrolls his or her child in the program. School districts may meet this requirement by contracting with private prekindergarten providers.<sup>122</sup>

In general, VPK programs in public schools are subject to the same oversight as private VPK programs, including requirements for use of the state contract, instructor to child ratios, instructor training, attendance and reporting, accountability, and methods regarding reimbursement for the VPK program. ELCs are required to monitor the compliance of public

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<sup>119</sup> Section 1002.63(1), F.S.

<sup>120</sup> Section 1002.61(1), F.S.

<sup>121</sup> Florida Department of Education, *Division of Early Learning Annual Report 2023-2024*, available at: <https://www.fl DOE.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Dec. 3, 2025).

<sup>122</sup> Section 1002.53(6), F.S.

school VPK programs in their county or multi-county service region for both school year<sup>123</sup> and summer<sup>124</sup> VPK programs.

### ***Effect of Proposed Changes***

The bill modifies ss. 1002.61 and 1002.63, F.S., to remove the requirement, for both school year and summer VPK programs, that ELCs verify statutory compliance by school district-operated VPK programs. This aligns oversight of the school district operated VPK programs with other district-operated educational programs.

The bill removes the requirement in s. 1002.71, F.S., that each district school board's attendance policy must require parents to sign monthly attendance forms and retain those forms for two years. The school district will be required to certify attendance on the single point of entry system that is used for payment of VPK program attendance. The revision offers flexibility to school districts to utilize existing attendance tracking methods without duplication due to required forms.

## **State Board of Education/Department of Education Oversight**

### ***Present Situation***

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.<sup>125</sup> The commissioner is appointed by the SBE and serves as the executive director of the DOE.<sup>126</sup> The DOE assists in providing professional leadership and guidance and in carrying out the policies, procedures, and duties authorized by law or by the SBE.<sup>127</sup>

The APA provides a process for any substantially affected person to seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances. The petition seeking a declaratory statement must state with particularity the petitioner's set of circumstances and specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances.<sup>128</sup>

The agency is required to give notice of the filing of each petition in the next available issue of the Florida Administrative Register and transmit copies of each petition to the Administrative Procedures Committee. The agency must issue a declaratory statement or deny the petition within 90 days after the filing of the petition and notice the statement in the next available issue of the Florida Administrative Register. Agency disposition of petitions are final agency action.<sup>129</sup>

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<sup>123</sup> Section 1002.63(9), F.S.

<sup>124</sup> Section 1002.61(10) F.S.

<sup>125</sup> Section 1001.20(1), F.S.

<sup>126</sup> Section 20.15(2), F.S.

<sup>127</sup> Section 1001.20(2), F.S.

<sup>128</sup> Section 120.565, F.S.

<sup>129</sup> Section 120.565(3), F.S. The term "Administrative Procedures Committee" means a committee designated by joint rule of the Legislature or by agreement between the President of the Senate and the Speaker of the House of Representatives. Section 1.01(16), F.S.

***Effect of Proposed Changes***

The bill amends s. 1001.23, F.S., to add to the specific powers and duties of the DOE. The additional requirements may provide clarity to district school boards in the implementation of state law. The bill requires the DOE to annually:

- By August 1, inform district school superintendents that they may receive a declaratory statement pursuant to the APA regarding the DOE's opinion as to the applicability to a school district of a statutory or rule provision as it applies to the district's particular set of circumstances.
- Maintain and make available to school districts a list of all requirements in statute and rule relating to required actions by district school boards or superintendents. The list must include but is not limited to, required parent notifications, information that must be posted to the district website, and reporting, filing, and certification requirements.

The bill takes effect July 1, 2026.

**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:**

This bill does not have a fiscal impact on state revenues or expenditures. However, the bill reduces regulations and increases flexibility in policymaking which could result in a cost savings for the school districts.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 120.81, 163.3180, 200.065, 1001.23, 1001.42, 1002.20, 1002.33, 1002.451, 1002.61, 1002.63, 1002.68, 1002.71, 1003.631, 1004.04, 1004.85, 1006.40, 1008.212, 1008.22, 1008.25, 1008.33, 1010.20, 1011.035, 1011.14, 1011.60, 1011.6202, 1011.69, 1011.71, 1012.22, 1012.335, 1012.39, 1012.552, 1012.555, 1012.56, 1012.585, 1012.586, 1012.98, 1013.19, 1013.35, 1013.41, 1013.45, 1013.62, and 1013.64.

This bill repeals section 1013.451 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 Simon

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30 certain law; amending s. 1002.63, F.S.; deleting a  
31 requirement for an early learning coalition to verify  
32 that certain public schools comply with specified  
33 provisions; amending s. 1002.71, F.S.; revising  
34 requirements relating to district school board  
35 attendance policies for Voluntary Prekindergarten  
36 Education Programs; requiring a school district to  
37 certify its attendance records for a Voluntary  
38 Prekindergarten Education Program; amending s.  
39 1006.40, F.S.; revising the timeframe within which  
40 certain instructional materials must be purchased;  
41 authorizing the State Board of Education to modify the  
42 timeframe; amending s. 1008.212, F.S.; providing that  
43 certain assessments are not subject to specified  
44 requirements; specifying the assessments from which  
45 IEP teams are authorized to submit requests for  
46 extraordinary exemptions; amending s. 1008.22, F.S.;  
47 requiring the Commissioner of Education to notify  
48 school districts of the assessment schedule for a  
49 specified time interval and to publish such schedule  
50 on the department's website; deleting requirements  
51 relating to a uniform calendar that must be published  
52 by the commissioner each year; revising an annual  
53 timeframe for each school district to establish  
54 schedules for the administration of statewide,  
55 standardized assessments; requiring each school  
56 district to publish certain information regarding such  
57 schedules on its website; conforming provisions to  
58 changes made by the act; amending s. 1008.25, F.S.;

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59 conforming cross-references; amending s. 1008.33,  
 60 F.S.; prohibiting a school from being required to use  
 61 a certain parameter as the sole determining factor to  
 62 recruit instructional personnel; specifying  
 63 requirements for a rule adopted by the State Board of  
 64 Education; amending s. 1010.20, F.S.; requiring  
 65 charter schools to respond to monitoring questions  
 66 from the department; amending s. 1011.035, F.S.;  
 67 deleting a requirement that each district school board  
 68 budget posted on the school board's website include a  
 69 graphical representation of specified information;  
 70 revising website requirements; amending s. 1011.14,  
 71 F.S.; revising the types of facilities for which  
 72 district school boards may incur certain financial  
 73 obligations; amending s. 1011.60, F.S.; revising  
 74 circumstances under which the State Board of Education  
 75 may alter the length of school terms for certain  
 76 school districts; amending s. 1011.6202, F.S.;  
 77 requiring schools participating in the Principal  
 78 Autonomy Program Initiative to comply with specified  
 79 provisions relating to instructional multiyear  
 80 contracts, in addition to annual contracts, for  
 81 instructional personnel; amending s. 1011.69, F.S.;  
 82 deleting a requirement relating to Title I fund  
 83 allocations to schools; providing a new category of  
 84 funding school districts are authorized to withhold;  
 85 revising a category of funding a school district is  
 86 authorized to withhold; requiring the department to  
 87 make certain funds available to local education

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88 agencies; amending s. 1011.71, F.S.; revising how  
 89 specified revenue may be expended by a district school  
 90 board; deleting a penalty for violating specified  
 91 provisions; amending s. 1012.22, F.S.; specifying  
 92 requirements for advanced degrees that may be used to  
 93 set salary schedules for instructional personnel and  
 94 school administrators hired after a specified date;  
 95 specifying district school board activities that may  
 96 not be precluded by collective bargaining; amending s.  
 97 1012.335, F.S.; defining the term "instructional  
 98 multiyear contract"; providing requirements for the  
 99 award of an instructional multiyear contract;  
 100 requiring that an employee awarded an instructional  
 101 multiyear contract be returned to an annual contract  
 102 under certain conditions; specifying district school  
 103 superintendent authority; making conforming and  
 104 technical changes; amending s. 1012.39, F.S.; revising  
 105 an occupational experience qualification requirement  
 106 for nondegreed teachers of career programs; deleting a  
 107 training requirement for full-time nondegreed teachers  
 108 of career programs; amending s. 1012.555, F.S.;  
 109 revising eligibility requirements for individuals to  
 110 participate in the Teacher Apprenticeship Program;  
 111 amending employment requirements for paraprofessionals  
 112 to serve as an apprentice teacher; conforming a cross-  
 113 reference; amending s. 1012.56, F.S.; specifying  
 114 individuals who must demonstrate mastery of general  
 115 knowledge for educator certification; authorizing  
 116 school districts and consortia of school districts to

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117 issue temporary certificates under certain conditions;  
 118 specifying Education Practices Commission authority;  
 119 conforming a cross-reference; amending s. 1012.585,  
 120 F.S.; revising the validity period for professional  
 121 certificates; providing eligibility requirements for  
 122 5-year and 10-year professional certificates;  
 123 establishing requirements for the renewal of a 10-year  
 124 professional certificate; amending s. 1013.19, F.S.;  
 125 requiring that proceeds from certain sales or leases  
 126 of property be used for specified purposes by boards  
 127 of trustees for Florida College System institutions or  
 128 state universities; amending s. 1013.35, F.S.;  
 129 deleting definitions; revising requirements for the  
 130 contents of such plan; deleting provisions relating to  
 131 district school boards coordinating with local  
 132 governments to ensure consistency between school  
 133 district and local government plans; authorizing,  
 134 rather than requiring, local governments to review  
 135 tentative district educational facilities plans;  
 136 requiring a district school board to submit a revised  
 137 facilities plan to the department; making conforming  
 138 changes; amending s. 1013.41, F.S.; revising  
 139 requirements for an educational facilities plan;  
 140 revising the duties of the Office of Educational  
 141 Facilities; amending s. 1013.45, F.S.; specifying that  
 142 Florida College System institution and state  
 143 university boards of trustees are required to use an  
 144 architect for the development of certain plans;  
 145 deleting district school board requirements for

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146 certain construction plans; repealing s. 1013.451,  
 147 F.S., relating to life-cycle costs comparisons;  
 148 amending s. 1013.64, F.S.; revising district school  
 149 board requirements relating to educational plant  
 150 construction; conforming a provision to changes made  
 151 by the act; amending ss. 163.3180, 200.065, 1002.68,  
 152 1003.631, 1004.04, 1004.85, 1012.552, 1012.586,  
 153 1012.98, and 1013.62, F.S.; conforming cross-  
 154 references and provisions to changes made by the act;  
 155 providing an effective date.

156

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

158

159 Section 1. Paragraph (a) of subsection (1) of section  
 160 120.81, Florida Statutes, is amended to read:

161

161 120.81 Exceptions and special requirements; general areas.—  
 162 (1) EDUCATIONAL UNITS.—

163

163 (a) District school boards are not subject to the  
 164 requirements for rules in this chapter when making and adopting  
 165 rules with public input at a public meeting. Notwithstanding s.

166

166 120.536(1) and the flush left provisions of s. 120.52(8),  
 167 district school boards may adopt rules to implement their  
 168 general powers under s. 1001.41.

169

169 Section 2. Subsections (5) and (6) are added to section  
 170 1001.23, Florida Statutes, to read:

171

171 1001.23 Specific powers and duties of the Department of  
 172 Education.—In addition to all other duties assigned to it by law  
 173 or by rule of the State Board of Education, the department  
 174 shall:

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175        (5) Annually by August 1, inform district school  
 176        superintendents that pursuant to s. 120.565, the superintendents  
 177        may receive a declaratory statement, within 90 days after  
 178        submitting a petition to receive such statement, regarding the  
 179        department's opinion as to the applicability of a statutory or  
 180        rule provision to a school district as it applies to the  
 181        district's particular set of circumstances.

182        (6) Annually maintain and make available to school  
 183        districts a list of all requirements in statute and rule  
 184        relating to required actions by district school boards or  
 185        superintendents. The list must include, but is not limited to,  
 186        required parent notifications; information that must be posted  
 187        on the district website; and reporting, filing, and  
 188        certification requirements.

189        Section 3. Paragraph (1) of subsection (12) of section  
 190        1001.42, Florida Statutes, is amended to read:

191        1001.42 Powers and duties of district school board.—The  
 192        district school board, acting as a board, shall exercise all  
 193        powers and perform all duties listed below:

194        (12) FINANCE.—Take steps to assure students adequate  
 195        educational facilities through the financial procedure  
 196        authorized in chapters 1010 and 1011 and as prescribed below:

197        (1) Internal auditor. May or, in the case of a school  
 198        district receiving annual federal, state, and local funds in  
 199        excess of \$500 million, shall employ an internal auditor. The  
 200        scope of the internal auditor shall not be restricted and shall  
 201        include every functional and program area of the school system.

202        4. The internal auditor shall perform ongoing financial  
 203        verification of the financial records of the school district, a

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204        ~~comprehensive risk assessment of all areas of the school system~~  
 205        ~~every 5 years, and other audits and reviews as the district~~  
 206        ~~school board directs for determining:~~

207        a. ~~The adequacy of internal controls designed to prevent~~  
 208        ~~and detect fraud, waste, and abuse as defined in s. 11.45(1).~~  
 209        b. ~~Compliance with applicable laws, rules, contracts, grant~~  
 210        ~~agreements, district school board-approved policies, and best~~  
 211        ~~practices.~~  
 212        c. ~~The efficiency of operations.~~  
 213        d. ~~The reliability of financial records and reports.~~  
 214        e. ~~The safeguarding of assets.~~  
 215        f. ~~Financial solvency.~~  
 216        g. ~~Projected revenues and expenditures.~~  
 217        h. ~~The rate of change in the general fund balance.~~

218        2. ~~The internal auditor shall prepare audit reports of his~~  
 219        ~~or her findings and report directly to the district school board~~  
 220        ~~or its designee.~~

221        3. ~~Any person responsible for furnishing or producing any~~  
 222        ~~book, record, paper, document, data, or sufficient information~~  
 223        ~~necessary to conduct a proper audit or examination which the~~  
 224        ~~internal auditor is by law authorized to perform is subject to~~  
 225        ~~the provisions of s. 11.47(3) and (4).~~

226        Section 4. Subsection (16) of section 1002.20, Florida  
 227        Statutes, is amended to read:

228        1002.20 K-12 student and parent rights.—Parents of public  
 229        school students must receive accurate and timely information  
 230        regarding their child's academic progress and must be informed  
 231        of ways they can help their child to succeed in school. K-12  
 232        students and their parents are afforded numerous statutory

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rights including, but not limited to, the following:

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS; FISCAL TRANSPARENCY.—Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, ~~which must also be included in the student handbook or a similar publication. The department shall produce the reports required under this subsection and make the reports for each school available on the department's website in a prominent location. Each public school district shall provide a link on its website to such reports for parent access.~~

Section 5. Paragraph (g) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

(g) Each school district shall annually provide to the Department of Education ~~as part of its 5-year work plan~~ the number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year. The department may recommend that a district make such space available to an appropriate charter school.

Section 6. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

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(5) EXEMPTION FROM STATUTES.—

(a) An innovation school of technology is exempt from chapters 1000-1013. However, an innovation school of technology shall comply with the following provisions of those chapters:

1. Laws pertaining to the following:
  - a. Schools of technology, including this section.
  - b. Student assessment program and school grading system.
  - c. Services to students who have disabilities.
  - d. Civil rights, including s. 1000.05, relating to discrimination.
  - e. Student health, safety, and welfare.
2. Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.
3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.
4. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual or instructional multiyear contracts for instructional personnel. This subparagraph does not apply to at-will employees.
7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school

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291 administrators.

292 Section 7. Paragraph (a) of subsection (10) of section  
293 1002.61, Florida Statutes, is amended to read:

294 1002.61 Summer prekindergarten program delivered by public  
295 schools and private prekindergarten providers.—

296 (10) (a) Each early learning coalition shall verify that  
297 each private prekindergarten provider ~~and public school~~  
298 delivering the Voluntary Prekindergarten Education Program  
299 within the coalition's county or multicounty region complies  
300 with this part.

301 Section 8. Subsection (9) of section 1002.63, Florida  
302 Statutes, is amended to read:

303 1002.63 School-year prekindergarten program delivered by  
304 public schools.—

305 (9) (a) ~~Each early learning coalition shall verify that each~~  
306 ~~public school delivering the Voluntary Prekindergarten Education~~  
307 ~~Program within the coalition's service area complies with this~~  
308 ~~part.~~

309 (b) If a public school fails or refuses to comply with this  
310 part or engages in misconduct, the department must ~~shall~~ require  
311 that the school district ~~to~~ remove the school from eligibility  
312 to deliver the Voluntary Prekindergarten Education Program and  
313 receive state funds under this part for a period of at least 2  
314 years but no more than 5 years.

315 Section 9. Paragraph (b) of subsection (6) and subsection  
316 (7) of section 1002.71, Florida Statutes, are amended to read:

317 1002.71 Funding; financial and attendance reporting.—

318 (6)

319 (b) 1. Each private prekindergarten provider's ~~and~~ district

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320 ~~school board's~~ attendance policy must require the parent of each  
321 student in the Voluntary Prekindergarten Education Program to  
322 verify, each month, the student's attendance on the prior  
323 month's certified student attendance.

324 2. The parent must submit the verification of the student's  
325 attendance to the private prekindergarten provider ~~or public~~  
326 ~~school~~ on forms prescribed by the department. The forms must  
327 include, in addition to the verification of the student's  
328 attendance, a certification, in substantially the following  
329 form, that the parent continues to choose the private  
330 prekindergarten provider or public school in accordance with s.  
331 1002.53 and directs that payments for the program be made to the  
332 provider or school:

333

334 VERIFICATION OF STUDENT'S ATTENDANCE  
335 AND CERTIFICATION OF PARENTAL CHOICE

336

337 I, ... (Name of Parent) ..., swear (or affirm) that my child,  
338 ... (Name of Student) ..., attended the Voluntary Prekindergarten  
339 Education Program on the days listed above and certify that I  
340 continue to choose ... (Name of Provider or School) ... to deliver  
341 the program for my child and direct that program funds be paid  
342 to the provider or school for my child.

343 ... (Signature of Parent) ...  
344 ... (Date) ...

345

346 3. The private prekindergarten provider ~~or public school~~  
347 must keep each original signed form for at least 2 years. Each  
348 private prekindergarten provider must permit the early learning

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349 coalition, ~~and each public school must permit the school~~  
 350 ~~district, to inspect the original signed forms during normal~~  
 351 business hours. The department shall adopt procedures for early  
 352 learning coalitions ~~and school districts~~ to review the original  
 353 signed forms against the certified student attendance. The  
 354 review procedures must shall provide for the use of selective  
 355 inspection techniques, including, but not limited to, random  
 356 sampling. Each early learning coalition ~~and the school districts~~  
 357 must comply with the review procedures.

358 (7) The department shall require that administrative  
 359 expenditures be kept to the minimum necessary for efficient and  
 360 effective administration of the Voluntary Prekindergarten  
 361 Education Program. Administrative policies and procedures must  
shall be revised, to the maximum extent practicable, be revised  
 362 to incorporate the use of automation and electronic submission  
 363 of forms, including those required for child eligibility and  
 364 enrollment, provider and class registration, and monthly  
 365 certification of attendance for payment. A school district may  
 366 use its automated daily attendance reporting system for the  
 367 purpose of maintaining and transmitting attendance records to  
 368 the early learning coalition in a mutually agreed-upon format.  
Each school district shall certify the correctness of attendance  
data submitted to the single point of entry system described in  
paragraph (5)(a) as required by the department. In addition,  
 373 actions must shall be taken to reduce paperwork, eliminate the  
 374 duplication of reports, and eliminate other duplicative  
 375 activities. Each early learning coalition may retain and expend  
 376 no more than 5.0 percent of the funds paid by the coalition to  
 377 private prekindergarten providers and public schools under

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378 paragraph (5)(b). Funds retained by an early learning coalition  
 379 under this subsection may be used only for administering the  
 380 Voluntary Prekindergarten Education Program and may not be used  
 381 for the school readiness program or other programs.

382 Section 10. Subsection (2) of section 1006.40, Florida  
 383 Statutes, is amended to read:

384 1006.40 Purchase of instructional materials.—  
 385 (2) Each district school board must purchase current  
 386 instructional materials to provide each student in kindergarten  
 387 through grade 12 with a major tool of instruction in core  
 388 courses of the subject areas of mathematics, language arts,  
 389 science, social studies, reading, and literature. Such purchase  
 390 must be made within the first 5 3 years after the effective date  
 391 of the adoption cycle, subject to state board requirement for an  
earlier purchase date for a specific subject area, unless a  
 393 district school board or a consortium of school districts has  
 394 implemented an instructional materials program pursuant to s.  
 395 1006.283.

396 Section 11. Subsections (2) and (3) of section 1008.212,  
 397 Florida Statutes, are amended to read:

398 1008.212 Students with disabilities; extraordinary  
 399 exemption.—

400 (2) A student with a disability for whom the individual  
 401 education plan (IEP) team determines is prevented by a  
 402 circumstance or condition from physically demonstrating the  
 403 mastery of skills that have been acquired and are measured by  
 404 the statewide standardized assessment, a statewide standardized  
 405 end-of-course assessment, or an alternate assessment pursuant to  
 406 s. 1008.22(3)(d) shall be granted an extraordinary exemption

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407 from the administration of the assessment. A learning,  
 408 emotional, behavioral, or significant cognitive disability, or  
 409 the receipt of services through the homebound or hospitalized  
 410 program in accordance with rule 6A-6.03020, Florida  
 411 Administrative Code, is not, in and of itself, an adequate  
 412 criterion for the granting of an extraordinary exemption. The  
 413 first two administrations of the coordinated screening and  
 414 progress monitoring system under s. 1008.25(9) or any alternate  
 415 assessments used in lieu of such administrations are not subject  
 416 to the requirements of this section.

417 (3) The IEP team, which must include the parent, may submit  
 418 to the district school superintendent a written request for an  
 419 extraordinary exemption from the end-of-year or end-of-course  
 420 statewide, standardized assessment at any time during the school  
 421 year, but not later than 60 days before the current year's  
 422 assessment administration for which the request is made. A  
 423 request must include all of the following:

424 (a) A written description of the student's disabilities,  
 425 including a specific description of the student's impaired  
 426 sensory, manual, or speaking skills.

427 (b) Written documentation of the most recent evaluation  
 428 data.

429 (c) Written documentation, if available, of the most recent  
 430 administration of the statewide standardized assessment, an end-  
 431 of-course assessment, or an alternate assessment.

432 (d) A written description of the condition's effect on the  
 433 student's participation in the statewide standardized  
 434 assessment, an end-of-course assessment, or an alternate  
 435 assessment.

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436 (e) Written evidence that the student has had the  
 437 opportunity to learn the skills being tested.  
 438 (f) Written evidence that the student has been provided  
 439 appropriate instructional accommodations.  
 440 (g) Written evidence as to whether the student has had the  
 441 opportunity to be assessed using the instructional  
 442 accommodations on the student's IEP which are allowable in the  
 443 administration of the statewide standardized assessment, an end-  
 444 of-course assessment, or an alternate assessment in prior  
 445 assessments.  
 446 (h) Written evidence of the circumstance or condition as  
 447 defined in subsection (1).  
 448 Section 12. Paragraphs (a), (b), and (d) of subsection (7)  
 449 of section 1008.22, Florida Statutes, are amended to read:  
 450 1008.22 Student assessment program for public schools.—  
 451 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—  
 452 (a) The Commissioner of Education shall establish schedules  
 453 for the administration of statewide, standardized assessments  
 454 and the reporting of student assessment results. The  
 455 commissioner shall consider the observance of religious and  
 456 school holidays when developing the schedules. By January 1 of  
 457 each year, the commissioner shall notify each school district in  
 458 writing and publish on the department's website the assessment  
 459 schedule for, at a minimum, the next 2 school years. The  
 460 assessment and reporting schedules must provide the earliest  
 461 possible reporting of student assessment results to the school  
 462 districts. Assessment results for the statewide, standardized  
 463 ELA and Mathematics assessments and all statewide, standardized  
 464 EOC assessments must be made available no later than June 30,

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465 except for results for the grade 3 statewide, standardized ELA  
 466 assessment, which must be made available no later than May 31.  
 467 Beginning with the 2023-2024 school year, assessment results for  
 468 the statewide, standardized ELA and Mathematics assessments must  
 469 be available no later than May 31. School districts shall  
 470 administer statewide, standardized assessments in accordance  
 471 with the schedule established by the commissioner.

472 ~~(b) By January of each year, the commissioner shall publish~~  
 473 ~~on the department's website a uniform calendar that includes the~~  
 474 ~~assessment and reporting schedules for, at a minimum, the next 2~~  
 475 ~~school years. The uniform calendar must be provided to school~~  
 476 ~~districts in an electronic format that allows each school~~  
 477 ~~district and public school to populate the calendar with, at~~  
 478 ~~minimum, the following information for reporting the district~~  
 479 ~~assessment schedules under paragraph (d):~~

480 ~~1. Whether the assessment is a district-required assessment~~  
 481 ~~or a state-required assessment.~~

482 ~~2. The specific date or dates that each assessment will be~~  
 483 ~~administered, including administrations of the coordinated~~  
 484 ~~screening and progress monitoring system under s. 1008.25(9)(b).~~

485 ~~3. The time allotted to administer each assessment.~~

486 ~~4. Whether the assessment is a computer-based assessment or~~  
 487 ~~a paper-based assessment.~~

488 ~~5. The grade level or subject area associated with the~~  
 489 ~~assessment.~~

490 ~~6. The date that the assessment results are expected to be~~  
 491 ~~available to teachers and parents.~~

492 ~~7. The type of assessment, the purpose of the assessment,~~  
 493 ~~and the use of the assessment results.~~

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494 ~~8. A glossary of assessment terminology.~~  
 495 ~~9. Estimates of average time for administering state-~~  
 496 ~~required and district-required assessments, by grade level.~~  
 497 ~~(c)(d) Each school district shall, by November 1 of each~~  
 498 ~~year, establish schedules for the administration of any~~  
 499 ~~statewide, standardized assessments and district-required~~  
 500 ~~assessments and approve the schedules as an agenda item at a~~  
 501 ~~district school board meeting. Each school district shall~~  
 502 ~~publish the testing schedules on its website which specify~~  
 503 ~~whether an assessment is a state-required or district-required~~  
 504 ~~assessment and the grade bands or subject areas associated with~~  
 505 ~~the assessments using the uniform calendar, including all~~  
 506 ~~information required under paragraph (b), and submit the~~  
 507 ~~schedules to the Department of Education by October 1 of each~~  
 508 ~~year. Each public school shall publish schedules for statewide,~~  
 509 ~~standardized assessments and district-required assessments on~~  
 510 ~~its website using the uniform calendar, including all~~  
 511 ~~information required under paragraph (b). The school board-~~  
 512 ~~approved assessment uniform calendar must be included in the~~  
 513 ~~parent guide required by s. 1002.23(5).~~

514 Section 13. Paragraphs (b), (c), and (d) of subsection (9)  
 515 of section 1008.25, Florida Statutes, are amended to read:

516 1008.25 Public school student progression; student support;  
 517 coordinated screening and progress monitoring; reporting  
 518 requirements.—

519 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

520 (b) Beginning with the 2022-2023 school year, private  
 521 Voluntary Prekindergarten Education Program providers and public  
 522 schools must participate in the coordinated screening and

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523 progress monitoring system pursuant to this paragraph.

524 1. For students in the school-year Voluntary  
 525 Prekindergarten Education Program through grade 2, the  
 526 coordinated screening and progress monitoring system must be  
 527 administered at least three times within a school year, with the  
 528 first administration occurring no later than the first 30  
 529 instructional days after a student's enrollment or the start of  
 530 the school year, the second administration occurring midyear,  
 531 and the third administration occurring within the last 30 days  
 532 of the school year pursuant to state board rule. The state board  
 533 may adopt alternate timeframes to address nontraditional school  
 534 year calendars to ensure the coordinated screening and progress  
 535 monitoring program is administered a minimum of three times  
 536 within a year.

537 2. For students in the summer prekindergarten program, the  
 538 coordinated screening and progress monitoring system must be  
 539 administered two times, with the first administration occurring  
 540 no later than the first 10 instructional days after a student's  
 541 enrollment or the start of the summer prekindergarten program,  
 542 and the final administration occurring within the last 10 days  
 543 of the summer prekindergarten program pursuant to state board  
 544 rule.

545 3. For grades 3 through 10 English Language Arts and grades  
 546 3 through 8 Mathematics, the coordinated screening and progress  
 547 monitoring system must be administered at the beginning, middle,  
 548 and end of the school year pursuant to state board rule. The  
 549 end-of-year administration of the coordinated screening and  
 550 progress monitoring system must be a comprehensive progress  
 551 monitoring assessment administered in accordance with the

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552 scheduling requirements under s. 1008.22(7)(b) s. 1008.22(7)(e).

553 (c) To facilitate timely interventions and supports  
 554 pursuant to subsection (4), the system must provide results from  
 555 the first two administrations of the progress monitoring to a  
 556 student's teacher or prekindergarten instructor within 1 week  
 557 and to the student's parent within 2 weeks after the  
 558 administration of the progress monitoring. Delivery of results  
 559 from the comprehensive, end-of-year progress monitoring ELA  
 560 assessment for grades 3 through 10 and Mathematics assessment  
 561 for grades 3 through 8 must be in accordance with s.  
1008.22(7)(g) s. 1008.22(7)(h).

562 1. A student's results from the coordinated screening and  
 563 progress monitoring system must be recorded in a written, easy-  
 564 to-comprehend individual student report. Each school district  
 565 shall provide a parent secure access to his or her child's  
 566 individual student reports through a web-based portal as part of  
 567 its student information system. Each early learning coalition  
 568 shall provide parents the individual student report in a format  
 569 determined by state board rule.

570 2. In addition to the information under subparagraph (a)5.,  
 571 the report must also include parent resources that explain the  
 572 purpose of progress monitoring, assist the parent in  
 573 interpreting progress monitoring results, and support informed  
 574 parent involvement. Parent resources may include personalized  
 575 video formats.

576 3. The department shall annually update school districts  
 577 and early learning coalitions on new system features and  
 578 functionality and collaboratively identify with school districts  
 579 and early learning coalitions strategies for meaningfully

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581 reporting to parents results from the coordinated screening and  
 582 progress monitoring system. The department shall develop ways to  
 583 increase the utilization, by instructional staff and parents, of  
 584 student assessment data and resources.

585       4. An individual student report must be provided in a  
 586 printed format upon a parent's request.

587       (d) Screening and progress monitoring system results,  
 588 including the number of students who demonstrate characteristics  
 589 of dyslexia and dyscalculia, shall be reported to the department  
 590 pursuant to state board rule and maintained in the department's  
 591 Education Data Warehouse. Results must be provided to a  
 592 student's teacher and parent in a timely manner as required in  
 593 s. 1008.22(7)(f) s. 1008.22(7)(g).

594       Section 14. Paragraph (c) of subsection (3) and subsection  
 595 (5) of section 1008.33, Florida Statutes, are amended to read:

596       1008.33 Authority to enforce public school improvement.—

597       (3)

598       (c) The state board shall adopt by rule a differentiated  
 599 matrix of intervention and support strategies for assisting  
 600 traditional public schools identified under this section and  
 601 rules for implementing s. 1002.33(9)(n), relating to charter  
 602 schools. The intervention and support strategies must address  
 603 student performance and may include improvement planning;  
 604 leadership quality improvement; educator quality improvement;  
 605 professional learning; curriculum review, pacing, and alignment  
 606 across grade levels to improve background knowledge in social  
 607 studies, science, and the arts; and the use of continuous  
 608 improvement and monitoring plans and processes. In addition, the  
 609 state board may prescribe reporting requirements to review and

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610 monitor the progress of the schools. The rule must define the  
 611 intervention and support strategies for school improvement for  
 612 schools earning a grade of "D" or "F" and the roles for the  
 613 district and department. A school may not be required to use the  
614 measure of student learning growth in s. 1012.34(7) as the sole  
615 determinant to recruit instructional personnel. The rule must  
616 create a timeline for a school district's school improvement  
617 plan or district-managed turnaround plan to be approved and for  
618 the school improvement funds under Title I to be released to the  
619 school district. The timeline established in rule for the  
620 release of school improvement funding under Title I may not  
621 exceed 20 calendar days after the approval of the school  
622 improvement plan or district-managed turnaround plan.

623       (5) The state board shall adopt rules pursuant to ss.  
 624 120.536(1) and 120.54 to administer this section. The rules  
 625 shall include timelines for submission of implementation plans,  
 626 approval criteria for implementation plans, timelines for  
 627 releasing Title I funding, timelines for implementing  
 628 intervention and support strategies, a standard charter school  
 629 turnaround contract, a standard facility lease, and a mutual  
 630 management agreement. The state board shall consult with  
 631 education stakeholders in developing the rules.

632       Section 15. Paragraph (e) is added to subsection (2) of  
 633 section 1010.20, Florida Statutes, to read:

634       1010.20 Cost accounting and reporting for school  
 635 districts.—

636       (2) COST REPORTING.—

637       (e) Each charter school shall receive and respond to  
 638 monitoring questions from the department.

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639       Section 16. Subsections (2) and (4) of section 1011.035,  
 640 Florida Statutes, are amended to read:  
 641       1011.035 School district fiscal transparency.—  
 642       (2) Each district school board shall post on its website:  
 643           (a) A plain language version of each proposed, tentative,  
 644 and official budget which describes each budget item in terms  
 645 that are easily understandable to the public and includes:  
 646           (fa) ~~Graphieal representations, for each public school~~  
 647 ~~within the district and for the school district, of the~~  
 648 ~~following:~~  
 649           1. ~~Summary financial efficieney data.~~  
 650           2. ~~Fiscal trend information for the previous 3 years on:~~  
 651            a. ~~The ratio of full-time equivalent students to full-time~~  
 652 ~~equivalent instructional personnel.~~  
 653            b. ~~The ratio of full-time equivalent students to full-time~~  
 654 ~~equivalent administrative personnel.~~  
 655            c. ~~The total operating expenditures per full-time~~  
 656 ~~equivalent student.~~  
 657            d. ~~The total instructional expenditures per full-time~~  
 658 ~~equivalent student.~~  
 659            e. ~~The general administrative expenditures as a percentage~~  
 660 ~~of total budget.~~  
 661            f. ~~The rate of change in the general fund's ending fund~~  
 662 ~~balance not classified as restricted.~~  
 663           (b) A link to the web-based fiscal transparency tool  
 664 developed by the department pursuant to s. 1010.20 to enable  
 665 taxpayers to evaluate the financial efficiency of the school  
 666 district and compare the financial efficiency of the school  
 667 district with other similarly situated school districts.

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668       This information must be prominently posted on the school  
 669 district's website in a manner that is readily accessible to the  
 670 public.  
 671       (4) The website should contain links to:  
 672           (a) ~~Help explain or provide background information on~~  
 673 ~~various budget items that are required by state or federal law.~~  
 674           (b) ~~Allow users to navigate to related sites to view~~  
 675 ~~supporting details.~~  
 676           (c) ~~enable taxpayers, parents, and education advocates to~~  
 677 ~~send e-mails asking questions about the budget and enable others~~  
 678 ~~to view the questions and responses.~~  
 679       Section 17. Subsection (1) of section 1011.14, Florida  
 680 Statutes, is amended to read:  
 681       1011.14 Obligations for a period of 1 year.—District school  
 682 boards are authorized only under the following conditions to  
 683 create obligations by way of anticipation of budgeted revenues  
 684 accruing on a current basis without pledging the credit of the  
 685 district or requiring future levy of taxes for certain purposes  
 686 for a period of 1 year; however, such obligations may be  
 687 extended from year to year with the consent of the lender for a  
 688 period not to exceed 4 years, or for a total of 5 years  
 689 including the initial year of the loan:  
 690           (1) PURPOSES.—The purposes for which such obligations may  
 691 be incurred within the intent of this section shall include only  
 692 the purchase of school buses, land, and equipment for  
 693 educational purposes; the erection of, alteration to, or  
 694 addition to educational plants, ancillary plants, and auxiliary  
 695 facilities; and the adjustment of insurance on educational

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697 property on a 5-year plan, as provided by rules of the State  
 698 Board of Education.

699 Section 18. Subsection (2) of section 1011.60, Florida  
 700 Statutes, is amended to read:

701 1011.60 Minimum requirements of the Florida Education  
 702 Finance Program.—Each district which participates in the state  
 703 appropriations for the Florida Education Finance Program shall  
 704 provide evidence of its effort to maintain an adequate school  
 705 program throughout the district and shall meet at least the  
 706 following requirements:

707 (2) MINIMUM TERM.—Operate all schools for a term of 180  
 708 actual teaching days or the equivalent on an hourly basis as  
 709 specified by rules of the State Board of Education each school  
 710 year. The State Board of Education may prescribe procedures for  
 711 altering, and, upon written application, may alter, this  
 712 requirement during a national, state, or local emergency as it  
 713 may apply to an individual school or schools in any district or  
 714 districts if the district school board certifies to the  
715 Commissioner of Education that, in the opinion of the board, it  
716 is not necessary feasible to make up lost days or hours, and the  
717 apportionment may, at the discretion of the Commissioner of  
718 Education and if the board determines that the reduction of  
719 school days or hours is caused by the existence of a bona fide  
720 emergency, be reduced for such district or districts in  
721 proportion to the decrease in the length of term in any such  
722 school or schools. A strike, as defined in s. 447.203(6), by  
723 employees of the school district may not be considered an  
724 emergency.

725 Section 19. Paragraph (b) of subsection (3) of section

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726 1011.6202, Florida Statutes, is amended to read:

727 1011.6202 Principal Autonomy Program Initiative.—The  
 728 Principal Autonomy Program Initiative is created within the  
 729 Department of Education. The purpose of the program is to  
 730 provide a highly effective principal of a participating school  
 731 with increased autonomy and authority to operate his or her  
 732 school, as well as other schools, in a way that produces  
 733 significant improvements in student achievement and school  
 734 management while complying with constitutional requirements. The  
 735 State Board of Education may, upon approval of a principal  
 736 autonomy proposal, enter into a performance contract with the  
 737 district school board for participation in the program.

738 (3) EXEMPTION FROM LAWS.—

739 (b) A participating school or a school operated by a  
 740 principal pursuant to subsection (5) shall comply with ~~the~~  
 741 provisions of chapters 1000-1013, and rules of the state board  
 742 that implement those provisions, pertaining to the following:

743 1. Those laws relating to the election and compensation of  
 744 district school board members, the election or appointment and  
 745 compensation of district school superintendents, public meetings  
 746 and public records requirements, financial disclosure, and  
 747 conflicts of interest.

748 2. Those laws relating to the student assessment program  
 749 and school grading system, including chapter 1008.

750 3. Those laws relating to the provision of services to  
 751 students with disabilities.

752 4. Those laws relating to civil rights, including s.  
 753 1000.05, relating to discrimination.

754 5. Those laws relating to student health, safety, and

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755 welfare.

756 6. Section 1001.42(4)(f), relating to the uniform opening  
757 date for public schools.758 7. Section 1003.03, governing maximum class size, except  
759 that the calculation for compliance pursuant to s. 1003.03 is  
760 the average at the school level for a participating school.761 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
762 compensation and salary schedules.763 9. Section 1012.33(5), relating to workforce reductions for  
764 annual contracts for instructional personnel. This subparagraph  
765 does not apply to at-will employees.766 10. Section 1012.335, relating to annual or instructional  
767 multiyear contracts for instructional personnel hired on or  
768 after July 1, 2011. This subparagraph does not apply to at-will  
769 employees.770 11. Section 1012.34, relating to personnel evaluation  
771 procedures and criteria.772 12. Those laws pertaining to educational facilities,  
773 including chapter 1013, except that s. 1013.20, relating to  
774 covered walkways for relocatables, is eligible for exemption.775 13. Those laws pertaining to participating school  
776 districts, including this section and ss. 1011.69(2) and  
777 1012.28(8).778 Section 20. Subsection (4) of section 1011.69, Florida  
779 Statutes, is amended, and subsection (5) is added to that  
780 section, to read:

781 1011.69 Equity in School-Level Funding Act.—

782 (4) After providing Title I, Part A, Basic funds to schools  
783 above the 75 percent poverty threshold, which may include high

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784 schools above the 50 percent threshold as permitted by federal  
785 law, school districts shall provide any remaining Title I, Part  
786 A, Basic funds directly to all eligible schools as provided in  
787 this subsection. For purposes of this subsection, an eligible  
788 school is a school that is eligible to receive Title I funds,  
789 including a charter school. ~~The threshold for identifying~~  
790 ~~eligible schools may not exceed the threshold established by a~~  
791 ~~school district for the 2016-2017 school year or the statewide~~  
792 ~~percentage of economically disadvantaged students, as determined~~  
793 ~~annually.~~
794 (a) Prior to the allocation of Title I funds to eligible  
795 schools, a school district may withhold funds only as follows:796 1. One percent for parent involvement, in addition to the  
797 one percent the district must reserve under federal law for  
798 allocations to eligible schools for parent involvement;799 2. A necessary and reasonable amount for administration  
800 which includes the district's indirect cost rate, not to exceed  
801 a total of 10 percent;

802 3. A reasonable and necessary amount to provide:

803 a. Homeless programs;

804 b. Delinquent and neglected programs;

805 c. Prekindergarten programs and activities;

806 d. Private school equitable services; and

807 e. Transportation for foster care children to their school  
808 of origin or choice programs;809 4. Up to 5 percent to provide financial incentives and810 rewards to teachers who serve students in eligible schools,  
811 including charter schools, identified for comprehensive support  
812 and improvement activities or targeted support and improvement

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813 activities, for the purpose of attracting and retaining  
 814 qualified and effective teachers, including teachers of any  
 815 subject or grade level for whom a measurement under s.  
 816 1012.34(7) or a state-approved Alternative Student Growth Model  
 817 is unavailable; and

818 5.4. A necessary and reasonable amount, ~~not to exceed 1~~  
 819 percent, for eligible schools, including charter schools, to  
 820 provide educational services in accordance with the approved  
 821 Title I plan. Such educational services may include the  
 822 provision of STEM curricula, instructional materials, and  
 823 related learning technologies that support academic achievement  
 824 in science, technology, engineering, and mathematics in Title I  
 825 schools, including, but not limited to, technologies related to  
 826 drones, coding, animation, artificial intelligence,  
 827 cybersecurity, data science, the engineering design process,  
 828 mobile development, and robotics. Funds may be reserved under  
 829 this subparagraph only to the extent that all required  
 830 reservations under federal law have been met and that such  
 831 reservation does not reduce school-level allocations below the  
 832 levels required under federal law.

833 (b) All remaining Title I funds shall be distributed to all  
 834 eligible schools in accordance with federal law and regulation.  
 835 An eligible school may use funds under this subsection to  
 836 participate in discretionary educational services provided by  
 837 the school district. Any funds provided by an eligible school to  
 838 participate in discretionary educational services provided by  
 839 the school district are not subject to the requirements of this  
 840 subsection.

841 (c) Any funds carried forward by the school district are

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842 not subject to the requirements of this subsection.

843 (5) The Department of Education shall make funds from Title  
 844 I, Title II, and Title III programs available to local education  
 845 agencies for the full period of availability provided in federal  
 846 law.

847 Section 21. Subsections (2) through (6) of section 1011.71,  
 848 Florida Statutes, are amended to read:

849 1011.71 District school tax.—

850 (2) In addition to the maximum millage levy as provided in  
 851 subsection (1), each school board may levy not more than 1.5  
 852 mills against the taxable value for school purposes for charter  
 853 schools pursuant to s. 1013.62(1) and (3) and for district  
 854 schools for operational or capital purposes. to fund:

855 (a) ~~New construction, remodeling projects, sites and site~~  
 856 ~~improvement or expansion to new sites, existing sites, auxiliary~~  
 857 ~~facilities, athletic facilities, or ancillary facilities.~~

858 (b) ~~Maintenance, renovation, and repair of existing school~~  
 859 ~~plants or of leased facilities to correct deficiencies pursuant~~  
 860 ~~to s. 1013.15(2).~~

861 (c) ~~The purchase, lease-purchase, or lease of school buses.~~

862 (d) ~~The purchase, lease-purchase, or lease of new and~~  
 863 ~~replacement equipment; computer and device hardware and~~  
 864 ~~operating system software necessary for gaining access to or~~  
 865 ~~enhancing the use of electronic and digital instructional~~  
 866 ~~content and resources; and enterprise resource software~~  
 867 ~~applications that are classified as capital assets in accordance~~  
 868 ~~with definitions of the Governmental Accounting Standards Board,~~  
 869 ~~have a useful life of at least 5 years, and are used to support~~  
 870 ~~districtwide administration or state-mandated reporting~~

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871 requirements. Enterprise resource software may be acquired by  
 872 annual license fees, maintenance fees, or lease agreements.

873 (e) Payments for educational facilities and sites due under  
 874 a lease-purchase agreement entered into by a district school  
 875 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not  
 876 exceeding, in the aggregate, an amount equal to three-fourths of  
 877 the proceeds from the millage levied by a district school board  
 878 pursuant to this subsection. The three-fourths limit is waived  
 879 for lease-purchase agreements entered into before June 30, 2009,  
 880 by a district school board pursuant to this paragraph. If  
 881 payments under lease-purchase agreements in the aggregate,  
 882 including lease-purchase agreements entered into before June 30,  
 883 2009, exceed three-fourths of the proceeds from the millage  
 884 levied pursuant to this subsection, the district school board  
 885 may not withhold the administrative fees authorized by s.  
 886 1002.33(20) from any charter school operating in the school  
 887 district.

888 (f) Payment of loans approved pursuant to ss. 1011.14 and  
 889 1011.15.

890 (g) Payment of costs directly related to complying with  
 891 state and federal environmental statutes, rules, and regulations  
 892 governing school facilities.

893 (h) Payment of costs of leasing relocatable educational  
 894 facilities, or renting or leasing educational facilities and  
 895 sites pursuant to s. 1013.15(2), or of renting or leasing  
 896 buildings or space within existing buildings pursuant to s.  
 897 1013.15(4).

898 (i) Payment of the cost of school buses when a school  
 899 district contracts with a private entity to provide student

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900 ~~transportation services if the district meets the requirements  
 901 of this paragraph.~~

902 1. The district's contract must require that the private  
 903 entity purchase, lease-purchase, or lease, and operate and  
 904 maintain, one or more school buses of a specific type and size  
 905 that meet the requirements of s. 1006.25.

906 2. Each such school bus must be used for the daily  
 907 transportation of public school students in the manner required  
 908 by the school district.

909 3. Annual payment for each such school bus may not exceed  
 910 10 percent of the purchase price of the state pool bid.

911 4. The proposed expenditure of the funds for this purpose  
 912 must have been included in the district school board's notice of  
 913 proposed tax for school capital outlay as provided in s.  
 914 200.065(10).

915 (j) Payment of the cost of the opening day collection for  
 916 the library media center of a new school.

917 (k) Payment of salaries and benefits for employees whose  
 918 job duties support activities funded by this subsection.

919 (3) Notwithstanding subsection (2), if the revenue from 1.5  
 920 mills is insufficient to meet the payments due under a lease-  
 921 purchase agreement entered into before June 30, 2009, by a  
 922 district school board pursuant to paragraph (2)(e), or to meet  
 923 other critical district fixed capital outlay needs, the board,  
 924 in addition to the 1.5 mills, may levy up to 0.25 mills for  
 925 fixed capital outlay in lieu of levying an equivalent amount of  
 926 the discretionary mills for operations as provided in the  
 927 General Appropriations Act. Millage levied pursuant to this  
 928 subsection is subject to the provisions of s. 200.065 and,

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929 combined with the 1.5 mills authorized in subsection (2), may  
 930 not exceed 1.75 mills. If the district chooses to use up to 0.25  
 931 mills for fixed capital outlay, the compression adjustment  
 932 pursuant to s. 1011.62(5) shall be calculated for the standard  
 933 discretionary millage that is not eligible for transfer to  
 934 capital outlay.

935 (4) If the revenue from the millage authorized in  
 936 subsection (2) is insufficient to make payments due under a  
 937 lease-purchase agreement entered into prior to June 30, 2008, by  
 938 a district school board pursuant to paragraph (2)(e), an amount  
 939 up to 0.5 mills of the taxable value for school purposes within  
 940 the school district shall be legally available for such  
 941 payments, notwithstanding other restrictions on the use of such  
 942 revenues imposed by law.

943 ~~(5) A school district may expend, subject to s. 200.065, up~~  
 944 ~~to \$200 per unweighted full-time equivalent student from the~~  
 945 ~~revenue generated by the millage levy authorized by subsection~~  
 946 ~~(2) to fund, in addition to expenditures authorized in~~  
 947 ~~paragraphs (2)(a)-(j), expenses for the following:~~

948 ~~(a) The purchase, lease-purchase, or lease of driver's~~  
 949 ~~education vehicles; motor vehicles used for the maintenance or~~  
 950 ~~operation of plants and equipment; security vehicles; or~~  
 951 ~~vehicles used in storing or distributing materials and~~  
 952 ~~equipment.~~

953 ~~(b) Payment of the cost of premiums, as defined in s.~~  
 954 ~~627.403, for property and casualty insurance necessary to insure~~  
 955 ~~school district educational and ancillary plants. As used in~~  
 956 ~~this paragraph, casualty insurance has the same meaning as in s.~~  
 957 ~~624.605(1)(b), (d), (f), (g), (h), and (m). Operating revenues~~

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958 ~~that are made available through the payment of property and~~  
 959 ~~casualty insurance premiums from revenues generated under this~~  
 960 ~~subsection may be expended only for nonrecurring operational~~  
 961 ~~expenditures of the school district.~~

962 ~~(6) Violations of the expenditure provisions in subsection~~  
 963 ~~(2) or subsection (5) shall result in an equal dollar reduction~~  
 964 ~~in the Florida Education Finance Program (FEFP) funds for the~~  
 965 ~~violating district in the fiscal year following the audit~~  
 966 ~~citation.~~

967 Section 22. Paragraph (c) of subsection (1) and paragraph  
 968 (a) of subsection (3) of section 1012.22, Florida Statutes, are  
 969 amended to read:

970 1012.22 Public school personnel; powers and duties of the  
 971 district school board.—The district school board shall:

972 (1) Designate positions to be filled, prescribe  
 973 qualifications for those positions, and provide for the  
 974 appointment, compensation, promotion, suspension, and dismissal  
 975 of employees as follows, subject to the requirements of this  
 976 chapter:

977 (c) Compensation and salary schedules.—

978 1. Definitions.—As used in this paragraph:

979 a. "Adjustment" means an addition to the base salary  
 980 schedule that is not a bonus and becomes part of the employee's  
 981 permanent base salary and shall be considered compensation under  
 982 s. 121.021(22).

983 b. "Grandfathered salary schedule" means the salary  
 984 schedule or schedules adopted by a district school board before  
 985 July 1, 2014, pursuant to subparagraph 4.

986 c. "Instructional personnel" means instructional personnel

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987 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
 988 teachers.

989       d. "Performance salary schedule" means the salary schedule  
 990 or schedules adopted by a district school board pursuant to  
 991 subparagraph 5.

992       e. "Salary schedule" means the schedule or schedules used  
 993 to provide the base salary for district school board personnel.

994       f. "School administrator" means a school administrator as  
 995 defined in s. 1012.01(3)(c).

996       g. "Supplement" means an annual addition to the base salary  
 997 for the term of the negotiated supplement as long as the  
 998 employee continues his or her employment for the purpose of the  
 999 supplement. A supplement does not become part of the employee's  
 1000 continuing base salary but shall be considered compensation  
 1001 under s. 121.021(22).

1002       2. Cost-of-living adjustment.—A district school board may  
 1003 provide a cost-of-living salary adjustment if the adjustment:

1004           a. Does not discriminate among comparable classes of  
 1005 employees based upon the salary schedule under which they are  
 1006 compensated.

1007           b. Does not exceed 50 percent of the annual adjustment  
 1008 provided to instructional personnel rated as effective.

1009       3. Advanced degrees.—A district school board may use  
 1010 advanced degrees in setting a salary schedule for instructional  
 1011 personnel or school administrators if the advanced degree is  
 1012 held in the individual's area of certification, a field related  
 1013 to his or her teaching assignment, or a related field of study.  
 1014 For the purposes of the salary schedule, an advanced degree may  
 1015 include a master's degree or higher in the area of certification

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1016       or teaching assignment, or an advanced degree in another field  
 1017 with a minimum of 18 graduate semester hours related to the area  
 1018 of certification or teaching assignment.

1019       4. Grandfathered salary schedule.—

1020           a. The district school board shall adopt a salary schedule  
 1021 or salary schedules to be used as the basis for paying all  
 1022 school employees hired before July 1, 2014. Instructional  
 1023 personnel on annual contract as of July 1, 2014, shall be placed  
 1024 on the performance salary schedule adopted under subparagraph 4.

1025       5. Instructional personnel on continuing contract or  
 1026 professional service contract may opt into the performance  
 1027 salary schedule if the employee relinquishes such contract and  
 1028 agrees to be employed on an annual contract under s. 1012.335.  
 1029 Such an employee shall be placed on the performance salary  
 1030 schedule and may not return to continuing contract or  
 1031 professional service contract status. Any employee who opts into  
 1032 the performance salary schedule may not return to the  
 1033 grandfathered salary schedule.

1034           b. In determining the grandfathered salary schedule for  
 1035 instructional personnel, a district school board must base a  
 1036 portion of each employee's compensation upon performance  
 1037 demonstrated under s. 1012.34 and shall provide differentiated  
 1038 pay for both instructional personnel and school administrators  
 1039 based upon district-determined factors, including, but not  
 1040 limited to, additional responsibilities, school demographics,  
 1041 high-demand teacher needs areas, and level of job performance  
 1042 difficulties.

1043       5. Performance salary schedule.—By July 1, 2014, the  
 1044 district school board shall adopt a performance salary schedule

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1045 that provides annual salary adjustments for instructional  
 1046 personnel and school administrators based upon performance  
 1047 determined under s. 1012.34. Employees hired on or after July 1,  
 1048 2014, or employees who choose to move from the grandfathered  
 1049 salary schedule to the performance salary schedule shall be  
 1050 compensated pursuant to the performance salary schedule once  
 1051 they have received the appropriate performance evaluation for  
 1052 this purpose.

1053 a. Base salary.—The base salary shall be established as  
 1054 follows:

1055 (I) The base salary for instructional personnel or school  
 1056 administrators who opt into the performance salary schedule  
 1057 shall be the salary paid in the prior year, including  
 1058 adjustments only.

1059 (II) Instructional personnel or school administrators new  
 1060 to the district, returning to the district after a break in  
 1061 service without an authorized leave of absence, or appointed for  
 1062 the first time to a position in the district in the capacity of  
 1063 instructional personnel or school administrator shall be placed  
 1064 on the performance salary schedule.

1065 b. Salary adjustments.—Salary adjustments for highly  
 1066 effective or effective performance shall be established as  
 1067 follows:

1068 (I) The annual salary adjustment under the performance  
 1069 salary schedule for an employee rated as highly effective must  
 1070 be at least 25 percent greater than the highest annual salary  
 1071 adjustment available to an employee of the same classification  
 1072 through any other salary schedule adopted by the district.

1073 (II) The annual salary adjustment under the performance

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1074 salary schedule for an employee rated as effective must be equal  
 1075 to at least 50 percent and no more than 75 percent of the annual  
 1076 adjustment provided for a highly effective employee of the same  
 1077 classification.

1078 (III) A salary schedule may shall not provide an annual  
 1079 salary adjustment for an employee who receives a rating other  
 1080 than highly effective or effective for the year.

1081 c. Salary supplements.—In addition to the salary  
 1082 adjustments, each district school board shall provide for salary  
 1083 supplements for activities that must include, but are not  
 1084 limited to:

1085 (I) Assignment to a Title I eligible school.

1086 (II) Assignment to a school that earned a grade of "F" or  
 1087 three consecutive grades of "D" pursuant to s. 1008.34 such that  
 1088 the supplement remains in force for at least 1 year following  
 1089 improved performance in that school.

1090 (III) Certification and teaching in high-demand teacher  
 1091 needs areas. Statewide high-demand teacher needs areas shall be  
 1092 identified by the State Board of Education under s. 1012.07.  
 1093 However, the district school board may identify other areas of  
 1094 high-demand needs within the school district for purposes of  
 1095 this sub-sub-subparagraph and may remove areas identified by the  
 1096 state board which do not apply within the school district.

1097 (IV) Assignment of additional academic responsibilities.

1098 1099 If budget constraints in any given year limit a district school  
 1100 board's ability to fully fund all adopted salary schedules, the  
 1101 performance salary schedule may shall not be reduced on the  
 1102 basis of total cost or the value of individual awards in a

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1103 manner that is proportionally greater than reductions to any  
 1104 other salary schedules adopted by the district. Any compensation  
 1105 for longevity of service awarded to instructional personnel who  
 1106 are on any other salary schedule must be included in calculating  
 1107 the salary adjustments required by sub subparagraph b.

1108 (3)(a) Collective bargaining.—Notwithstanding provisions of  
 1109 chapter 447 related to district school board collective  
 1110 bargaining, collective bargaining may not preclude a district  
 1111 school board from carrying out its constitutional and statutory  
 1112 duties related to the following:

1113 1. Providing incentives to effective and highly effective  
 1114 teachers.

1115 2. Implementing intervention and support strategies under  
 1116 s. 1008.33 to address the causes of low student performance and  
 1117 improve student academic performance and attendance.

1118 3. Implementing student discipline provisions required by  
 1119 law, including a review of a student's abilities, past  
 1120 performance, behavior, and needs.

1121 4. Implementing school safety plans and requirements.

1122 5. Implementing staff and student recognition programs.

1123 6. Distributing correspondence to parents, teachers, and  
 1124 community members related to the daily operation of schools and  
 1125 the district.

1126 7. Providing any required notice or copies of information  
 1127 related to the district school board or district operations  
 1128 which is readily available on the school district's website.

1129 8. The school district's calendar.

1130 9. Providing salary supplements pursuant to sub-sub-  
 1131 paragraph (1)(c)5.c.(III).

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1132 Section 23. Present paragraphs (b) and (c) of subsection  
 1133 (1) of section 1012.335, Florida Statutes, are redesignated as  
 1134 paragraphs (c) and (d), respectively, a new paragraph (b) is  
 1135 added to that subsection, paragraphs (d), (e), and (f) are added  
 1136 to subsection (2) of that section, and subsections (3) and (4)  
 1137 of that section are amended, to read:

1138 1012.335 Contracts with instructional personnel hired on or  
 1139 after July 1, 2011.—

1140 (1) DEFINITIONS.—As used in this section, the term:  
 1141 (b) "Instructional multiyear contract," beginning July 1,  
 1142 2026, means an employment contract for a period not to exceed 3  
 1143 years which the district school board may choose to award to  
 1144 instructional personnel upon completion of a probationary  
 1145 contract and at least one annual contract.

1146 (2) EMPLOYMENT.—

1147 (d) An instructional multiyear contract may be awarded,  
 1148 beginning July 1, 2026, only if the employee:

1149 1. Holds an active professional certificate issued pursuant  
 1150 to s. 1012.56 and rules of the State Board of Education;  
 1151 2. Has been recommended by the district school  
 1152 superintendent for the instructional multiyear contract based  
 1153 upon the individual's evaluation under s. 1012.34 and approved  
 1154 by the district school board; and

1155 3. Has not received an annual performance evaluation rating  
 1156 of unsatisfactory or needs improvement in the past 3 years under  
 1157 s. 1012.34.

1158 (e) An employee awarded an instructional multiyear contract  
 1159 who receives an annual performance evaluation rating of  
 1160 unsatisfactory or needs improvement under s. 1012.34 must be

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1161     returned to an annual contract in the following school year.  
 1162     Such evaluation rating must be included with the evaluation  
 1163     ratings under subsequent annual contracts for determinations of  
 1164     just cause under s. 1012.33.

1165     (f) The award of an instructional multiyear contract does  
 1166     not remove the authority of the district school superintendent  
 1167     to reassign a teacher during the term of the contract.

1168     (3) VIOLATION OF ANNUAL OR INSTRUCTIONAL MULTIYEAR  
 1169     CONTRACT.—Instructional personnel who accept a written offer  
 1170     from the district school board and who leave their positions  
 1171     without prior release from the district school board are subject  
 1172     to the jurisdiction of the Education Practices Commission.

1173     (4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON  
 1174     ANNUAL OR INSTRUCTIONAL MULTIYEAR CONTRACT.—Any instructional  
 1175     personnel with an annual or instructional multiyear contract may  
 1176     be suspended or dismissed at any time during the term of the  
 1177     contract for just cause as provided in subsection (5). The  
 1178     district school board shall notify the employee in writing  
 1179     whenever charges are made and may suspend such person without  
 1180     pay. However, if the charges are not sustained, the employee  
 1181     must shall be immediately reinstated and his or her back pay  
 1182     must shall be paid. If the employee wishes to contest the  
 1183     charges, he or she must, within 15 days after receipt of the  
 1184     written notice, submit a written request for a hearing to the  
 1185     district school board. A direct hearing must shall be conducted  
 1186     by the district school board or a subcommittee thereof within 60  
 1187     days after receipt of the written appeal. The hearing must shall  
 1188     be conducted in accordance with ss. 120.569 and 120.57. A  
 1189     majority vote of the membership of the district school board

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1190     shall be required to sustain the district school  
 1191     superintendent's recommendation. The district school board's  
 1192     determination is final as to the sufficiency or insufficiency of  
 1193     the grounds for suspension without pay or dismissal. Any such  
 1194     decision adverse to the employee may be appealed by the employee  
 1195     pursuant to s. 120.68.

1196       Section 24. Paragraph (c) of subsection (1) of section  
 1197     1012.39, Florida Statutes, is amended to read:

1198       1012.39 Employment of substitute teachers, teachers of  
 1199     adult education, nondegreed teachers of career education, and  
 1200     career specialists and nondegreed teachers of fine and  
 1201     performing arts; students performing clinical field experience.—

1202       (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
 1203     1012.57, or any other provision of law or rule to the contrary,  
 1204     each district school board shall establish the minimal  
 1205     qualifications for:

1206       (c) Part-time and full-time nondegreed teachers of career  
 1207     programs. Qualifications must be established for nondegreed  
 1208     teachers of career and technical education courses for program  
 1209     clusters that are recognized in the state and are based  
 1210     primarily on successful occupational experience rather than  
 1211     academic training. The qualifications for such teachers must  
 1212     require:

1213       1. The filing of a complete set of fingerprints in the same  
 1214     manner as required by s. 1012.32. Faculty employed solely to  
 1215     conduct postsecondary instruction may be exempted from this  
 1216     requirement.

1217       2. Documentation of education and successful occupational  
 1218     experience, including documentation of:

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1219                   a. A high school diploma or the equivalent.  
 1220                   b. Completion of a minimum level, established by the  
district school board, 3 years of full-time successful  
 1221 occupational experience or the equivalent of part-time  
 1222 experience in the teaching specialization area. The district  
 1223 school board may establish alternative qualifications for  
 1224 teachers with an industry certification in the career area in  
 1225 which they teach.  
 1226                   c. For full-time teachers, completion of professional  
education training in teaching methods, course construction,  
lesson planning and evaluation, and teaching special needs  
 1227 students. This training may be completed through coursework from  
 1228 an accredited or approved institution or an approved district  
 1229 teacher education program, or the local school district  
 1230 inservice master plan.  
 1231                   d. Documentation of industry certification when state or  
 1232 national industry certifications are available and applicable.  
 1233                   Section 25. Paragraphs (a), (b), (d), and (e) of subsection  
 1234 (2) of section 1012.555, Florida Statutes, are amended to read:  
 1235                   1012.555 Teacher Apprenticeship Program.—  
 1236                   (2) (a) An individual must meet the following minimum  
 1237 eligibility requirements to participate in the apprenticeship  
 1238 program:  
 1239                   1. Be enrolled in or have completed Have received an  
 1240 associate degree program at from an accredited postsecondary  
 1241 institution.  
 1242                   2. Have earned a cumulative grade point average of 2.5 in  
 1243 that degree program.  
 1244                   3. Have successfully passed a background screening as

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1248                   provided in s. 1012.32.  
 1249                   4. Have received a temporary apprenticeship certificate as  
 1250 provided in s. 1012.56(7)(d).  
 1251                   (b) As a condition of participating in the program, an  
 1252 apprentice teacher must commit to spending at least the first 2  
 1253 years in the classroom of a mentor teacher using team teaching  
 1254 strategies identified in s. 1003.03(4) (b) s. 1003.03(5) (b) and  
 1255 fulfilling the on-the-job training component of the registered  
 1256 apprenticeship and its associated standards.  
 1257                   (d) An apprentice teacher must be appointed by the district  
 1258 school board or work in the district as an education  
 1259 paraprofessional and must be paid in accordance with s. 446.032  
 1260 and rules adopted by the State Board of Education.  
 1261                   (e) An apprentice teacher may change schools or districts  
 1262 after the first year of his or her apprenticeship if the  
 1263 receiving hiring school or district has agreed to fund the  
 1264 remaining year of the apprenticeship.  
 1265                   Section 26. Paragraph (g) of subsection (2), subsection  
 1266 (7), and paragraph (a) of subsection (8) of section 1012.56,  
 1267 Florida Statutes, are amended to read:  
 1268                   1012.56 Educator certification requirements.—  
 1269                   (2) ELIGIBILITY CRITERIA.—To be eligible to seek  
 1270 certification, a person must:  
 1271                   (g) Demonstrate mastery of general knowledge pursuant to  
 1272 subsection (3), if the person serves as a classroom teacher as  
 1273 defined in s. 1012.01(2) (a).  
 1274                   (7) TYPES AND TERMS OF CERTIFICATION.—  
 1275                   (a) The Department of Education shall issue a professional  
 1276 certificate for a period not to exceed 5 years to any applicant

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1277 who fulfills one of the following:

1278 1. Meets all the applicable requirements outlined in  
1279 subsection (2).

1280 2. For a professional certificate covering grades 6 through  
1281 12:  
1282 a. Meets the applicable requirements of paragraphs (2)(a)-(h).  
1283 b. Holds a master's or higher degree in the area of  
1284 science, technology, engineering, or mathematics.  
1285 c. Teaches a high school course in the subject of the  
1286 advanced degree.  
1287 d. Is rated highly effective as determined by the teacher's  
1288 performance evaluation under s. 1012.34, based in part on  
1289 student performance as measured by a statewide, standardized  
1290 assessment or an Advanced Placement, Advanced International  
1291 Certificate of Education, or International Baccalaureate  
1292 examination.  
1293 e. Achieves a passing score on the Florida professional  
1294 education competency examination required by state board rule.  
1295 3. Meets the applicable requirements of paragraphs (2)(a)-(h) and completes a professional learning certification program  
1296 approved by the department pursuant to paragraph (8)(c) or an  
1297 educator preparation institute approved by the department  
1298 pursuant to s. 1004.85. An applicant who completes one of these  
1299 programs and is rated highly effective as determined by his or  
1300 her performance evaluation under s. 1012.34 is not required to  
1301 take or achieve a passing score on the professional education  
1302 competency examination in order to be awarded a professional  
1303 certificate.

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1306 1307 (b) The department shall issue a temporary certificate to  
any applicant who:  
1308 1. Completes the requirements outlined in paragraphs  
1309 (2)(a)-(f) and completes the subject area content requirements  
1310 specified in state board rule or demonstrates mastery of subject  
1311 area knowledge pursuant to subsection (5) and holds an  
1312 accredited degree or a degree approved by the Department of  
1313 Education at the level required for the subject area  
1314 specialization in state board rule;  
1315 2. For a subject area specialization for which the state  
1316 board otherwise requires a bachelor's degree, documents 48  
1317 months of active-duty military service with an honorable  
1318 discharge or a medical separation; completes the requirements  
1319 outlined in paragraphs (2)(a), (b), and (d)-(f); completes the  
1320 subject area content requirements specified in state board rule  
1321 or demonstrates mastery of subject area knowledge pursuant to  
1322 subsection (5); and documents completion of 60 college credits  
1323 with a minimum cumulative grade point average of 2.5 on a 4.0  
1324 scale, as provided by one or more accredited institutions of  
1325 higher learning or a nonaccredited institution of higher  
1326 learning identified by the Department of Education as having a  
1327 quality program resulting in a bachelor's degree or higher; or  
1328 3. Is enrolled in a state-approved teacher preparation  
1329 program under s. 1004.04; is actively completing the required  
1330 program field experience or internship at a public school;  
1331 completes the requirements outlined in paragraphs (2)(a), (b),  
1332 and (d)-(f); completes the subject area content requirements  
1333 specified in state board rule or demonstrates mastery of subject  
1334 area knowledge pursuant to subsection (5); and documents

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1335 completion of 60 college credits with a minimum cumulative grade  
 1336 point average of 2.5 on a 4.0 scale, as provided by one or more  
 1337 accredited institutions of higher learning or a nonaccredited  
 1338 institution of higher learning identified by the Department of  
 1339 Education as having a quality program resulting in a bachelor's  
 1340 degree or higher.

1341 (c) The department shall issue one nonrenewable 2-year  
 1342 temporary certificate and one nonrenewable 5-year professional  
 1343 certificate to a qualified applicant who holds a bachelor's  
 1344 degree in the area of speech-language impairment to allow for  
 1345 completion of a master's degree program in speech-language  
 1346 impairment.

1347 (d) The department shall issue a temporary apprenticeship  
 1348 certificate to any applicant who meets the requirements of  
 1349 paragraphs (2)(a), (b), and (d)-(f).

1350 (e) A person who is issued a temporary certificate under  
 1351 paragraph (b) must be assigned a teacher mentor for a minimum of  
 1352 2 school years after commencing employment. Each teacher mentor  
 1353 selected by the school district, charter school, or charter  
 1354 management organization must:

1355 1. Hold a valid professional certificate issued pursuant to  
 1356 this section;

1357 2. Have earned at least 3 years of teaching experience in  
 1358 prekindergarten through grade 12; and

1359 3. Have earned an effective or highly effective rating on  
 1360 the prior year's performance evaluation under s. 1012.34.

1361 (f) 1. A temporary certificate is valid for 5 school fiscal  
 1362 years, is limited to a one-time issuance, and is nonrenewable.

1363 2. A temporary apprenticeship certificate issued under

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1364 paragraph (d) is valid for 5 school years, may be issued only  
 1365 once, and is nonrenewable.

1366 (g) A certificateholder may request that her or his  
 1367 certificate be placed in an inactive status. A certificate that  
 1368 has been inactive may be reactivated upon application to the  
 1369 department. The department shall prescribe, by rule,  
 1370 professional learning requirements as a condition of  
 1371 reactivating a certificate that has been inactive for more than  
 1372 1 year.

1373 (h) A school district or a regional education consortium  
 1374 may issue temporary certificates, based on the requirements in  
 1375 paragraph (b). School districts and regional education consortia  
 1376 shall report the number of such certificates issued, and any  
 1377 additional information, to the department, based on reporting  
 1378 requirements adopted by the State Board of Education. Such  
 1379 certificates are subject to the authority of the Education  
 1380 Practices Commission under s. 1012.795.

1381 At least 1 year before an individual's department-issued  
 1382 temporary certificate is set to expire, the department shall  
 1383 electronically notify the individual of the date on which his or  
 1384 her certificate will expire and provide a list of each method by  
 1385 which the qualifications for a professional certificate can be  
 1386 completed.

1388 (8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

1389 (a) The Department of Education shall develop and each  
 1390 school district, charter school, and charter management  
 1391 organization may provide a cohesive competency-based  
 1392 professional learning certification program by which

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1393 instructional staff may satisfy the mastery of professional  
 1394 preparation and education competence requirements specified in  
 1395 subsection (6) and rules of the State Board of Education.  
 1396 Participants must hold a state-issued temporary certificate. A  
 1397 school district, charter school, or charter management  
 1398 organization that implements the program shall provide a  
 1399 competency-based certification program developed by the  
 1400 Department of Education or developed by the district, charter  
 1401 school, or charter management organization and approved by the  
 1402 Department of Education. These entities may collaborate with  
 1403 other supporting agencies or educational entities for  
 1404 implementation. The program shall include the following:  
 1405     1. A teacher mentorship and induction component.  
 1406         a. Each individual selected by the district, charter  
 1407 school, or charter management organization as a mentor:  
 1408             (I) Must hold a valid professional certificate issued  
 1409 pursuant to this section;  
 1410             (II) Must have earned at least 3 years of teaching  
 1411 experience in prekindergarten through grade 12;  
 1412             (III) Must have completed training in clinical supervision  
 1413 and participate in ongoing mentor training provided through the  
 1414 coordinated system of professional learning under s. 1012.98(4);  
 1415             (IV) Must have earned an effective or highly effective  
 1416 rating on the prior year's performance evaluation; and  
 1417             (V) May be a peer evaluator under the district's evaluation  
 1418 system approved under s. 1012.34.  
 1419         b. The teacher mentorship and induction component must, at  
 1420 a minimum, provide routine opportunities for mentoring and  
 1421 induction activities, including ongoing professional learning as

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1422 described in s. 1012.98 targeted to a teacher's needs,  
 1423 opportunities for a teacher to observe other teachers, co-  
 1424 teaching experiences, and reflection and follow-up followup  
 1425 discussions. Professional learning must meet the criteria  
 1426 established in s. 1012.98(3). Mentorship and induction  
 1427 activities must be provided for an applicant's first year in the  
 1428 program and may be provided until the applicant attains his or  
 1429 her professional certificate in accordance with this section.  
 1430     2. An assessment of teaching performance aligned to the  
 1431 district's, charter school's, or charter management  
 1432 organization's system for personnel evaluation under s. 1012.34  
 1433 which provides for:  
 1434         a. An initial evaluation of each educator's competencies to  
 1435 determine an appropriate individualized professional learning  
 1436 plan.  
 1437         b. A summative evaluation to assure successful completion  
 1438 of the program.  
 1439         3. Professional education preparation content knowledge,  
 1440 which must be included in the mentoring and induction activities  
 1441 under subparagraph 1., that includes, but is not limited to, the  
 1442 following:  
 1443             a. The state academic standards provided under s. 1003.41,  
 1444 including scientifically researched and evidence-based reading  
 1445 instructional strategies grounded in the science of reading,  
 1446 content literacy, and mathematical practices, for each subject  
 1447 identified on the temporary certificate. Reading instructional  
 1448 strategies for foundational skills shall include phonics  
 1449 instruction for decoding and encoding as the primary  
 1450 instructional strategy for word reading. Instructional

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1451 strategies may not employ the three-cueing system model of  
 1452 reading or visual memory as a basis for teaching word reading.  
 1453 Instructional strategies may include visual information and  
 1454 strategies which improve background and experiential knowledge,  
 1455 add context, and increase oral language and vocabulary to  
 1456 support comprehension, but may not be used to teach word  
 1457 reading.

1458       b. The educator-accomplished practices approved by the  
 1459 state board.

1460       4. Required achievement of passing scores on the subject  
 1461 area and professional education competency examination required  
 1462 by State Board of Education rule. Mastery of general knowledge  
 1463 must be demonstrated as described in subsection (3).

1464       5. Beginning with candidates entering a program in the  
 1465 2022-2023 school year, a candidate for certification in a  
 1466 coverage area identified pursuant to s. 1012.585(3)(g) s.  
 1467 1012.585(3)(f) must successfully complete all competencies for a  
 1468 reading endorsement, including completion of the endorsement  
 1469 practicum.

1470       Section 27. Paragraph (a) of subsection (2), subsection  
 1471 (3), and paragraph (b) of subsection (5) of section 1012.585,  
 1472 Florida Statutes, are amended to read:

1473       1012.585 Process for renewal of professional certificates.—

1474       (2)(a) All professional certificates, except a nonrenewable  
 1475 professional certificate, are shall be renewable for successive  
 1476 periods not to exceed 10 5 years after the date of submission of  
 1477 documentation of completion of the requirements for renewal  
 1478 provided in subsection (3). Only one renewal may be granted  
 1479 during each 5-year or 10-year validity period of a professional

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1480 certificate.

1481       1. An applicant who is rated highly effective, pursuant to  
 1482 s. 1012.34, in the first 4 years of the 5-year validity period  
 1483 of his or her professional certificate is eligible for a  
 1484 professional certificate valid for 10 years. An applicant must  
 1485 be issued at least one 5-year professional certificate to be  
 1486 eligible for a 10-year professional certificate. An applicant  
 1487 who does not meet the requirement of this subparagraph is  
 1488 eligible only to renew his or her 5-year professional  
 1489 certificate.

1490       2. An applicant who is rated effective or highly effective,  
 1491 pursuant to s. 1012.34, for the first 9 years of the 10-year  
 1492 validity period of his or her professional certificate is  
 1493 eligible to renew a professional certificate valid for 10 years.  
 1494 An applicant issued a 10-year professional certificate who does  
 1495 not meet the requirement of this subparagraph is eligible only  
 1496 for renewal of a professional certificate valid for 5 years.

1497       (3) For the renewal of a professional certificate, the  
 1498 following requirements must be met:

1499       (a) The applicant must:

1500       1. Earn a minimum of 6 college credits or 120 inservice  
 1501 points or a combination thereof for a certificate valid for 5  
 1502 years.

1503       2. Earn a minimum of 12 college credits or 240 inservice  
 1504 points or a combination thereof for a professional certificate  
 1505 valid for 10 years. A minimum of 5 college credits or 100  
 1506 inservice points or a combination thereof must be earned within  
 1507 the first 5 years of a professional certificate valid for 10  
 1508 years.

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(b) For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); credits or points that provide training in the knowledge and skills required to support students with autism; and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Each district school board shall include in its inservice master plan the ability for teachers to receive inservice points for supporting students in extracurricular career and technical education activities, such as career and technical student

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organization activities outside of regular school hours and training related to supervising students participating in a career and technical student organization. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

1549       (c) (10) In lieu of college course credit or inservice  
1550 points, the applicant may renew a subject area specialization by  
1551 passage of a state board approved Florida-developed subject area  
1552 examination or, if a Florida subject area examination has not  
1553 been developed, a standardized examination specified in state  
1554 board rule.

1555       (d) If an applicant wishes to retain more than two  
1556 specialization areas on the certificate, the applicant must  
1557 shall be permitted two successive validity periods for renewal  
1558 of all specialization areas, but must earn no fewer than 6  
1559 college course credit hours or the equivalent inservice points  
1560 in any one validity period.

1561        (e) (d) The State Board of Education shall adopt rules for  
1562 the expanded use of training for renewal of the professional  
1563 certificate for educators who are required to complete training  
1564 in teaching students of limited English proficiency or students  
1565 with disabilities and training in the teaching of reading as  
1566 follows:

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1567        1. A teacher who holds a professional certificate may use  
 1568 college credits or inservice points earned through training in  
 1569 teaching students of limited English proficiency or students  
 1570 with disabilities and training in the teaching of reading in  
 1571 excess of 6 semester hours during one certificate-validity  
 1572 period toward renewal of the professional certificate during the  
 1573 subsequent validity periods.

1574        2. A teacher who holds a temporary certificate may use  
 1575 college credits or inservice points earned through training in  
 1576 teaching students of limited English proficiency or students  
 1577 with disabilities and training in the teaching of reading toward  
 1578 renewal of the teacher's first professional certificate. Such  
 1579 training must not have been included within the degree program,  
 1580 and the teacher's temporary and professional certificates must  
 1581 be issued for consecutive school years.

1582        (f) (e) Beginning July 1, 2014, an applicant for renewal of  
 1583 a professional certificate must earn a minimum of one college  
 1584 credit or the equivalent inservice points in the area of  
 1585 instruction for teaching students with disabilities. The  
 1586 requirement in this paragraph may not add to the total hours  
 1587 required by the department for continuing education or inservice  
 1588 training.

1589        (g) (f) An applicant for renewal of a professional  
 1590 certificate in any area of certification identified by State  
 1591 Board of Education rule that includes reading instruction or  
 1592 intervention for any students in kindergarten through grade 6,  
 1593 with a beginning validity date of July 1, 2020, or thereafter,  
 1594 must earn a minimum of 2 college credits or the equivalent  
 1595 inservice points in evidence-based instruction and interventions

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1596        grounded in the science of reading specifically designed for  
 1597 students with characteristics of dyslexia, including the use of  
 1598 explicit, systematic, and sequential approaches to reading  
 1599 instruction, developing phonological and phonemic awareness,  
 1600 decoding, and implementing multisensory intervention strategies.  
 1601 Such training must be provided by teacher preparation programs  
 1602 under s. 1004.04 or s. 1004.85 or approved school district  
 1603 professional learning systems under s. 1012.98. The requirements  
 1604 in this paragraph may not add to the total hours required by the  
 1605 department for continuing education or inservice training.

1606        (h) (g) An applicant for renewal of a professional  
 1607 certificate in educational leadership from a Level I program  
 1608 under s. 1012.562(2) or Level II program under s. 1012.562(3),  
 1609 with a beginning validity date of July 1, 2025, or thereafter,  
 1610 must earn a minimum of 1 college credit or 20 inservice points  
 1611 in Florida's educational leadership standards, as established in  
 1612 rule by the State Board of Education. The requirement in this  
 1613 paragraph may not add to the total hours required by the  
 1614 department for continuing education or inservice training.

1615        (i) (h) A teacher may earn inservice points only once during  
 1616 each 5-year validity period for any mandatory training topic  
 1617 that is not linked to student learning or professional growth.

1618        (5) The State Board of Education shall adopt rules to allow  
 1619 the reinstatement of expired professional certificates. The  
 1620 department may reinstate an expired professional certificate if  
 1621 the certificateholder:

1622        (b) Documents completion of 6 college credits during the 5  
 1623 years immediately preceding reinstatement of the expired  
 1624 certificate, completion of 120 inservice points, or a

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1625 combination thereof, in an area specified in paragraph (3)(b)  
 1626 ~~(3)(a)~~ to include the credit required under paragraph (3)(f)  
 1627 ~~(3)(e).~~

1629 The requirements of this subsection may not be satisfied by  
 1630 subject area examinations or college credits completed for  
 1631 issuance of the certificate that has expired.

1632 Section 28. Section 1013.19, Florida Statutes, is amended  
 1633 to read:

1634 1013.19 Purchase, conveyance, or encumbrance of property  
 1635 interests above surface of land; joint-occupancy structures.—For  
 1636 the purpose of implementing jointly financed construction  
 1637 project agreements, or for the construction of combined  
 1638 occupancy structures, any board may purchase, own, convey, sell,  
 1639 lease, or encumber airspace or any other interests in property  
 1640 above the surface of the land, provided the lease of airspace  
 1641 for nonpublic use is for such reasonable rent, length of term,  
 1642 and conditions as the board in its discretion may determine. All  
 1643 proceeds from such sale or lease shall be used by a the board of  
 1644 trustees for a Florida College System institution or state  
 1645 university or boards receiving the proceeds solely for fixed  
 1646 capital outlay purposes. These purposes may include the  
 1647 renovation or remodeling of existing facilities owned by the  
 1648 board or the construction of new facilities; however, for a  
 1649 Florida College System institution board or university board,  
 1650 such new facility must be authorized by the Legislature. It is  
 1651 declared that the use of such rental by the board for public  
 1652 purposes in accordance with its statutory authority is a public  
 1653 use. Airspace or any other interest in property held by the

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1654 Board of Trustees of the Internal Improvement Trust Fund or the  
 1655 State Board of Education may not be divested or conveyed without  
 1656 approval of the respective board. Any building, including any  
 1657 building or facility component that is common to both nonpublic  
 1658 and educational portions thereof, constructed in airspace that  
 1659 is sold or leased for nonpublic use pursuant to this section is  
 1660 subject to all applicable state, county, and municipal  
 1661 regulations pertaining to land use, zoning, construction of  
 1662 buildings, fire protection, health, and safety to the same  
 1663 extent and in the same manner as such regulations would be  
 1664 applicable to the construction of a building for nonpublic use  
 1665 on the appurtenant land beneath the subject airspace. Any  
 1666 educational facility constructed or leased as a part of a joint-  
 1667 occupancy facility is subject to all rules and requirements of  
 1668 the respective boards or departments having jurisdiction over  
 1669 educational facilities. Any contract executed by a university  
 1670 board of trustees pursuant to this section is subject to the  
 1671 provisions of s. 1010.62.

1672 Section 29. Section 1013.35, Florida Statutes, is amended  
 1673 to read:

1674 1013.35 School district educational facilities plan;  
 1675 ~~definitions, preparation, adoption, and amendment; long-term~~  
 1676 work programs.—

1677 (1) ~~DEFINITIONS.~~ As used in this section, the term:  
 1678 (a) ~~"Adopted educational facilities plan"~~ means the  
 1679 ~~comprehensive planning document that is adopted annually by the~~  
 1680 ~~district school board as provided in subsection (2) and that~~  
 1681 ~~contains the educational plant survey.~~

1682 (b) ~~"District facilities work program"~~ means the 5-year

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1683 listing of capital outlay projects adopted by the district  
 1684 school board as provided in subparagraph (2)(a)2. and paragraph  
 1685 (2)(b) as part of the district educational facilities plan,  
 1686 which is required in order to:  
 1687 1. Properly maintain the educational plant and ancillary  
 1688 facilities of the district.  
 1689 2. Provide an adequate number of satisfactory student  
 1690 stations for the projected student enrollment of the district in  
 1691 K-12 programs.  
 1692 (e) "Tentative educational facilities plan" means the  
 1693 comprehensive planning document prepared annually by the  
 1694 district school board and submitted to the Office of Educational  
 1695 Facilities and the affected general-purpose local governments.  
 1696 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL  
 1697 FACILITIES PLAN.  
 1698 (a) Annually, before prior to the adoption of the district  
 1699 school budget, each district school board shall prepare a  
 1700 tentative district educational facilities plan that includes  
 1701 long-range planning for facilities needs over 5-year, 10-year,  
 1702 and 20-year periods. The district school board shall submit the  
 1703 tentative facilities plan to the department The plan must be  
 1704 developed in coordination with the general-purpose local  
 1705 governments and be consistent with the local government  
 1706 comprehensive plans. The school board's plan for provision of  
 1707 new schools must meet the needs of all growing communities in  
 1708 the district, ranging from small rural communities to large  
 1709 urban cities. The plan must include:  
 1710 4. Projected student populations apportioned geographically  
 1711 at the local level. The projections must be based on information

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1712 produced by the demographic, revenue, and education estimating  
 1713 conferences pursuant to s. 216.136, where available, as modified  
 1714 by the district based on development data and agreement with the  
 1715 local governments and the Office of Educational Facilities. The  
 1716 projections must be apportioned geographically with assistance  
 1717 from the local governments using local development trend data  
 1718 and the school district student enrollment data.  
 1719 2. An inventory of existing school facilities. Any  
 1720 anticipated expansions or closures of existing school sites over  
 1721 the 5-year, 10-year, and 20-year periods must be identified. The  
 1722 inventory must include an assessment of areas proximate to  
 1723 existing schools and identification of the need for improvements  
 1724 to infrastructure, safety, including safe access routes, and  
 1725 conditions in the community. The plan must also provide a  
 1726 listing of major repairs and renovation projects anticipated  
 1727 over the period of the plan.  
 1728 3. Projections of facilities space needs, which may not  
 1729 exceed the norm space and occupant design criteria established  
 1730 in the State Requirements for Educational Facilities.  
 1731 4. Information on leased, loaned, and donated space and  
 1732 relocatables used for conducting the district's instructional  
 1733 programs.  
 1734 5. The general location of public schools proposed to be  
 1735 constructed over the 5-year, 10-year, and 20-year time periods,  
 1736 including a listing of the proposed schools' site acreage needs  
 1737 and anticipated capacity and maps showing the general locations.  
 1738 The school board's identification of general locations of future  
 1739 school sites must be based on the school siting requirements of  
 1740 s. 163.3177(6)(a) and policies in the comprehensive plan which

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1741 provide guidance for appropriate locations for school sites.

1742 6. The identification of options deemed reasonable and  
 1743 approved by the school board which reduce the need for  
 1744 additional permanent student stations. Such options may include,  
 1745 but need not be limited to:

- 1746 a. Acceptable capacity;
- 1747 b. Redistricting;
- 1748 c. Busing;
- 1749 d. Year-round schools;
- 1750 e. Charter schools;
- 1751 f. Magnet schools; and
- 1752 g. Public private partnerships.

1753 7. The criteria and method, jointly determined by the local  
 1754 government and the school board, for determining the impact of  
 1755 proposed development to public school capacity.

1756 (b) The plan must also include a financially feasible  
 1757 district facilities work program for a 5-year period. The work  
 1758 program must include:

1759 1. A schedule of major repair and renovation projects  
 1760 necessary to maintain the educational facilities and ancillary  
 1761 facilities of the district.

1762 2. A schedule of capital outlay projects necessary to  
 1763 ensure the availability of satisfactory student stations for the  
 1764 projected student enrollment in K-12 programs. This schedule  
 1765 shall consider:

1766 a. The locations, capacities, and planned utilization rates  
 1767 of current educational facilities of the district. The capacity  
 1768 of existing satisfactory facilities, as reported in the Florida  
 1769 Inventory of School Houses must be compared to the capital

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1770 outlay full-time equivalent student enrollment as determined by  
 1771 the department, including all enrollment used in the calculation  
 1772 of the distribution formula in s. 1013.64.

1773 b. The proposed locations of planned facilities, whether  
 1774 those locations are consistent with the comprehensive plans of  
 1775 all affected local governments, and recommendations for  
 1776 infrastructure and other improvements to land adjacent to  
 1777 existing facilities. The provisions of ss. 1013.33(6), (7), and  
 1778 (8) and 1013.36 must be addressed for new facilities planned  
 1779 within the first 3 years of the work plan, as appropriate.

1780 e. Plans for the use and location of relocatable  
 1781 facilities, leased facilities, and charter school facilities.

1782 d. Plans for multitrack scheduling, grade level  
 1783 organization, block scheduling, or other alternatives that  
 1784 reduce the need for additional permanent student stations.

1785 e. Information concerning average class size and  
 1786 utilization rate by grade level within the district which will  
 1787 result if the tentative district facilities work program is  
 1788 fully implemented.

1789 f. The number and percentage of district students planned  
 1790 to be educated in relocatable facilities during each year of the  
 1791 tentative district facilities work program. For determining  
 1792 future needs, student capacity may not be assigned to any  
 1793 relocatable classroom that is scheduled for elimination or  
 1794 replacement with a permanent educational facility in the current  
 1795 year of the adopted district educational facilities plan and in  
 1796 the district facilities work program adopted under this section.  
 1797 Those relocatable classrooms clearly identified and scheduled  
 1798 for replacement in a school board adopted, financially feasible,

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1799 5-year district facilities work program shall be counted at zero  
 1800 capacity at the time the work program is adopted and approved by  
 1801 the school board. However, if the district facilities work  
 1802 program is changed and the relocatable classrooms are not  
 1803 replaced as scheduled in the work program, the classrooms must  
 1804 be reentered into the system and be counted at actual capacity.  
 1805 Relocatable classrooms may not be perpetually added to the work  
 1806 program or continually extended for purposes of circumventing  
 1807 this section. All relocatable classrooms not identified and  
 1808 scheduled for replacement, including those owned, lease-  
 1809 purchased, or leased by the school district, must be counted at  
 1810 actual student capacity. The district educational facilities  
 1811 plan must identify the number of relocatable student stations  
 1812 scheduled for replacement during the 5-year survey period and  
 1813 the total dollar amount needed for that replacement.

1814 g. Plans for the closure of any school, including plans for  
 1815 disposition of the facility or usage of facility space, and  
 1816 anticipated revenues.

1817 h. Projects for which capital outlay and debt service funds  
 1818 accruing under s. 9(d), Art. XII of the State Constitution are  
 1819 to be used shall be identified separately in priority order on a  
 1820 project priority list within the district facilities work  
 1821 program.

1822 3. The projected cost for each project identified in the  
 1823 district facilities work program. For proposed projects for new  
 1824 student stations, a schedule shall be prepared comparing the  
 1825 planned cost and square footage for each new student station, by  
 1826 elementary, middle, and high school levels, to the low, average,  
 1827 and high cost of facilities constructed throughout the state

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1828 ~~during the most recent fiscal year for which data is available~~  
 1829 ~~from the Department of Education.~~

1830 ~~4. A schedule of estimated capital outlay revenues from~~  
 1831 ~~each currently approved source which is estimated to be~~  
 1832 ~~available for expenditure on the projects included in the~~  
 1833 ~~district facilities work program.~~

1834 ~~5. A schedule indicating which projects included in the~~  
 1835 ~~district facilities work program will be funded from current~~  
 1836 ~~revenues projected in subparagraph 4.~~

1837 ~~6. A schedule of options for the generation of additional~~  
 1838 ~~revenues by the district for expenditure on projects identified~~  
 1839 ~~in the district facilities work program which are not funded~~  
 1840 ~~under subparagraph 5. Additional anticipated revenues may~~  
 1841 ~~include Classrooms First funds.~~

1842 ~~(e) To the extent available, the tentative district~~  
 1843 ~~educational facilities plan shall be based on information~~  
 1844 ~~produced by the demographic, revenue, and education estimating~~  
 1845 ~~conferences pursuant to s. 216.136.~~

1846 ~~(2) (d) Provision must shall be made for public comment~~  
 1847 ~~concerning the tentative district educational facilities plan.~~

1848 ~~(e) The district school board shall coordinate with each~~  
 1849 ~~affected local government to ensure consistency between the~~  
 1850 ~~tentative district educational facilities plan and the local~~  
 1851 ~~government comprehensive plans of the affected local governments~~  
 1852 ~~during the development of the tentative district educational~~  
 1853 ~~facilities plan.~~

1854 ~~(3) (f) Not less than once every 5 years, the district~~  
 1855 ~~school board shall have an audit conducted of the district's~~  
 1856 ~~educational planning and construction activities. An operational~~

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1857 audit conducted by the Auditor General pursuant to s. 11.45  
 1858 satisfies this requirement.

1859 (4) (3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL  
 1860 FACILITIES PLAN TO LOCAL GOVERNMENT.—The district school board  
 1861 shall submit a copy of its tentative district educational  
 1862 facilities plan to all affected local governments before prior  
 1863 to adoption by the board. The affected local governments may  
 1864 shall review the tentative district educational facilities plan  
 1865 and comment to the district school board on the consistency of  
 1866 the plan with the local comprehensive plan, whether a  
 1867 comprehensive plan amendment will be necessary for any proposed  
 1868 educational facility, and whether the local government supports  
 1869 a necessary comprehensive plan amendment. If the local  
 1870 government does not support a comprehensive plan amendment for a  
 1871 proposed educational facility, the matter must shall be resolved  
 1872 pursuant to the interlocal agreement when required by ss.  
 1873 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the  
 1874 submittal and review must shall be detailed in the interlocal  
 1875 agreement when required pursuant to ss. 163.3177(6)(h),  
 1876 163.31777, and 1013.33(2).

1877 (5) (4) ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.—

1878 Annually, the district school board shall consider and adopt the  
 1879 tentative district educational facilities plan completed  
 1880 pursuant to subsection (2). Upon giving proper notice to the  
 1881 public and local governments and opportunity for public comment,  
 1882 the district school board may amend the plan to revise the  
 1883 priority of projects, to add or delete projects, to reflect the  
 1884 impact of change orders, or to reflect the approval of new  
 1885 revenue sources which may become available. The district school

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1886 board shall submit the revised plan to the department. The  
 1887 adopted district educational facilities plan must shall:  
 1888 (a) Be a complete, balanced, and financially feasible  
 1889 capital outlay financial plan for the district.  
 1890 (b) Set forth the proposed commitments and planned  
 1891 expenditures of the district to address the educational  
 1892 facilities needs of its students and to adequately provide for  
 1893 the maintenance of the educational plant and ancillary  
 1894 facilities, including safe access ways from neighborhoods to  
 1895 schools.

1896 (6) (5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES  
 1897 PLAN.—The first year of the adopted district educational  
 1898 facilities plan constitutes shall constitute the capital outlay  
 1899 budget required in s. 1013.61. The adopted district educational  
 1900 facilities plan shall include the information required in  
 1901 subparagraphs (2)(b)1., 2., and 3., based upon projects actually  
 1902 funded in the plan.  
 1903 Section 30. Subsections (3) and (4) of section 1013.41,  
 1904 Florida Statutes, are amended to read:  
 1905 1013.41 SMART schools; Classrooms First; legislative  
 1906 purpose.—  
 1907 (3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the  
 1908 purpose of the Legislature to create s. 1013.35, requiring each  
 1909 school district annually to adopt an educational facilities plan  
 1910 that provides an integrated long-range facilities plan,  
 1911 including the survey of projected needs and the 5-year work  
 1912 program. The purpose of the educational facilities plan is to  
 1913 keep the district school board, local governments, and the  
 1914 public fully informed as to whether the district is using sound

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1915 policies and practices that meet the essential needs of students  
 1916 and that warrant public confidence in district operations. The  
 1917 educational facilities plan will be monitored by the Office of  
 1918 Educational Facilities, which will also apply performance  
 1919 standards pursuant to s. 1013.04.

1920 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of  
 1921 the Legislature to require the Office of Educational Facilities  
 1922 to assist school districts in building SMART schools utilizing  
 1923 functional and frugal practices. The Office of Educational  
 1924 Facilities ~~shall~~ must review district facilities ~~work programs~~  
 1925 and projects and identify opportunities to maximize design and  
 1926 construction savings, ~~develop school district facilities work~~  
 1927 ~~program performance standards,~~ and provide for review and  
 1928 recommendations to the Governor, the Legislature, and the State  
 1929 Board of Education.

1930 Section 31. Subsection (4) of section 1013.45, Florida  
 1931 Statutes, is amended to read:

1932 1013.45 Educational facilities contracting and construction  
 1933 techniques for school districts and Florida College System  
 1934 institutions.—

1935 (4) Except as otherwise provided in this section and s.  
 1936 481.229, the services of a registered architect must be used by  
 1937 Florida College System institution and state university boards  
 1938 of trustees for the development of plans for the erection,  
 1939 enlargement, or alteration of any educational facility. The  
 1940 services of a registered architect are not required for a minor  
 1941 renovation project for which the construction cost is less than  
 1942 \$50,000 or for the placement or hookup of relocatable  
 1943 educational facilities that conform to standards adopted under

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1944 s. 1013.37. However, boards must provide compliance with  
 1945 building code requirements and ensure that these structures are  
 1946 adequately anchored for wind resistance as required by law. ~~A~~  
 1947 ~~district school board shall reuse existing construction~~  
 1948 ~~documents or design criteria packages if such reuse is feasible~~  
 1949 ~~and practical. If a school district's 5-year educational~~  
 1950 ~~facilities work plan includes the construction of two or more~~  
 1951 ~~new schools for students in the same grade group and program,~~  
 1952 ~~such as elementary, middle, or high school, the district school~~  
 1953 ~~board must require that prototype design and construction be~~  
 1954 ~~used for the construction of these schools.~~ Notwithstanding s.  
 1955 287.055, a board may purchase the architectural services for the  
 1956 design of educational or ancillary facilities under an existing  
 1957 contract agreement for professional services held by a district  
 1958 school board in the State of Florida, provided that the purchase  
 1959 is to the economic advantage of the purchasing board, the  
 1960 services conform to the standards prescribed by rules of the  
 1961 State Board of Education, and such reuse is not without notice  
 1962 to, and permission from, the architect of record whose plans or  
 1963 design criteria are being reused. Plans must be reviewed for  
 1964 compliance with the State Requirements for Educational  
 1965 Facilities. Rules adopted under this section must establish  
 1966 uniform prequalification, selection, bidding, and negotiation  
 1967 procedures applicable to construction management contracts and  
 1968 the design-build process. This section does not supersede any  
 1969 small, woman-owned, or minority-owned business enterprise  
 1970 preference program adopted by a board. Except as otherwise  
 1971 provided in this section, the negotiation procedures applicable  
 1972 to construction management contracts and the design-build

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1973 process must conform to the requirements of s. 287.055. A board  
 1974 may not modify any rules regarding construction management  
 1975 contracts or the design-build process.

1976 Section 32. Section 1013.451, Florida Statutes, is  
 1977 repealed.

1978 Section 33. Paragraph (e) of subsection (1) and paragraph  
 1979 (b) of subsection (6) of section 1013.64, Florida Statutes, are  
 1980 amended to read:

1981 1013.64 Funds for comprehensive educational plant needs;  
 1982 construction cost maximums for school district capital  
 1983 projects.—Allocations from the Public Education Capital Outlay  
 1984 and Debt Service Trust Fund to the various boards for capital  
 1985 outlay projects shall be determined as follows:

1986 (1)

1987 (e) Remodeling projects must shall be based on the  
 1988 recommendations of a survey pursuant to s. 1013.31, or, for  
 1989 district school boards, as indicated by the relative need as  
 1990 determined by the Florida Inventory of School Houses and the  
 1991 capital outlay full-time equivalent enrollment in the district.

1992 (6)

1993 (b) 1. A district school board may not use funds from the  
 1994 following sources: Public Education Capital Outlay and Debt  
 1995 Service Trust Fund; School District and Community College  
 1996 District Capital Outlay and Debt Service Trust Fund; Classrooms  
 1997 First Program funds provided in s. 1013.68; nonvoted 1.5-mill  
 1998 levy of ad valorem property taxes provided in s. 1011.71(2);  
 1999 Classrooms for Kids Program funds provided in s. 1013.735;  
 2000 District Effort Recognition Program funds provided in s.  
 2001 1013.736; or High Growth District Capital Outlay Assistance

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2002 Grant Program funds provided in s. 1013.738 to pay for any  
 2003 portion of the cost of any new construction of educational plant  
 2004 space with a total cost per student station, including change  
 2005 orders, which exceeds:

2006 a. \$17,952 for an elementary school;  
 2007 b. \$19,386 for a middle school; or  
 2008 c. \$25,181 for a high school,

2009

2010 (January 2006) as adjusted annually to reflect increases or  
 2011 decreases in the Consumer Price Index. The department, in  
 2012 conjunction with the Office of Economic and Demographic  
 2013 Research, shall review and adjust the cost per student station  
 2014 limits to reflect actual construction costs by January 1, 2020,  
 2015 and annually thereafter. The adjusted cost per student station  
 2016 shall be used by the department for computation of the statewide  
 2017 average costs per student station for each instructional level  
 2018 pursuant to paragraph (d). The department shall also collaborate  
 2019 with the Office of Economic and Demographic Research to select  
 2020 an industry-recognized construction index to replace the  
 2021 Consumer Price Index by January 1, 2020, adjusted annually to  
 2022 reflect changes in the construction index.

2023 2. School districts shall maintain accurate documentation  
 2024 related to the costs of all new construction of educational  
 2025 plant space reported to the Department of Education pursuant to  
 2026 paragraph (d). The Auditor General shall review the  
 2027 documentation maintained by the school districts and verify  
 2028 compliance with the limits under this paragraph during its  
 2029 scheduled operational audits of the school district.

2030 3. Except for educational facilities and sites subject to a

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 2031 lease-purchase agreement entered pursuant to s. 1011.71(2)(e) or  
 2032 funded solely through local impact fees, in addition to the  
 2033 funding sources listed in subparagraph 1., a district school  
 2034 board may not use funds from any sources for new construction of  
 2035 educational plant space with a total cost per student station,  
 2036 including change orders, which equals more than the current  
 2037 adjusted amounts provided in sub-subparagraphs 1.a.-c. However,  
 2038 if a contract has been executed for architectural and design  
 2039 services or for construction management services before July 1,  
 2040 a district school board may use funds from any source for  
 2041 the new construction of educational plant space and such funds  
 2042 are exempt from the total cost per student station requirements.

4. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

Section 34. Paragraph (e) of subsection (6) of section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(6)

(e) A school district that includes relocatable facilities in its inventory of student stations shall include the capacity of such relocatable facilities ~~as provided in s. 1013.35(2)(b)2.f.~~, provided the relocatable facilities were purchased after 1998 and the relocatable facilities meet the standards for long-term use pursuant to s. 1013.20.

Section 35. Paragraph (a) of subsection (10) of section

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 2060 200.065, Florida Statutes, is amended to read:  
 2061 200.065 Method of fixing millage.—  
 2062 (10)(a) In addition to the notice required in subsection  
 2063 (3), a district school board shall publish a second notice of  
 2064 intent to levy additional taxes under s. 1011.71(2) or (3). The  
 2065 notice shall specify the projects or number of school buses  
 2066 anticipated to be funded by the additional taxes and shall be  
 2067 published in the size, within the time periods, adjacent to, and  
 2068 in substantial conformity with the advertisement required under  
 2069 subsection (3). The projects shall be listed in priority within  
 2070 each category as follows: construction and remodeling;  
 2071 maintenance, renovation, and repair; motor vehicle purchases;  
 2072 new and replacement equipment; payments for educational  
 2073 facilities and sites due under a lease-purchase agreement;  
 2074 payments for renting and leasing educational facilities and  
 2075 sites; payments of loans approved pursuant to ss. 1011.14 and  
 2076 1011.15; payment of costs of compliance with environmental  
 2077 statutes and regulations; payment of premiums for property and  
 2078 casualty insurance necessary to insure the educational and  
 2079 ancillary plants of the school district; payment of costs of  
 2080 leasing relocatable educational facilities; and payments to  
 2081 private entities to offset the cost of school buses ~~pursuant to s. 1011.71(2)(i)~~. The additional notice shall be in the  
 2082 following form, except that if the district school board is  
 2083 proposing to levy the same millage under s. 1011.71(2) or (3)  
 2084 which it levied in the prior year, the words "continue to" shall  
 2085 be inserted before the word "impose" in the first sentence, and  
 2086 except that the second sentence of the second paragraph shall be  
 2087 deleted if the district is advertising pursuant to paragraph  
 2088

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2089 (3) (e):

2090

2091 NOTICE OF TAX FOR SCHOOL

2092 CAPITAL OUTLAY

2093

2094 The ... (name of school district) ... will soon consider a  
2095 measure to impose a ... (number) ... mill property tax for the  
2096 capital outlay projects listed herein.

2097 This tax is in addition to the school board's proposed tax  
2098 of ... (number) ... mills for operating expenses and is proposed  
2099 solely at the discretion of the school board. THE PROPOSED  
2100 COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES  
2101 AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

2102 The capital outlay tax will generate approximately  
2103 \$... (amount) ..., to be used for the following projects:

2104

2105 ... (list of capital outlay projects) ...

2106

2107 All concerned citizens are invited to a public hearing to  
2108 be held on ... (date and time) ... at ... (meeting place) ....

2109 A DECISION on the proposed CAPITAL OUTLAY TAXES will be  
2110 made at this hearing.

2111

2112 Section 36. Paragraph (a) of subsection (5) of section  
2113 1002.68, Florida Statutes, is amended to read:

2114 1002.68 Voluntary Prekindergarten Education Program  
2115 accountability.-

2116 (5) (a) If a public school's or private prekindergarten  
2117 provider's program assessment composite score for its

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2118 prekindergarten classrooms fails to meet the minimum program  
2119 assessment composite score for contracting adopted in rule by  
2120 the department, the private prekindergarten provider or public  
2121 school may not participate in the Voluntary Prekindergarten  
2122 Education Program beginning in the consecutive program year and  
2123 thereafter until the public school or private prekindergarten  
2124 provider meets the minimum composite score for contracting. A  
2125 public school or private prekindergarten provider may request  
2126 one program assessment per program year in order to requalify  
2127 for participation in the Voluntary Prekindergarten Education  
2128 Program, provided that the public school or private  
2129 prekindergarten provider is not excluded from participation  
2130 under s. 1002.55(6), s. 1002.61(10)(b), s. 1002.63(9) ss.  
2131 ~~1002.55(6), 1002.61(10)(b), 1002.63(9)(b),~~ or paragraph (5) (b)  
2132 of this section. If a public school or private prekindergarten  
2133 provider would like an additional program assessment completed  
2134 within the same program year, the public school or private  
2135 prekindergarten provider is ~~shall~~ be responsible for the cost of  
2136 the program assessment.

2137 Section 37. Paragraph (c) of subsection (2) of section  
2138 1003.631, Florida Statutes, is amended to read:

2139 1003.631 Schools of Excellence.—The Schools of Excellence  
2140 Program is established to provide administrative flexibility to  
2141 the state's top schools so that the instructional personnel and  
2142 administrative staff at such schools can continue to serve their  
2143 communities and increase student learning to the best of their  
2144 professional ability.

2145 (2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence  
2146 must be provided the following administrative flexibilities:

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2147 (c) For instructional personnel, the substitution of 1  
 2148 school year of employment at a School of Excellence for 20  
 2149 inservice points toward the renewal of a professional  
 2150 certificate, up to 60 inservice points in a 5-year cycle, ~~7~~  
 2151 pursuant to s. 1012.585(3).

2152 Section 38. Paragraph (c) of subsection (2) and paragraph  
 2153 (b) of subsection (5) of section 1004.04, Florida Statutes, are  
 2154 amended to read:

2155 1004.04 Public accountability and state approval for  
 2156 teacher preparation programs.-

2157 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.-

2158 (c) Each candidate must receive instruction and be assessed  
 2159 on the uniform core curricula in the candidate's area or areas  
 2160 of program concentration during course work and field  
 2161 experiences. Beginning with candidates entering a teacher  
 2162 preparation program in the 2022-2023 school year, a candidate  
 2163 for certification in a coverage area identified pursuant to s.  
 2164 1012.585(3)(g) s. 1012.585(3)(f) must successfully complete all  
 2165 competencies for a reading endorsement, including completion of  
 2166 the endorsement practicum through the candidate's field  
 2167 experience under subsection (5), in order to graduate from the  
 2168 program.

2169 (5) PRESERVICE FIELD EXPERIENCE.-All postsecondary  
 2170 instructors, school district personnel and instructional  
 2171 personnel, and school sites preparing instructional personnel  
 2172 through preservice field experience courses and internships  
 2173 shall meet special requirements. District school boards may pay  
 2174 student teachers during their internships.

2175 (b)1. All school district personnel and instructional

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2176 personnel who supervise or direct teacher preparation students  
 2177 during field experience courses or internships taking place in  
 2178 this state in which candidates demonstrate an impact on student  
 2179 learning growth must have:

- 2180 a. Evidence of "clinical educator" training;
- 2181 b. A valid professional certificate issued pursuant to s.  
 2182 1012.56;
- 2183 c. At least 3 years of teaching experience in  
 2184 prekindergarten through grade 12;
- 2185 d. Earned an effective or highly effective rating on the  
 2186 prior year's performance evaluation under s. 1012.34 or be a  
 2187 peer evaluator under the district's evaluation system approved  
 2188 under s. 1012.34; and

- 2189 e. Beginning with the 2022-2023 school year, for all such  
 2190 personnel who supervise or direct teacher preparation students  
 2191 during internships in kindergarten through grade 3 or who are  
 2192 enrolled in a teacher preparation program for a certificate area  
 2193 identified pursuant to s. 1012.585(3)(g) s. 1012.585(3)(f), a  
 2194 certificate or endorsement in reading.

2195 The State Board of Education shall approve the training  
 2196 requirements.

- 2198 2. All instructional personnel who supervise or direct  
 2199 teacher preparation students during field experience courses or  
 2200 internships in another state, in which a candidate demonstrates  
 2201 his or her impact on student learning growth, through a Florida  
 2202 online or distance program must have received "clinical  
 2203 educator" training or its equivalent in that state, hold a valid  
 2204 professional certificate issued by the state in which the field

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2205 experience takes place, and have at least 3 years of teaching  
 2206 experience in prekindergarten through grade 12.

2207       3. All instructional personnel who supervise or direct  
 2208 teacher preparation students during field experience courses or  
 2209 internships, in which a candidate demonstrates his or her impact  
 2210 on student learning growth, on a United States military base in  
 2211 another country through a Florida online or distance program  
 2212 must have received "clinical educator" training or its  
 2213 equivalent, hold a valid professional certificate issued by the  
 2214 United States Department of Defense or a state or territory of  
 2215 the United States, and have at least 3 years teaching experience  
 2216 in prekindergarten through grade 12.

2217       Section 39. Paragraph (b) of subsection (3) of section  
 2218 1004.85, Florida Statutes, is amended to read:

2219       1004.85 Postsecondary educator preparation institutes.—  
 2220       (3) Educator preparation institutes approved pursuant to  
 2221 this section may offer competency-based certification programs  
 2222 specifically designed for noneducation major baccalaureate  
 2223 degree holders to enable program participants to meet the  
 2224 educator certification requirements of s. 1012.56. An educator  
 2225 preparation institute choosing to offer a competency-based  
 2226 certification program pursuant to the provisions of this section  
 2227 must implement a program developed by the institute and approved  
 2228 by the department for this purpose. Approved programs shall be  
 2229 available for use by other approved educator preparation  
 2230 institutes.

2231       (b) Each program participant must:

2232       1. Meet certification requirements pursuant to s.  
 2233 1012.56(1) by obtaining a statement of status of eligibility in

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2234 the certification subject area of the educational plan and meet  
 2235 the requirements of s. 1012.56(2)(a)-(f) before participating in  
 2236 field experiences.

2237       2. Demonstrate competency and participate in field  
 2238 experiences that are appropriate to his or her educational plan  
 2239 prepared under paragraph (a). Beginning with candidates entering  
 2240 an educator preparation institute in the 2022-2023 school year,  
 2241 a candidate for certification in a coverage area identified  
 2242 pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must  
 2243 successfully complete all competencies for a reading  
 2244 endorsement, including completion of the endorsement practicum  
 2245 through the candidate's field experience, in order to graduate  
 2246 from the program.

2247       3. Before completion of the program, fully demonstrate his  
 2248 or her ability to teach the subject area for which he or she is  
 2249 seeking certification by documenting a positive impact on  
 2250 student learning growth in a prekindergarten through grade 12  
 2251 setting and, except as provided in s. 1012.56(7)(a)3., achieving  
 2252 a passing score on the professional education competency  
 2253 examination, the basic skills examination, and the subject area  
 2254 examination for the subject area certification which is required  
 2255 by state board rule.

2256       Section 40. Paragraph (e) of subsection (2) of section  
 2257 1012.552, Florida Statutes, is amended to read:

2258       1012.552 The Coaching for Educator Readiness and Teaching  
 2259 (CERT) Certification Program.—

2260       (2) PROGRAM REQUIREMENTS.—A CERT program must include all  
 2261 of the following:

2262       (e) Required successful completion of all competencies for

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2263 a reading endorsement, including completion of the endorsement  
 2264 practicum, for a candidate certification in a coverage area  
 2265 identified pursuant to s. 1012.585(3)(g) e. 1012.585(3)(f).

2266 Section 41. Paragraph (b) of subsection (2) of section  
 2267 1012.586, Florida Statutes, is amended to read:

2268 1012.586 Additions or changes to certificates; duplicate  
 2269 certificates; reading endorsement pathways.—

2270 (2)

2271 (b) As part of adopting a pathway pursuant to paragraph  
 2272 (a), the department shall review the competencies for the  
 2273 reading endorsement and subject area examinations for educator  
 2274 certificates identified pursuant to s. 1012.585(3)(g) e.  
 2275 1012.585(3)(f) for alignment with evidence-based instructional  
 2276 and intervention strategies rooted in the science of reading and  
 2277 identified pursuant to s. 1001.215(7) and recommend changes to  
 2278 the State Board of Education. Recommended changes must address  
 2279 identification of the characteristics of conditions such as  
 2280 dyslexia, implementation of evidence-based classroom instruction  
 2281 and interventions, including evidence-based reading instruction  
 2282 and interventions specifically for students with characteristics  
 2283 of dyslexia, and effective progress monitoring. By July 1, 2023,  
 2284 each school district reading endorsement add-on program must be  
 2285 resubmitted for approval by the department consistent with this  
 2286 paragraph.

2287 Section 42. Paragraph (b) of subsection (5) of section  
 2288 1012.98, Florida Statutes, is amended to read:

2289 1012.98 School Community Professional Learning Act.—

2290 (5) The Department of Education, school districts, schools,  
 2291 Florida College System institutions, and state universities

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2292 share the responsibilities described in this section. These  
 2293 responsibilities include the following:

2294 (b) Each school district shall develop a professional  
 2295 learning system as specified in subsection (4). The system shall  
 2296 be developed in consultation with teachers, teacher-educators of  
 2297 Florida College System institutions and state universities,  
 2298 business and community representatives, and local education  
 2299 foundations, consortia, and professional organizations. The  
 2300 professional learning system must:

2301 1. Be reviewed and approved by the department for  
 2302 compliance with s. 1003.42(3) and this section. Effective March  
 2303 1, 2024, the department shall establish a calendar for the  
 2304 review and approval of all professional learning systems. A  
 2305 professional learning system must be reviewed and approved every  
 2306 5 years. Any substantial revisions to the system must be  
 2307 submitted to the department for review and approval. The  
 2308 department shall establish a format for the review and approval  
 2309 of a professional learning system.

2310 2. Be based on analyses of student achievement data and  
 2311 instructional strategies and methods that support rigorous,  
 2312 relevant, and challenging curricula for all students. Schools  
 2313 and districts, in developing and refining the professional  
 2314 learning system, shall also review and monitor school discipline  
 2315 data; school environment surveys; assessments of parental  
 2316 satisfaction; performance appraisal data of teachers, managers,  
 2317 and administrative personnel; and other performance indicators  
 2318 to identify school and student needs that can be met by improved  
 2319 professional performance.

2320 3. Provide inservice activities coupled with follow-up

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2321 followup support appropriate to accomplish district-level and  
 2322 school-level improvement goals and standards. The inservice  
 2323 activities for instructional and school administrative personnel  
 2324 shall focus on analysis of student achievement data; ongoing  
 2325 formal and informal assessments of student achievement;  
 2326 identification and use of enhanced and differentiated  
 2327 instructional strategies that emphasize rigor, relevance, and  
 2328 reading in the content areas; enhancement of subject content  
 2329 expertise; integrated use of classroom technology that enhances  
 2330 teaching and learning; classroom management; parent involvement;  
 2331 and school safety.

2332 4. Provide inservice activities and support targeted to the  
 2333 individual needs of new teachers participating in the  
 2334 professional learning certification and education competency  
 2335 program under s. 1012.56(8)(a).

2336 5. Include a professional learning catalog for inservice  
 2337 activities, pursuant to rules of the State Board of Education,  
 2338 for all district employees from all fund sources. The catalog  
 2339 must be updated annually by September 1, must be based on input  
 2340 from teachers and district and school instructional leaders, and  
 2341 must use the latest available student achievement data and  
 2342 research to enhance rigor and relevance in the classroom. Each  
 2343 district inservice catalog must be aligned to and support the  
 2344 school-based inservice catalog and school improvement plans  
 2345 pursuant to s. 1001.42(18). Each district inservice catalog must  
 2346 provide a description of the training that middle grades  
 2347 instructional personnel and school administrators receive on the  
 2348 district's code of student conduct adopted pursuant to s.  
 2349 1006.07; integrated digital instruction and competency-based

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2350 instruction and CAPE Digital Tool certificates and CAPE industry  
 2351 certifications; classroom management; student behavior and  
 2352 interaction; extended learning opportunities for students; and  
 2353 instructional leadership. District plans must be approved by the  
 2354 district school board annually in order to ensure compliance  
 2355 with subsection (1) and to allow for dissemination of research-  
 2356 based best practices to other districts. District school boards  
 2357 shall submit verification of their approval to the Commissioner  
 2358 of Education no later than October 1, annually. Each school  
 2359 principal may establish and maintain an individual professional  
 2360 learning plan for each instructional employee assigned to the  
 2361 school as a seamless component to the school improvement plans  
 2362 developed pursuant to s. 1001.42(18). An individual professional  
 2363 learning plan must be related to specific performance data for  
 2364 the students to whom the teacher is assigned, define the  
 2365 inservice objectives and specific measurable improvements  
 2366 expected in student performance as a result of the inservice  
 2367 activity, and include an evaluation component that determines  
 2368 the effectiveness of the professional learning plan.

2369 6. Include inservice activities for school administrative  
 2370 personnel, aligned to the state's educational leadership  
 2371 standards, which address updated skills necessary for  
 2372 instructional leadership and effective school management  
 2373 pursuant to s. 1012.986.

2374 7. Provide for systematic consultation with regional and  
 2375 state personnel designated to provide technical assistance and  
 2376 evaluation of local professional learning programs.

2377 8. Provide for delivery of professional learning by  
 2378 distance learning and other technology-based delivery systems to

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2379 reach more educators at lower costs.

2380 9. Provide for the continuous evaluation of the quality and  
2381 effectiveness of professional learning programs in order to  
2382 eliminate ineffective programs and strategies and to expand  
2383 effective ones. Evaluations must consider the impact of such  
2384 activities on the performance of participating educators and  
2385 their students' achievement and behavior.

2386 10. For all grades, emphasize:

2387 a. Interdisciplinary planning, collaboration, and  
2388 instruction.

2389 b. Alignment of curriculum and instructional materials to  
2390 the state academic standards adopted pursuant to s. 1003.41.

2391 c. Use of small learning communities; problem-solving,  
2392 inquiry-driven research and analytical approaches for students;  
2393 strategies and tools based on student needs; competency-based  
2394 instruction; integrated digital instruction; and project-based  
2395 instruction.

2396

2397 Each school that includes any of grades 6, 7, or 8 shall include  
2398 in its school improvement plan, required under s. 1001.42(18), a  
2399 description of the specific strategies used by the school to  
2400 implement each item listed in this subparagraph.

2401 11. Provide training to reading coaches, classroom  
2402 teachers, and school administrators in effective methods of  
2403 identifying characteristics of conditions such as dyslexia and  
2404 other causes of diminished phonological processing skills;  
2405 incorporating instructional techniques into the general  
2406 education setting which are proven to improve reading  
2407 performance for all students; and using predictive and other

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2408 data to make instructional decisions based on individual student  
2409 needs. The training must help teachers integrate phonemic  
2410 awareness; phonics, word study, and spelling; reading fluency;  
2411 vocabulary, including academic vocabulary; and text  
2412 comprehension strategies into an explicit, systematic, and  
2413 sequential approach to reading instruction, including  
2414 multisensory intervention strategies. Such training for teaching  
2415 foundational skills must be based on the science of reading and  
2416 include phonics instruction for decoding and encoding as the  
2417 primary instructional strategy for word reading. Instructional  
2418 strategies included in the training may not employ the three-  
2419 cueing system model of reading or visual memory as a basis for  
2420 teaching word reading. Such instructional strategies may include  
2421 visual information and strategies which improve background and  
2422 experiential knowledge, add context, and increase oral language  
2423 and vocabulary to support comprehension, but may not be used to  
2424 teach word reading. Each district shall ~~must~~ provide all  
2425 elementary grades instructional personnel access to training  
2426 sufficient to meet the requirements of s. 1012.585(3)(g) s.  
~~s. 1012.585(3)(f)~~.

2427 Section 43. Subsection (3) of section 1013.62, Florida  
2428 Statutes, is amended to read:

2429 1013.62 Charter schools capital outlay funding.—

2430 (3) If the school board levies the discretionary millage  
2431 authorized in s. 1011.71(2), the department must ~~shall~~ use the  
2432 following calculation methodology to determine the amount of  
2433 revenue that a school district must distribute to each eligible  
2434 charter school:

2435 (a) Reduce the total discretionary millage revenue by the

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2437 school district's annual debt service obligation incurred as of  
 2438 March 1, 2017, which has not been subsequently retired, and any  
 2439 amount of participation requirement pursuant to s.  
 2440 1013.64(2)(a)8. that is being satisfied by revenues raised by  
 2441 the discretionary millage.

2442 (b) Divide the school district's adjusted discretionary  
 2443 millage revenue by the district's total capital outlay full-time  
 2444 equivalent membership and the total number of full-time  
 2445 equivalent students of each eligible charter school to determine  
 2446 a capital outlay allocation per full-time equivalent student.

2447 (c) Multiply the capital outlay allocation per full-time  
 2448 equivalent student by the total number of full-time equivalent  
 2449 students of each eligible charter school to determine the  
 2450 capital outlay allocation for each charter school.

2451 (d) If applicable, reduce the capital outlay allocation  
 2452 identified in paragraph (c) by the total amount of state funds  
 2453 allocated to each eligible charter school in subsection (2) to  
 2454 determine the maximum calculated capital outlay allocation. The  
 2455 amount of funds a school district must distribute to charter  
 2456 schools shall be as follows:

2457 1. For fiscal year 2023-2024, the amount is 20 percent of  
 2458 the amount calculated under this paragraph.

2459 2. For fiscal year 2024-2025, the amount is 40 percent of  
 2460 the amount calculated under this paragraph.

2461 3. For fiscal year 2025-2026, the amount is 60 percent of  
 2462 the amount calculated under this paragraph.

2463 4. For fiscal year 2026-2027, the amount is 80 percent of  
 2464 the amount calculated under this paragraph.

2465 5. For fiscal year 2027-2028, and each fiscal year

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2466 thereafter, the amount is 100 percent of the amount calculated  
 2467 under this paragraph.

2468 (e) School districts shall distribute capital outlay funds  
 2469 to eligible charter schools no later than February 1 of each  
 2470 year, as required by this subsection, based on the amount of  
 2471 funds received by the district school board. School districts  
 2472 shall distribute any remaining capital outlay funds, as required  
 2473 by this subsection, upon the receipt of such funds until the  
 2474 total amount calculated pursuant to this subsection is  
 2475 distributed.

2476  
 2477 By October 1 of each year, each school district shall certify to  
 2478 the department the amount of debt service and participation  
 2479 requirement that complies with the requirement of paragraph (a)  
 2480 and can be reduced from the total discretionary millage revenue.  
 2481 The Auditor General shall verify compliance with the  
 2482 requirements of paragraph (a) and s. 1011.71(2)(e) during  
 2483 scheduled operational audits of school districts.

2484 Section 44. This act shall take effect July 1, 2026.

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