

Tab 1 CS/SB 290 by AG, Truenow; Similar to H 00433 Department of Agriculture and Consumer Services						
563518	D	S	RCS	FP, Truenow	Delete everything after	01/14 10:07 AM
199546	A	S	WD	FP, Truenow	btw L.237 - 238:	01/14 10:07 AM
Tab 2 SB 320 by Simon; 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	CS/SB 290 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 Fav/CS RC	Fav/CS Yeas 17 Nays 3
2	SB 320 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 Favorable	Favorable Yeas 20 Nays 0

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
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Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: CS/CS/SB 290

INTRODUCER: Fiscal Policy Committee; Agriculture Committee and Senator Truenow

SUBJECT: Department of Agriculture and Consumer Services

DATE: January 15, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Stokes-Ramos</u>	<u>Becker</u>	<u>AG</u>	<u>Fav/CS</u>
2.	<u>Stokes-Ramos</u>	<u>Siples</u>	<u>FP</u>	<u>Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/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.
- Establishes density requirements for developers who seek to build in small municipalities and provides exemptions from this requirement under certain circumstances.
- Requires the Acquisition and Restoration Council to determine whether any lands surplusd by 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 penalties for contractors who fail to timely compensate their subcontractors and suppliers.
- 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.
- Increases insurance requirements and maximum fine amounts for fumigation providers.
- Adds obstruction to the prohibited acts involving permitting entry or inspection.
- 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.
- Directs the establishment of the Florida Native Seed Research and Marketing 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, adds that the FFS may assess appropriate fees to meet its operational costs regardless of the training location, and renames the Bonifay Forestry Station.
- 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.
- 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, except section 14, which requires permits to comply with the bill by July 1, 2028.

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 Naples¹ and Miami Beach.² 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.³ 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.⁴⁵

The Florida Right to Farm Act⁶ 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.

¹ Naples Ordinance 2020-14542

² Miami Beach Ordinance 2024-4589

³ Winter Park Ordinance 3292-24

⁴ Ezzy, C. (2024, December 28). Winter Park leaders keep ban on gas-powered leaf blowers; Residents and workers outraged.” *WKMG*, *WKMG 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/ (last visited Jan. 15, 2026)

⁵ Winter Park voters reverse ban on gas-powered leaf blowers.” *Spectrum News*. [Winter Park voters reverse ban on gas-powered leaf blowers](http://www.spectrumnews.com/news/local/2024/02/01/winter-park-voters-reverse-ban-on-gas-powered-leaf-blowers/) (last visited Jan. 15, 2026)

⁶ Section 823.14, F.S.

Section 4 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.

Ecologically Significant Parcels in Low-Density Municipalities

Present Situation

The Community Planning Act governs how local governments create and adopt their local comprehensive plans.⁷ Local comprehensive plans must include principles, guidelines, standards, and strategies for the orderly and balanced future land development of the area and reflect community commitments to implement the plan. The Community Planning Act intends that local governments manage growth through comprehensive land use plans that facilitate adequate and efficient provision of transportation, water, sewage, schools, parks, recreational facilities, housing, and other requirements and services.⁸ The comprehensive plan is implemented via land development regulations. Each county and municipality must adopt and enforce land development regulations, such as zoning or other housing-related ordinances, which are consistent with and implement their adopted comprehensive plan.⁹

Under the Community Planning Act, a development permit is any official action of a local government that has the effect of permitting the development of land including, but not limited to, building permits, zoning permits, subdivision approval, rezoning, certifications, special exceptions, and variances.¹⁰ A development order is issued by a local government and grants, denies, or grants with conditions an application for a development permit.¹¹

Effect of Proposed Changes

Section 2 amends s. 163.3164, F.S., to define an “ecologically significant parcel” as a land parcel located in a low-density municipality that is undeveloped and designated as rural, conservation, agricultural, or greenspace in a local government comprehensive plan. It defines a “low-density municipality” as a municipality existing on or before January 1, 2025, which is less than 2,500 acres in total size and contains a population of 5,000 or fewer legal residents.

Section 3 amends s. 163.3202, F.S., to prohibit municipalities from approving a development on an ecologically significant parcel in a low-density municipality unless the developer attests that the development will not exceed 1 residential unit per 20 acres or unless the applicant attests that the residential units being constructed will be used for the express purpose of providing housing for the family members of the applicant. The commission or council of a low-density municipality may waive these density requirements by a unanimous vote.

⁷ Section 163.3161, F.S.

⁸ Section 163.3161(4), F.S.

⁹ Section 163.3202, F.S.

¹⁰ Section 163.3164(16), F.S.

¹¹ See ss. 125.022, 163.3164(15), and 166.033, F.S.

Section 5 amends s. 212.055, F.S., to update the statute being referenced for the definition of “public facilities” in accordance with the changes made in section 2 of the bill.

Surplus of State-Owned Lands

Present Situation

State law designates the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees)¹² as the entity responsible for determining which state lands (the title to which are vested in the Board of Trustees) may be surplus.¹³ The statute addresses two different categories of state-owned lands: conservation lands and nonconservation lands.¹⁴ For all conservation lands, the Acquisition and Restoration Council¹⁵ must first make a recommendation to the Board of Trustees.¹⁶ Conservation lands may only be surplus 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.¹⁷ Requests for surplus lands may be made by any public or private entity or person.¹⁸ Local government requests for surplus lands through purchase or exchange are expedited throughout the surplus process.¹⁹

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.²⁰ 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.

¹² 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.

¹³ Section 253.0341(1), F.S.

¹⁴ *Id.*

¹⁵ 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 Jan. 15, 2026); *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 surplus, and must determine whether the request is compatible with the resource values of and management objectives for such lands).

¹⁶ Section 253.0341(1), F.S.

¹⁷ FLA. CONST. art. X, s. 18.

¹⁸ Section 253.0341(11), F.S.

¹⁹ Section 253.0341(1), F.S.

²⁰ 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 Jan. 15, 2026).

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, and results in the highest value.²¹ 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.²²

Effect of Proposed Changes

Section 6 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 surplus 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 surplus 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 surplus lands must be deposited into the Incidental Trust Fund within the department. By January 1, 2027, DEP shall provide a yearly report of such surplus 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.

²¹ Section 253.0341(8), F.S.

²² FLA. CONST. art. VII, s. 4(a).

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 2017.²³

Effect of Proposed Changes

Section 7 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 list²⁴ 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."²⁵

Section 287.0585, F.S., requires that if a state contractor fails to pay subcontractors and suppliers without cause within 7 working days after receiving payment, the contractor must pay the subcontractors or suppliers a penalty of 0.5% of the amount due per day, up to 15% of the of the outstanding balance due, and may be ordered by a court to pay restitution for attorney's fees and other related costs. This does not apply when the contract between the contractor and subcontractor provides otherwise.

For construction projects specifically, section 255.073, F.S., requires contractors to pay subcontractors and suppliers within 10 days of receiving payment, and those subcontractors and suppliers must in turn pay their own subcontractors and suppliers within 7 days of receiving payment. The contractors or subcontractors who owe the payments may dispute the charges in writing but otherwise must pay any undisputed charges within these timeframes. Payments not made within the required timeframe bear interest at 2% per month.

Effect of Proposed Changes

Section 8 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.

²³ 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 Jan. 15, 2026)

²⁴ DMS. *Vendor registration and vendor lists*. https://www.dms.myflorida.com/business_operations/state_purchasing/state_agency_resources/vendor_registration_and_vendor_lists (last visited Jan. 15, 2026).

²⁵ Section 287.042, F.S.; *See* Rule 60A-10.006, F.A.C.

Section 18 amends s. 489.105, F.S., to define “subcontractor” and “supplier” as the same meaning provided in s. 558.002, F.S.

Section 19 creates s. 489.1295, F.S., to require a contractor to pay its subcontractors or suppliers within 30 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. This differs from felonies of the third degree related to grand theft, defined by s. 812.014, F.S., as theft of property valued below \$20,000.

Section 52 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 53 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;
- 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.²⁶

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 9 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

²⁶ Section 322.12(4), F.S.

signage pertaining to the respective class of vehicle commits a misdemeanor of the second degree.

Section 10 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 Congress²⁷ with a broad mandate to contribute to the economic and community well-being of the southern region.²⁸ 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.

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 11, 12, and 13 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.²⁹

²⁷ Public Laws 87-563 and 92-440.

²⁸ Southern States Energy Board. *About SSEB*. <http://www.sseb.org/about/> (last visited Jan. 15, 2026)

²⁹ 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 Jan. 15, 2026).

When domestic wastewater is treated, solid, semisolid, or liquid residue known as biosolids³⁰ accumulates in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.³¹ Biosolids also include products and treated material from biosolids treatment facilities and septage management facilities regulated by the DEP.³² The collected residue is high in organic content and contains moderate amounts of nutrients.³³

The DEP has stated that wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.³⁴ 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 lands.³⁵ Biosolids are subject to regulatory requirements established by the DEP to protect public health and the environment.³⁶

Land application of biosolids involves spreading biosolids on the soil surface or incorporating or injecting biosolids into the soil at a permitted site.³⁷ 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.³⁸

The DEP regulates three classes of biosolids for beneficial use: Class AA, Class A, and Class B biosolids.³⁹ 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.⁴⁰ 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.⁴¹

Class AA biosolids can be distributed and marketed like other commercial fertilizers with few further restrictions.⁴²

³⁰ Section 373.4595, F.S., defines biosolids as the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids.

³¹ DEP. *Domestic wastewater biosolids*. <https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids> (last visited Jan. 15, 2026).

³² Rule 62-640.200(6), F.A.C..

³³ *Id.*

³⁴ 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%20onethird%20is%20landfilled> (last visited Jan. 15, 2026).

³⁵ *Id.*

³⁶ Rule 62-640, F.A.C..

³⁷ EPA. *Land application of biosolids*. <https://www.epa.gov/biosolids/land-application-biosolids> (last visited Jan. 15, 2026).

³⁸ *Id.*

³⁹ Rule 62-640.200, F.A.C.

⁴⁰ *Id.*; DEP. *Domestic wastewater biosolids*.

⁴¹ Rule 62-640.200, F.A.C.

⁴² DEP. *Domestic wastewater biosolids*; National Biosolids Data Project. *Florida biosolids*. <https://www.biosolidsdata.org/florida> (last visited Jan. 15, 2026); Rule 62-640.850, F.A.C.

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 distributors⁴³ and include permit requirements for both treatment facilities and biosolids application sites.⁴⁴

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.⁴⁵ Biosolids may only be applied to land application sites that are permitted by the DEP and have a valid NMP.⁴⁶ 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.⁴⁷ 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.⁴⁸

Once a facility or site is permitted, it is subject to monitoring, record-keeping, reporting, and notification requirements.⁴⁹ 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.⁵⁰

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.⁵¹ 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 states.⁵²

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.⁵³

⁴³ Rule 62-640.100, F.A.C.

⁴⁴ Rule 62-640.300, F.A.C.

⁴⁵ Rule 62-640.500, F.A.C.

⁴⁶ *Id.*

⁴⁷ Rule 62-640.700, F.A.C.

⁴⁸ 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 (last visited Jan. 15, 2026).

⁴⁹ Rule 62-640.650, F.A.C.

⁵⁰ *Id.*

⁵¹ Section 373.811(4), F.S.

⁵² *Id.*

⁵³ Email from DEP On File with Senate Agriculture Committee

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.

Fertilizer Regulation

Section 576.011(14), F.S., defines “fertilizer” to mean any substance which contains one or more recognized plant nutrients and promotes plant growth, controls soil acidity or alkalinity, provides other soil enrichment, or provides other corrective measures to the soil. The term does not include unmanipulated animal or vegetable manures, peat, or compost which make no such claims. Any person or company who distributes fertilizer in Florida and whose name appears on the fertilizer label as the guarantor is responsible for obtaining a license from the department. The fee for obtaining a fertilizer license is \$200 and licenses expire on June 30 of each year.⁵⁴

Any fertilizer distributed in this state in containers shall have a label that includes the following information:

- The brand and grade.
- The guaranteed analysis.
- The name and address of the licensee.
- The net weight.
- The sources from which the nitrogen, phosphorus, and potassium are derived.
- The sources of secondary plant nutrients and micro plant nutrients if guaranteed, claimed, or advertised.⁵⁵

If distributed in bulk, two labels containing the information required above shall accompany delivery and be supplied to the purchaser at time of delivery with the delivery ticket, which shall show the certified net weight.⁵⁶

Every licensee shall pay the department an inspection fee to fund the fertilizer inspection program and shall quarterly report to the department the tonnage of fertilizer sold in the state.⁵⁷ The department is authorized to enter any public or private premise or carrier during regular business hours in the performance of its duties relating to fertilizers and fertilizer business records. The department is directed to sample, test, inspect, and analyze fertilizer sold within this state and may collect fees to cover associated costs.⁵⁸

⁵⁴ Florida Department of Agriculture and Consumer Services. (2026). Fertilizer licensing and tonnage reporting. <https://www.fdacs.gov/Agriculture-Industry/Fertilizer-Licensing-and-Tonnage-Reporting> (last visited Jan. 15, 2026).

⁵⁵ Section 576.031(1), F.S.

⁵⁶ Section 576.031(2), F.S.

⁵⁷ Section 576.041, F.S.

⁵⁸ Section 576.051, F.S.

The Legislature finds that nitrogen and phosphorous residues have been found in groundwater, surface water, and drinking waters in excess of established water quality standards and that some fertilization-management practices could be a source of such contamination. As such, nutrient application rate recommendations are under review by the University of Florida Institute of Food and Agricultural Sciences so that they can reflect the latest methods of producing agricultural commodities and changes to nutrient application practices.⁵⁹

Effect of Proposed Changes

Section 14 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, effective July 1, 2028. This section also removes the requirement that rules adopted by the department pursuant to this section be ratified by the Legislature.

Pest Control Examinations, Licensing, and Certification

Present Situation

For structural pest control (pest control provided to homes or other structures), Florida law requires that each pest control business location must:

- Be licensed by the department,
- Carry the required insurance coverage (\$250,000 per person and \$500,000 per occurrence for bodily injury and \$250,000 per occurrence and \$500,000 in the aggregate for property damage, or a combined single limit coverage of \$500,000 in the aggregate),⁶⁰ and
- Employ full-time a Florida-certified operator in charge of the pest control operations of the business location. This operator must be certified in the categories in which the business operates:
 - General Household Pest and Rodent Control,
 - Termite and Other Wood-Destroying Organisms Control,
 - Lawn and Ornamental Pest Control, and/or
 - Fumigation.⁶¹

The business license fee is \$300, and the fee for each employee identification card is \$10.⁶²

A certified operator is an individual who has passed an examination administered by the department in any of four certification categories:

- General Household and Rodent Control;
- Lawn and Ornamental Pest Control;
- Termite and Other Wood-Destroying Organisms Control; and
- Fumigation.⁶³

⁵⁹ Section 576.045(1), F.S.

⁶⁰ Section 482.071, F.S.

⁶¹ Florida Department of Agriculture and Consumer Services. (2026). *Pest control licensing and certification*. <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited Jan. 15, 2026).

⁶² *Id.*

⁶³ Florida Department of Agriculture and Consumer Services. (2026). *Pest control FAQ*. [Pest Control FAQ / Pest Control / Business Services / Home - Florida Department of Agriculture & Consumer Services](#) (last visited Jan. 15, 2026).

Effect of Proposed Changes

Section 15 amends s. 482.071, F.S., to require that people applying for pest control business licenses or renewals who will offer fumigations as part of their operations to submit to the department a certificate of insurance covering \$1,000,000 per person/\$2,000,000 per occurrence of bodily injury, \$1,000,000 per occurrence/\$2,000,000 in the aggregate of property damage, or combined single-limit coverage of \$2,000,000 in the aggregate.

Section 16 amends s. 482.161, F.S., to change the fine that the department may impose for a violation of the Structural Pest Control Act from the Class II category to the Class III category, which increases the fine limit from \$5,000 to \$10,000.

Section 17 amends s. 482.165, F.S., to change the civil penalty for which the department may institute a civil suit from the Class II to the Class III category for any violation for which the department may issue a notice to cease and desist for the practice of pest control without a license from the department.

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.⁶⁴

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 20 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 54 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.

⁶⁴ See <https://www.fdacs.gov/Divisions-Offices/Food-Safety> (last visited Jan. 15, 2026)

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.⁶⁵ 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.⁶⁶

For the 2016-2017 fiscal year, \$500,000 in nonrecurring funds was appropriated to the department to implement the program.⁶⁷

Effect of Proposed Changes

Section 21 repeals s. 500.81, F.S., the Healthy Food Financing Initiative.

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.⁶⁸

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.⁶⁹

Effect of Proposed Changes

Section 22 amends s. 500.93, F.S., to add in a cross reference previously omitted.

⁶⁵ Section 500.81, F.S.

⁶⁶ Section 500.81, F.S.

⁶⁷ Chapter 2016-221, Laws of Florida.

⁶⁸ The 14 states are composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

⁶⁹ *Id.*

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:⁷⁰

- 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;
- 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 23 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” sign,⁷¹ the town of Palm Beach prohibits such solicitation outside of

⁷⁰ Sections 501.0125-.013, F.S.

⁷¹ Chapter 12, Article IV, Sec. 12-82, Leon County Code of Laws.

specified hours and on properties that display a “No Solicitation” sign,⁷² and the city of Belle Isle⁷³ prohibits such solicitation outside of specified hours.⁷⁴

Effect of Proposed Changes

Section 24 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 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 25 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

⁷² Chapter 78, Article I, sec. 78-1, Palm Beach, Florida, Code of Ordinances.

⁷³ Ch. 20, sec. 20-2, see

https://library.municode.com/fl/belle_isle/codes/code_of_ordinances?nodeId=PTIICOOR_CH20PESO_S20-4PROBSOPE
(last visited Jan. 15, 2026)

⁷⁴ Chapter 20, sec. 20-2, Belle Isle, Florida, Code of Ordinances.

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.⁷⁵

Effect of Proposed Changes

Section 26 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.

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.⁷⁶

Effect of Proposed Changes

Section 27 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 \$100,000.⁷⁷ 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

⁷⁵ Section 570.822(3), F.S.

⁷⁶ See Florida Wildflower Foundation, *What We Do*, available at <https://www.flawildflowers.org/what-we-do/> (last visited Jan. 15, 2026).

⁷⁷ 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 Jan. 15, 2026)

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 Act⁷⁸ 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.⁷⁹

Effect of Proposed Changes

Section 28 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 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.

Agritourism

Present Situation

Section 570.85, F.S., provides legislative intent to promote agritourism as a way to support agricultural production. It prohibits local governments from adopting or enforcing a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural. It does not limit the powers and duties of local governments to address substantial offsite impacts of agritourism activities.

An “agritourism activity” is defined to mean any agricultural related activity that is consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows the general public to view or enjoy its activities for recreational, entertainment, or educational purposes. These activities include farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions. An agritourism activity does not include the building of new or additional structures or facilities that are intended primarily to house, shelter, transport, or otherwise accommodate the general public. An activity is deemed to be an agritourism activity regardless of whether the participant paid to participate in the activity.⁸⁰

⁷⁸ 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 Jan. 15, 2026).

⁷⁹ USDA. *The Veterinary Medicine Loan Repayment Program*. <https://www.nifa.usda.gov/grants/programs/veterinary-medicine-loan-repayment-program> (last visited Jan. 15, 2026)

⁸⁰ Section 570.86(1), F.S.

In order to promote and perpetuate agriculture throughout the state, farm operations are encouraged to engage in agritourism. An agricultural land classification may not be denied or revoked due to the construction, alteration, or maintenance of a nonresidential farm building, structure, or facility on a bona fide farm which is used to conduct agritourism activities. The land it occupies shall be considered agricultural in nature as long as the building, structure, or facility is an integral part of the agricultural operation. The buildings, structures, and facilities, and other improvements on the land, must be assessed at their just value and added to the agriculturally assessed value of the land.⁸¹

Effect of Proposed Changes

Section 29 amends s. 570.85, F.S., to prohibit a local government from requiring an agricultural property owner to obtain a rural event venue permit or license. **Section 30** amends s. 570.86, F.S., to define a “rural event venue.”

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.⁸²

Effect of Proposed Changes

Section 31 amends s. 583.01, F.S., to change the dressed bird limit of a poultry “dealer” from 384 birds weekly⁸³ 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.

⁸¹ Section 570.87, F.S.

⁸² 21 U.S.C. § 464. (2020).

⁸³ 384 birds weekly adds up to 19,968 birds annually.

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.

Effect of Proposed Changes

Section 32 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.

The bill also names the Bonifay Forestry Station the John Michael Mathis Forestry Station in honor of the late Mr. John Michael Mathis.

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.⁸⁴ 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 2023,⁸⁵ while Feeding America estimates that 3.2 million Floridians were food insecure that year.⁸⁶

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 33 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

⁸⁴ Chapter 2025-198, Laws of Florida

⁸⁵ 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 Jan. 15, 2026)

⁸⁶ Feeding America. <https://map.feedingamerica.org/county/2023/overall/florida> (last visited Jan. 15, 2026)

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.

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.⁸⁷⁸⁸

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.⁸⁹ To conduct aquaculture activities on sovereign submerged lands in Florida, an individual must obtain a lease from the Board of Trustees.⁹⁰ 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.⁹¹

An individual engaging in aquaculture must obtain an aquaculture certificate of registration from the department.⁹²

Effect of Proposed Changes

Section 34 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*.

⁸⁷ See <https://www.fdacs.gov/content/download/91723/file/FDACS-P-02145-2020FLAquacultureIndustryOverview.pdf> (last visited Jan. 15, 2026).

⁸⁸ Ch. 597, F.S.

⁸⁹ Rule 18-21.003(67), F.A.C.; s. 253.03(1), F.S.

⁹⁰ Sections 253.68 and 597.010, F.S.

⁹¹ Rule 18-21.021(1)(q), F.A.C.

⁹² Section 597.004(1), F.S.

Section 35 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 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.⁹³

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.⁹⁴

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.⁹⁵

Effect of Proposed Changes

Section 36 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

⁹³ Section 599.001 F.S.

⁹⁴ *Id*

⁹⁵ Chapter 599, F.S.

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 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 37 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 38 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 39 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 40 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 41 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 42 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 43 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 44 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 45 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 46 amends s. 616.251, F.S., to exempt the Florida State Fair Authority from the requirements of part I of this chapter.

Section 51 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 55 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 56 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 47 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.⁹⁶ 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.⁹⁷

⁹⁶ Section 865.065(1), F.S.

⁹⁷ Section 865.065(3), F.S.

Effect of Proposed Changes

Section 48 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.

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.⁹⁸

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.⁹⁹ 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 49 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 50 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.

⁹⁸ 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.

⁹⁹ 47 U.S.C. § 302a (2021).

Section 57 provides that the bill shall take effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Sections 1 and 4 prohibit local governments from enacting or enforcing ordinances related to gasoline-powered agriculture and landscape equipment.

Section 29 prohibits a local government from requiring an agricultural property owner to obtain a rural event venue permit or license.

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:

Ecologically Significant Parcels in Low-Density Municipalities

The changes made to section 163.3202, F.S., refer to both a developer and an applicant, while it is unclear if these are the same or different entities. Additionally, “family member” is not defined and could result in an interpretation that is inconsistent with the intent of the law.

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: 163.3202, 253.0341, 259.1053, 287.1351, 288.1175, 322.12, 322.36, 403.0855, 482.071, 489.105, 500.04, 500.93, 501.013, 570.07, 570.822, 570.85, 570.86, 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/CS by Fiscal Policy on January 14, 2026:

The CS/CS makes the following changes to the bill:

- Prohibits municipalities from approving a development on an ecologically significant parcel in a low-density municipality unless the developer attests that the development will not exceed 1 residential unit per 20 acres or unless the applicant attests that the residential units being constructed will be used for the express purpose of providing housing for the family members of the applicant. The commission or council of a low-density municipality may waive these density requirements by a unanimous vote;
- Delays the effective date to July 1, 2028 for the date that biosolids land application site permits must comply with the bill;
- Requires people applying for pest control business licenses or renewals who will offer fumigations as part of their operations to submit to the department a certificate of insurance covering \$1,000,000 per person/\$2,000,000 per occurrence of bodily injury, \$1,000,000 per occurrence/\$2,000,000 in the aggregate of property damage, or combined single-limit coverage of \$2,000,000 in the aggregate;
- Changes the fine that the department may impose for a violation of the Structural Pest Control Act from the Class II category to the Class III category, which increases the fine limit from \$5,000 to \$10,000. The amendment similarly changes the civil penalty for which the department may institute a civil suit from the Class II to the Class III category for any violation for which the department may issue a notice to cease and desist for the practice of pest control without a license from the department;
- Increases the time limit from 15 days to 30 days in which a contractor must compensate their subcontractors or suppliers after receiving payment for the services performed by the subcontractor or supplier;

- Prohibits a local government from requiring an agricultural property owner to obtain a rural event venue permit or license;
- Names the Bonifay Forestry Station the John Michael Mathis Forestry Station; and
- Exempts the Florida State Fair Authority from the requirements of part I of the chapter, rather than from part I as a whole, which sets requirements for public fair associations.

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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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/14/2026	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

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

(a) "Gasoline-powered farm equipment" means any machine



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

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

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

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

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

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

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



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

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

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

163.3202 Land development regulations.—

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

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

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



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

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

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

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

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

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

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

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

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



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

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

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



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

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

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



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

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

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

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



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

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

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



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

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

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

253.0341 Surplus of state-owned lands.—

(19) The Acquisition and Restoration Council shall



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

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

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

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

(c) By January 1, 2027, and each January 1 thereafter, the Department of Environmental Protection shall provide a report of state-owned conversation lands surplus pursuant to this subsection to the Board of Trustees of the Internal Improvement Trust Fund.



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

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

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

(1) SHORT TITLE.—This section may be cited as the “Babcock Ranch Preserve Act.”

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

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

(b) “Commission” means the Fish and Wildlife Conservation Commission.

(c) “Commissioner” means the Commissioner of Agriculture.

(d) “Department” means the Department of Agriculture and Consumer Services.

(e) “Executive director” means the Executive Director of the Fish and Wildlife Conservation Commission.

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

(g) “Florida Forest Service” means the Florida Forest Service of the Department of Agriculture and Consumer Services.

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



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

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

(3) CREATION OF BABCOCK RANCH PRESERVE.—

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

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

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



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

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

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

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

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

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

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



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~~shall appoint members as follows:~~

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

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

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

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

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

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

~~7. One member with experience in public outreach and education.~~

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

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

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

~~(c) Members of the Babcock Ranch Advisory Group shall:~~

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



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~~members.~~

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

~~3. Serve without compensation but shall receive reimbursement for travel and per diem expenses as provided in s. 112.061.~~

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

(a) The department shall assume all authority provided by this section to manage and operate the preserve as a working ranch upon the termination or expiration of the management agreement attached as Exhibit "E" to that certain agreement for sale and purchase approved by the Board of Trustees of the Internal Improvement Trust Fund on November 22, 2005, and by Lee County on November 20, 2005.

(b) Upon assuming management and operation of the preserve, the department shall:

1. Manage and operate the preserve and the uses thereof, including, but not limited to, the activities necessary to administer and operate the preserve as a working ranch; the activities necessary for the preservation and development of the land and renewable surface resources of the preserve; the activities necessary for interpretation of the history of the preserve on behalf of the public; the activities necessary for the management, public use, and occupancy of facilities and lands within the preserve; and the maintenance, rehabilitation, repair, and improvement of property within the preserve.

2. Develop programs and activities relating to the management of the preserve as a working ranch.

3. Establish procedures for entering into lease agreements and other agreements for the use and occupancy of the facilities



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

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

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

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

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



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

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

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

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

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

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



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

287.1351 Suspended vendors; state contracts.—

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

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

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



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section 322.12, Florida Statutes, to read:

322.12 Examination of applicants.—

(4) The examination for an applicant for a commercial driver license shall include a test of the applicant's eyesight given by a driver license examiner designated by the department or by a licensed ophthalmologist, optometrist, or physician and a test of the applicant's hearing given by a driver license examiner or a licensed physician. The examination shall also include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; his or her knowledge of the effects of alcohol and controlled substances and the dangers of driving a motor vehicle after having consumed alcohol or controlled substances; and his or her knowledge of any special skills, requirements, or precautions necessary for the safe operation of the class of vehicle which he or she is applying to be licensed to operate. In addition, the examination shall include an actual demonstration of the applicant's 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 examination of the applicant's ability to perform an inspection of his or her vehicle.

(c) An applicant for a commercial driver license who



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

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

322.36 Permitting unauthorized operator to drive.—

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

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

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



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

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

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

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

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

403.0855 Biosolids management.—

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

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

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

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

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

482.071 Licenses.—

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



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

(a) Bodily injury coverage of \$1 million per person and \$2
million per occurrence; and property damage coverage of \$1
million per occurrence and \$2 million in the aggregate; or

(b) Combined single-limit coverage of \$2 million in the
aggregate.

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

482.161 Disciplinary grounds and actions; reinstatement.—

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

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

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

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

(d) The cost to the department of investigating the



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violation.

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

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

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

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

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

489.105 Definitions.—As used in this part:

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

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

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



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489.1295 Theft of subcontractor or supplier services.—

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

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

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

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

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

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

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

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

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



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

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

501.013 Health studios; exemptions.—

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

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

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

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

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

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



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

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

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

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

501.062 Unauthorized commercial solicitation; legislative intent; definitions; prohibited acts; penalties.-

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



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

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

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

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

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

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

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



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

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

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

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

570.822 Agriculture and Aquaculture Producers Emergency Recovery Loan Program.—

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

(c) 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, the entity must be wholly owned and operated in the United States and possess an active certificate of status issued by the Department of State pursuant to chapter 605.

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

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



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

570.846 Food Animal Veterinary Medicine Loan Repayment Program.—

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

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

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

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

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

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



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

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

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

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

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

570.85 Agritourism.—

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



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

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

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

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

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

(4) “Dealer” means a 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 20,000 ~~384~~ dressed birds annually ~~in any one week~~.

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

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

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



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authority, and duties to:

(a) Enforce the provisions of this chapter;

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

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

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

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

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



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

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

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

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

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

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

(3) Employees of the Florida Forest Service and of federal, state, and local agencies, and all other persons and entities that are under contract or agreement with the Florida Forest Service to assist in firefighting operations as well as those entities, called upon by the Florida Forest Service to assist in firefighting may, in the performance of their duties, set counterfires, remove fences and other obstacles, dig trenches, 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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contracts with the private sector to perform such activities.

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

2. Food purchase locations.

3. Food purchase dates.

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

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

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

2. The distribution locations.

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

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



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not reenter the wholesale, retail, or secondary market.

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

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

597.004 Aquaculture certificate of registration.—

(2) RULES.—

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

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

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

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



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effect on June 30, 1998.

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

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

(7) REGISTRATION AND RENEWALS.—

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

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

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

597.010 Shellfish regulation; leases.—

(5) LEASES IN PERPETUITY; RENT.—

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



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

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

599.012 Florida Wine Trust Fund; creation.—

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

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

(c) Provide grants for wine and viticultural research.

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

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

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

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

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

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



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

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

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

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

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



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regulations stated in the premium book.

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

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

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

~~(9)(12)~~ "Public fair or exposition" means a project, activity, event, or program, and use by a fair association, including, but not limited to, the annual public fair, which serves the purposes specified in s. 616.08 and 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.

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



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~~exhibit represents.~~

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

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

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

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



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located. The proposed charter must specify:

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

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

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

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

(5) The name and residence of each subscriber.

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

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

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

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

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

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



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

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

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

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

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

616.02 Fair associations per county ~~Acknowledgment of charter.~~—

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

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



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

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

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



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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) ~~(c)~~ 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



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

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

616.051 Dissolving a charter.—

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

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

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

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

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



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officers, directors, or trustees.

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

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

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

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

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



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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.



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

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

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

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

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



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

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

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

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

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

The department shall issue the permit within 10 calendar days 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



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

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

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

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

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

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



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or awards may be given to exhibitors.

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

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

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

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

(1) It is unlawful for any person, unless appointed by the Governor pursuant to chapter 354, authorized by the appropriate agency, or displayed in a closed or mounted case as a collection or exhibit, 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 as defined in s. 943.045, with the intent to mislead or cause another person to believe that he or she is a member of that agency or is authorized to display or wear such item, or to wear or display any item that displays in any manner or combination the word or words "police," "patrolman," "patrolwoman," "agent," "sheriff," "deputy," "trooper," "highway patrol," "commission officer," "Wildlife Officer," "Department of Environmental Protection officer," "Marine Patrol Officer," "state attorney," "public defender," "marshal," "constable," "bailiff," ~~or~~ "fire department," "concealed weapon permit," or "concealed weapon permitholder"



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

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

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

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

(1) 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.

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

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

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



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

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

(3) 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 ~~perishable~~ agricultural food product may bring an action for damages and for any other relief a court of competent jurisdiction deems appropriate, including, but not limited to, compensatory and punitive damages, reasonable attorney fees, and costs of the action.

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

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

934.02 Definitions.—As used in this chapter:

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

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

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)~~.



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

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

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

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

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

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

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

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

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

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



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287.1351.

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

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

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

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

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

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



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laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681.

This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

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

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

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

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



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facilities; or

(b) Entering and remaining on those grounds or facilities after being directed not to enter or to leave them by the executive director of the authority, chief administrative officer of the fair association, or any employee or agent of the association designated by the executive director or administrator to maintain order on those grounds and facilities, after a determination by the executive director, administrator, employee, or agent that the entering or remaining on those grounds or facilities is in violation of the rules and regulations of the Florida State Fair Authority or permitted fair association or is disrupting the orderly conduct of any authorized activity of the fair association in charge, or its lessees, licensees, or the general public on those grounds or facilities.

(2) Any person committing the offense of trespass upon the grounds of the Florida State Fair Authority or any other fair association permitted under s. 616.15 commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A law enforcement officer may arrest any person on or off the premises, without a warrant, if the officer has probable cause for believing such person has committed the offense of trespass upon the grounds of the Florida State Fair Authority or any fair association permitted under s. 616.15. Such an arrest does not render the law enforcement officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

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



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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Department of Agriculture and
Consumer Services; creating s. 125.489, F.S.; defining
the terms "gasoline-powered farm equipment" and
"gasoline-powered landscape equipment"; prohibiting
counties 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. 163.3164, F.S.; defining the
terms "ecologically significant parcel" and "low-
density municipality"; amending s. 163.3202, F.S.;
prohibiting an application for a development on an
ecologically significant parcel in a low-density
municipality from being administratively approved
without an attestation provided by the developer;
specifying requirements for such attestation;
providing applicability; specifying requirements for
the attestation included in certain applications;
providing for a waiver; creating s. 166.063, F.S.;
defining the terms "gasoline-powered farm equipment"
and "gasoline-powered landscape equipment";
prohibiting municipalities from enacting or enforcing



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1838 any law that restricts or prohibits the use of
1839 gasoline-powered farm equipment or gasoline-powered
1840 landscape equipment or that distinguishes such
1841 equipment from any other equipment under certain
1842 circumstances; providing construction; amending s.
1843 212.055, F.S.; conforming a cross-reference; making a
1844 technical change; amending s. 253.0341, F.S.;
1845 requiring the Acquisition and Restoration Council to
1846 determine whether certain surplus lands are suitable
1847 for bona fide agricultural purposes; prohibiting a
1848 local governmental entity from transferring future
1849 development rights for surplus lands determined to
1850 be suitable for bona fide agricultural purposes;
1851 requiring the Department of Environmental Protection,
1852 in coordination with the Department of Agriculture and
1853 Consumer Services, to determine whether certain state-
1854 owned conservation lands are suitable for bona fide
1855 agricultural purposes; authorizing the Department of
1856 Environmental Protection to surplus certain state-
1857 owned lands determined to be suitable for bona fide
1858 agricultural purposes; requiring the Department of
1859 Environmental Protection to retain a rural-lands-
1860 protection easement for such surplus lands;
1861 requiring that all proceeds from the sale of such
1862 surplus lands be deposited in the Department of
1863 Agriculture and Consumer Services' Incidental Trust
1864 Fund for less than fee simple; requiring the
1865 Department of Environmental Protection to annually
1866 provide a report of such surplus lands to the Board



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1867 of Trustees of the Internal Improvement Trust Fund;
1868 prohibiting certain lands from being surplusd;
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



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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



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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



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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



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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



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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-



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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.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/14/2026	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Between lines 237 and 238
insert:

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

163.3164 Community Planning Act; definitions.—As used in



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this act:

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

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

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

163.3202 Land development regulations.—

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

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



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administrative approval of an application for development.

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

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

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

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

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



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

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

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



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purposes of this sub-subparagraph, the term "public facilities" has the same meaning ~~means facilities~~ as defined in s. 163.3164(43) ~~s. 163.3164(41)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

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

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

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a



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

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

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

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



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

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

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



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

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

And the title is amended as follows:

Delete lines 3 - 6

and insert:

Consumer Services; creating s. 125.489, F.S.; defining the terms "gasoline-powered farm equipment" and "gasoline-powered landscape equipment"; prohibiting counties 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. 163.3164, F.S.; defining terms; amending s. 163.3202, F.S.; requiring that applications for development on certain parcels include a certain attestation for approval; providing applicability; providing requirements for the attestation included in certain applications; providing a waiver; amending s. 212.055, F.S.; conforming a cross-reference; creating s. 166.063, F.S.; defining the terms "gasoline-powered farm equipment" and "gasoline-powered landscape equipment"; prohibiting municipalities

By the Committee on Agriculture; and Senator Truenow

575-01714-26

2026290c1

1 A bill to be entitled
 2 An act relating to the Department of Agriculture and
 3 Consumer Services; creating ss. 125.489 and 166.063,
 4 F.S.; defining the terms "gasoline-powered farm
 5 equipment" and "gasoline-powered landscape equipment";
 6 prohibiting counties and municipalities, respectively,
 7 from enacting or enforcing any law that restricts or
 8 prohibits the use of gasoline-powered farm equipment
 9 or gasoline-powered landscape equipment or that
 10 distinguishes such equipment from any other equipment
 11 under certain circumstances; providing construction;
 12 amending s. 253.0341, F.S.; requiring the Acquisition
 13 and Restoration Council to determine whether certain
 14 surplus lands are suitable for bona fide
 15 agricultural purposes; prohibiting a local
 16 governmental entity from transferring future
 17 development rights for surplus lands determined to
 18 be suitable for bona fide agricultural purposes;
 19 requiring the Department of Environmental Protection,
 20 in coordination with the Department of Agriculture and
 21 Consumer Services, to determine whether certain state-
 22 owned conservation lands are suitable for bona fide
 23 agricultural purposes; authorizing the Department of
 24 Environmental Protection to surplus certain state-
 25 owned lands determined to be suitable for bona fide
 26 agricultural purposes; requiring the Department of
 27 Environmental Protection to retain a rural-lands-
 28 protection easement for such surplus lands;
 29 requiring that all proceeds from the sale of such

Page 1 of 60

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

575-01714-26

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30 surplus lands be deposited in the Department of
 31 Agriculture and Consumer Services' Incidental Trust
 32 Fund for less than fee simple; requiring the
 33 Department of Environmental Protection to annually
 34 provide a report of such surplus lands to the Board
 35 of Trustees of the Internal Improvement Trust Fund;
 36 prohibiting certain lands from being surplus;
 37 amending s. 259.1053, F.S.; deleting provisions
 38 relating to the Babcock Ranch Advisory Group; amending
 39 s. 287.1351, F.S.; revising circumstances under which
 40 a vendor is prohibited from submitting a bid,
 41 proposal, or reply to an agency or from entering into
 42 or renewing any contract to provide goods or services
 43 to an agency; amending s. 322.12, F.S.; providing
 44 penalties for an applicant for a commercial driver
 45 license who receives unauthorized assistance on
 46 certain portions of the examination; amending s.
 47 322.36, F.S.; prohibiting a person from knowingly or
 48 willfully providing unauthorized assistance to an
 49 applicant for the examination required to hold a
 50 commercial driver license; repealing ss. 377.71,
 51 377.711, and 377.712, F.S., relating to definitions
 52 and the Southern States Energy Compact, Florida as
 53 party to the Southern States Energy Compact, and
 54 Florida's participation in the Southern States Energy
 55 Board, respectively; amending s. 403.0855, F.S.;
 56 deleting provisions relating to legislative approval
 57 of certain rules adopted by the Department of
 58 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
 216 equipment or gasoline-powered landscape equipment.-

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

218 (a) "Gasoline-powered farm equipment" means any machine
 219 powered by an internal combustion engine or motor that uses
 220 gasoline, diesel, or a blend of gasoline and oil which is used
 221 on a farm or used to transport farm products.

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

228 (2) A county may not enact or enforce a resolution, an
 229 ordinance, a rule, a code, or a policy or take any action that
 230 restricts or prohibits the use of gasoline-powered farm
 231 equipment or gasoline-powered landscape equipment and may not
 232 create differing standards for such equipment or distinguish

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such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting.

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

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

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

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

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

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

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

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

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equipment, such as battery-powered farm or landscape equipment.

Section 3. Present subsection (19) of section 253.0341, Florida Statutes, is redesignated as subsection (21), and new subsections (19) and (20) are added to that section, to read:

253.0341 Surplus of state-owned lands.—

(19) The Acquisition and Restoration Council shall determine whether any lands surplus by a local governmental entity, as defined in s. 218.72, on or after January 1, 2024, are suitable for bona fide agricultural purposes, as defined in s. 193.461(3)(b). A local governmental entity may not transfer future development rights for any surplus lands determined to be suitable for bona fide agricultural purposes on or after January 1, 2024.

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

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

(b) For all state-owned conservation lands determined to be suitable for bona fide agricultural production and surplus by the Department of Environmental Protection, the department shall retain a rural-lands-protection easement pursuant to s. 570.71(3). All proceeds from the sale of such surplus lands must be deposited into the Incidental Trust Fund within the 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 surplusd 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 surplusd 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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watershed, fish, wildlife, historic, cultural, and recreational values of the preserve, and to provide for the multiple use and sustained yield of the renewable surface resources within the preserve consistent with this section.

(c) This section does not preclude the use of common varieties of mineral materials such as sand, stone, and gravel for construction and maintenance of roads and facilities within the preserve.

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

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

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

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

~~(a) The purpose of the Babcock Ranch Advisory Group is to assist the department by providing guidance and advice~~

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~~concerning the management and stewardship of the Babcock Ranch Preserve.~~

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

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

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

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

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

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

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

~~7. One member with experience in public outreach and education.~~

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

~~9. One member who is a resident of Charlotte County, to be designated by the Board of County Commissioners of Charlotte 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 ~~(c) Members of the Babcock Ranch Advisory Group shall:~~
 411 ~~1. Elect a chair and vice chair from among the group~~
 412 ~~members.~~
 413 ~~2. Meet regularly as determined by the chair.~~
 414 ~~3. Serve without compensation but shall receive~~
 415 ~~reimbursement for travel and per diem expenses as provided in s.~~
 416 ~~112.061.~~
 417 (4)(5) MANAGEMENT OF PRESERVE; FEES.-
 418 (a) The department shall assume all authority provided by
 419 this section to manage and operate the preserve as a working
 420 ranch upon the termination or expiration of the management
 421 agreement attached as Exhibit "E" to that certain agreement for
 422 sale and purchase approved by the Board of Trustees of the
 423 Internal Improvement Trust Fund on November 22, 2005, and by Lee
 424 County on November 20, 2005.
 425 (b) Upon assuming management and operation of the preserve,
 426 the department shall:
 427 1. Manage and operate the preserve and the uses thereof,
 428 including, but not limited to, the activities necessary to
 429 administer and operate the preserve as a working ranch; the
 430 activities necessary for the preservation and development of the
 431 land and renewable surface resources of the preserve; the
 432 activities necessary for interpretation of the history of the
 433 preserve on behalf of the public; the activities necessary for
 434 the management, public use, and occupancy of facilities and
 435

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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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2. Establish and administer permit fees for Tier II public hunting to capitalize on the value of hunting on portions of the preserve and to help ensure the preserve is financially self-sufficient. The fees shall be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission to be used to offset the costs of providing public hunting and to support fish and wildlife management and other land management activities on the preserve.

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

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

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

~~(5)(6)~~ DISSOLUTION OF BABCOCK RANCH, INC.—Upon dissolution of the Babcock Ranch, Inc., all statutory powers, duties, functions, records, personnel, property, and unexpended balances

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of appropriations, allocations, and other funds of the corporation shall be transferred to the Department of Agriculture and Consumer Services unless otherwise provided by law. Any cash balances of funds shall revert to the Incidental Trust Fund of the Florida Forest Service.

Section 5. Paragraph (a) of subsection (2) of section 287.1351, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

287.1351 Suspended vendors; state contracts.—

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

(3) An agency shall notify the department of any vendor that has met the grounds for suspension described in paragraph (2)(a). The agency must provide documentation to the department evidencing the vendor's default or other grounds for suspension. The department shall review the documentation provided and determine whether good cause exists to remove the vendor from the vendor list and to place it on the suspended vendor list. If good cause exists, the department must notify the vendor in writing of its intent to remove the vendor from the vendor list and of the vendor's right to an administrative hearing and the applicable procedures and time requirements for any such

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hearing. If the vendor does not request an administrative hearing, the department must enter a final order removing the vendor from the vendor list. A vendor may not be removed from the vendor list without receiving an individual notice of intent from the department.

Section 6. Paragraph (c) is added to subsection (4) of section 322.12, Florida Statutes, to read:

322.12 Examination of applicants.—

(4) The examination for an applicant for a commercial driver license shall include a test of the applicant's eyesight given by a driver license examiner designated by the department or by a licensed ophthalmologist, optometrist, or physician and a test of the applicant's hearing given by a driver license examiner or a licensed physician. The examination shall also include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; his or her knowledge of the effects of alcohol and controlled substances and the dangers of driving a motor vehicle after having consumed alcohol or controlled substances; and his or her knowledge of any special skills, requirements, or precautions necessary for the safe operation of the class of vehicle which he or she is applying to be licensed to operate. In addition, the examination shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control

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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 examination of the applicant's ability to perform an inspection of his or her vehicle.

(c) An applicant for a commercial driver license who receives unauthorized assistance from another person in completing the portion of the examination which tests the applicant's ability to read and understand highway signs regulating, warning, and directing traffic or his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle for which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 7. Section 322.36, Florida Statutes, is amended to read:

322.36 Permitting unauthorized operator to drive.—

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

(2) A person may not knowingly or willfully provide unauthorized assistance to an applicant for the examination required to hold a commercial driver license pursuant to s. 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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to protect, preserve, and promote the safety, welfare, and peace of the citizens of this state by adopting measures to reduce the threat to private property rights, including the right to exclude and to be free from trespass of unauthorized commercial solicitation on private property when noticed by the property owner. It is the intent of this section to protect such private property rights by creating a uniform standard for notifying individuals or groups of individuals that commercial solicitation is prohibited on private property.

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

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

(b) "Dwelling" has the same meaning as in s. 810.011(2).

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

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

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

Section 19. Subsection (50) is added to section 570.07, Florida Statutes, to read:

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

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

Section 20. Paragraph (c) is added to subsection (3) of section 570.822, Florida Statutes, to read:

570.822 Agriculture and Aquaculture Producers Emergency Recovery Loan Program.—

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

(c) 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, the entity must be wholly owned and operated in the United States and possess an active certificate of status issued by the Department of State pursuant to chapter 605.

Section 21. Section 570.832, Florida Statutes, is created to read:

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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Florida Native Seed Research and Marketing Program to conduct research designed to expand the availability and uses of native seeds and strengthen the market position of this state's native seed industry through marketing campaigns and promotions in this state and the nation.

Section 22. Section 570.846, Florida Statutes, is created to read:

570.846 Food Animal Veterinary Medicine Loan Repayment Program.

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

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

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

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

(c) "Food animal veterinary medicine" means veterinary medical practice that encompasses medical care, disease

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prevention, and consultation on feeding, housing, and overall herd management of food animals to ensure a safe, healthy, and sustainable food supply for the public.

(3) ELIGIBILITY.—To be eligible for the program, a candidate must have graduated from an American Veterinary Medical Association-accredited college of veterinary medicine, have received a Florida veterinary medical license, have obtained a Category II Accreditation from the United States Department of Agriculture, and be a practicing food animal veterinarian in this state.

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

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

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

Section 23. Subsection (4) of section 583.01, Florida Statutes, is amended to read:

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

(4) "Dealer" means a 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

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

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

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

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

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

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

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

2. Food purchase locations.

3. Food purchase dates.

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

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

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

2. The distribution locations.

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

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

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not reenter the wholesale, retail, or secondary market.

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

Section 26. Present paragraph (c) of subsection (7) of section 597.004, Florida Statutes, is redesignated as paragraph (d) and amended, a new paragraph (c) is added to that subsection, and paragraph (a) of subsection (2) of that section is amended, to read:

597.004 Aquaculture certificate of registration.—

(2) RULES.—

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

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

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

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

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effect on June 30, 1998.

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

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

(7) REGISTRATION AND RENEWALS.—

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

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

Section 27. Paragraph (a) of subsection (5) of section 597.010, Florida Statutes, is amended to read:

597.010 Shellfish regulation; leases.—

(5) LEASES IN PERPETUITY; RENT.—

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

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

Section 28. Paragraphs (b) and (c) of subsection (1) of section 599.012, Florida Statutes, are amended to read:

599.012 Florida Wine Trust Fund; creation.—

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

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

(c) Provide grants for wine and viticultural research.

Section 29. Section 616.001, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

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

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

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

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regulations stated in the premium book.

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

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

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

(9)(12) "Public fair or exposition" means a project, activity, event, or program, and use by a fair association, including, but not limited to, the annual public fair, which serves the purposes specified in s. 616.08 and 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.

~~(13) "Regional fair" or "interstate fair" means an annual public fair of this state and other states in which fair exhibits meet the requirements of s. 616.17. Agricultural 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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(12) The language for the oath that will be taken by the applicant, which must include, but is not limited to, all of the following:

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

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

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

Section 31. Section 616.02, Florida Statutes, is amended to read:

616.02 Fair associations per county ~~Acknowledgment of charter.-~~

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

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

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

Section 32. Section 616.03, Florida Statutes, is amended to read:

616.03 ~~Notice of application;~~ Approval and record of charter. ~~Upon approval by the department, A notice of intention to apply to the circuit court for the charter of a fair association must specify the date that application will be made, shall be sent to the department for approval, and shall be published in a newspaper in the county where the principal office of the association will be located once each week for 4 consecutive weeks. The notice must briefly summarize the charter and objectives of the proposed association. the proposed charter must shall be submitted to and approved by the board of county commissioners of the county in which the principal office of the association will be located. After approval by the department and the board of county commissioners, the proposed charter and proof of approval must and publication shall be submitted to the circuit judge on the date specified in the notice. If no cause is shown to the contrary and the judge finds that the proposed charter is in proper form and will serve the primary objective of public service, the judge must shall approve the charter and 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)(c) Being recorded in the clerk's office.

1303
 1304 If a fair association has filed its charter with the Department
 1305 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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officers, directors, or trustees.

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

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

Section 36. Section 616.101, Florida Statutes, is amended to read:

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

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

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

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

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

Section 37. Section 616.15, Florida Statutes, is amended to read:

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

(1) An annual public fair may not be conducted by a fair association without a permit issued by the department. The association shall present to the department an application for a permit, signed by an officer of the association, at least 90 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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~~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 home 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

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

Section 38. Section 616.251, Florida Statutes, is amended to read:

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

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

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

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

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or awards may be given to exhibitors.

(4) The authority shall be exempt from part I of this chapter.

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

Section 39. Subsection (1) of section 843.085, Florida Statutes, is amended, and subsection (5) of that section is republished, to read:

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

(1) It is unlawful for any person, unless appointed by the Governor pursuant to chapter 354, authorized by the appropriate agency, or displayed in a closed or mounted case as a collection or exhibit, 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 as defined in s. 943.045, with the intent to mislead or cause another person to believe that he or she is a member of that agency or is authorized to display or wear such item, or to wear or display any item that displays in any manner or combination the word or words "police," "patrolman," "patrolwoman," "agent," "sheriff," "deputy," "trooper," "highway patrol," "commission officer," "Wildlife Officer," "Department of Environmental Protection officer," "Marine Patrol Officer," "state attorney," "public defender," "marshal," "constable," "bailiff," ~~or~~ "fire department," "concealed weapon permit," or "concealed weapon permitholder"

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

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

Section 40. Section 865.065, Florida Statutes, is reordered and amended to read:

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

(1) 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.

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

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

(a)(b) "~~Perishable~~ Agricultural food product" means any agricultural or aquacultural food product or commodity grown or 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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Section 44. For the purpose of incorporating the amendment made by this act to section 287.1351, Florida Statutes, in a reference thereto, subsection (4) of section 287.056, Florida Statutes, is reenacted to read:

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

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

Section 45. For the purpose of incorporating the amendment made by this act to section 287.1351, Florida Statutes, in a reference thereto, subsection (5) of section 287.138, Florida Statutes, is reenacted to read:

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

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

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

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

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

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

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287.1351.

Section 46. For the purpose of incorporating the amendment made by this act to section 500.04, Florida Statutes, in a reference thereto, subsection (1) of section 500.177, Florida Statutes, is reenacted to read:

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

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

Section 47. For the purpose of incorporating the amendment made by this act to section 616.07, Florida Statutes, in a reference thereto, subsection (13) of section 212.08, Florida Statutes, is reenacted to read:

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

(13) LIMITATIONS ON EXEMPTIONS.—No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this 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.

1/14/2026

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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290

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Elizabeth Alvi**

Phone **850-999-1028**

Address **2001 Thomasville Road**

Email **Beth.Alvi@audubon.org**

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Audubon Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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1/14/26
Meeting Date
Fiscal Policy
Committee

290
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tripp Hunter Phone 850-352-0462

Address 110 W College Email _____
Street

Tallahassee FL 32305
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Farm Bureau

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/14/26

The Florida Senate
APPEARANCE RECORD

290

Meeting Date

Bill Number or Topic

Fiscal Policy

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Committee

Amendment Barcode (if applicable)

Name

Cameron Fink

Phone

850 933 4665

Address

516 N Adams St

Email

cfink@aif.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Associated Industries of Florida

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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1/14/26
Meeting Date

290
Bill Number or Topic

Animal Policy
Committee

2026290C1
Amendment Barcode (if applicable)

Fla. Veterinary Medical Association

Name Richard Williams

Phone 904 888-6612

Address 4988 Maybank way
Street

Email wk9dca@bolboth.net

Jacksonville
City

FL
State

32225
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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1/14/26
Meeting Date

Fiscal Policy
Committee

290
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jim Spratt Phone 850-228-1296

Address 119 S Monroe Street Email Jim@magoliastrategiesllc.com
Street

TLH FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLORIDA Nursery, Growers and LANDSCAPE Association

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 290

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

Name

Phone

Address

Street

City

State

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FLA.
FEED ASSOCIATION

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

1/14/26

Meeting Date

FISCAL POLICY

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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290

Bill Number or Topic

Amendment Barcode (if applicable)

Name

LENA JUAREZ

Phone

850 212 8330

Address

PO Box 10390

Email

lena@ejassx.com

Street

TALLAHASSEE FL 32302

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

1-11-26

Meeting Date

Fiscal Policy
Committee

290

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Alex Haley

Phone

(850) 617-7700

Address

400 S. Monroe St

Email

/

Street

Tallahassee

City

FL

State

32399

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FL Department of
Agriculture and Consumer Services

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: 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>	Favorable
2.	<u>Brick, Sabitsch</u>	<u>Siples</u>	<u>FP</u>	Favorable

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.¹

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.²

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.³

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.⁴

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.⁵

¹ Section 1008.22(3), F.S.

² Section 1008.25, F.S.

³ Section 1008.212, F.S.

⁴ Section 1008.22(7), F.S.

⁵ *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.⁶ Intervention and support is required for traditional public schools earning a letter grade of "D," or "F."⁷ 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.⁸ Intensive intervention and support strategies must be applied through turnaround plans to schools earning two consecutive grades of "D" or a grade of "F."⁹

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.¹⁰

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

⁶ 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).

⁷ Section 1008.33(3), F.S.

⁸ Rule 6A-1.099811(3)(a), F.A.C.

⁹ Section 1008.33(4), F.S.

¹⁰ 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.¹¹

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 VAM¹² 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.

¹¹ Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Education Pre-K-12).

¹² 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.¹³

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.¹⁴

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.¹⁵

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.¹⁶

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.¹⁷ 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

¹³ Section 1012.22(1), F.S.

¹⁴ Section 1012.22(1)(c)1.a. and g., F.S.

¹⁵ Section 1012.22(1)(c), F.S.

¹⁶ Section 1012.22(3), F.S.

¹⁷ 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.¹⁸

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.¹⁹

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.²⁰

Nondegreed Teachers of Career Education

Each district school board is required to establish the minimal qualifications for part-time and full-time nondegreed 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.²¹

¹⁸ Section 1012.335, F.S.

¹⁹ Section 1012.33(3), F.S.

²⁰ 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).

²¹ Section 1012.39(1), F.S.

Teacher Apprenticeship Program

In 2023, the legislature created the Teacher Apprenticeship Program (TAP).²² 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 training²³ 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.²⁴

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 law²⁵ and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.²⁶

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.²⁷ 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.²⁸

The SBE designates the certification subject areas, establishes competencies, and adopts rules by which educator certificates are issued by the DOE to qualified applicants.²⁹

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.³⁰

²² Ch. 2023-38, s. 6, Laws of Fla.

²³ 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.

²⁴ Section 1012.555(2), F.S.

²⁵ "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.

²⁶ Section 1012.555(2), F.S.

²⁷ Section 1012.54, F.S.

²⁸ Sections 1012.55(1) and 1002.33(12), F.S.

²⁹ Section 1012.55(1), F.S.

³⁰ 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.³¹

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.³²

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.³³

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.³⁴

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.³⁵ Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.³⁶

³¹ Section 1012.56, F.S.

³² Section 1012.56(3), F.S.

³³ *Id.* (flush left)

³⁴ Section 1012.56(5), F.S. and Rule 6A-4002(4), F.A.C.

³⁵ Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, incorporated by reference in rule 6A-4.0021, F.A.C.

³⁶ 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.³⁷ 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.³⁸

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.³⁹

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.⁴⁰

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.⁴¹

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.⁴²

³⁷ Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited December 3, 2025).

³⁸ Section 1012.585(3), F.S.

³⁹ *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.

⁴⁰ Section 1012.56, F.S.

⁴¹ 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.

⁴² 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.⁴³

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.⁴⁴

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

⁴³ Florida Department of Education, *Upgrading from the Temporary to the Professional Certificate*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/moving-from-the-temporary-to-the-profe.stml> (last visited Dec. 3, 2025).

⁴⁴ 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 consortia⁴⁵ 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.⁴⁶ The Administrative Procedures Act (APA)

⁴⁵ 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.

⁴⁶ 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.⁴⁷ Policies adopted under constitutional authority are subject to judicial review, typically in the local circuit court.⁴⁸

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.⁴⁹

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.⁵⁰

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.⁵¹
- Requirements for notices of public meetings to include information on how affected persons may appeal decisions made at the meeting.⁵²
- Requirements for public participation, which guarantee the public a reasonable opportunity to be heard before local governing bodies make decisions.⁵³

Charter schools are not required to follow rulemaking procedures prescribed by the APA.⁵⁴

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,

⁴⁷ 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).

⁴⁸ See *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

⁴⁹ Section 1001.41, F.S.

⁵⁰ Section 120.81(1), F.S.

⁵¹ Section 286.011, F.S.

⁵² Section 286.0105, F.S.

⁵³ Section 286.0114, F.S.

⁵⁴ 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.⁵⁵ 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.⁵⁶

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.⁵⁷ Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.⁵⁸

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.⁵⁹ In addition, school districts receiving annual federal, state, and local funds in excess of \$500 million are required to employ an internal financial auditor.⁶⁰

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.⁶¹

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

⁵⁵ Section 1006.28, F.S.

⁵⁶ Section 1006.40(3), F.S.

⁵⁷ Section 1006.283(1), F.S.

⁵⁸ Section 1006.28(2), F.S.

⁵⁹ Section 218.39, F.S.

⁶⁰ Section 1001.42(12), F.S.

⁶¹ 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.⁶²

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:⁶³

- 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.

⁶² Section 1013.35, F.S.

⁶³ 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.⁶⁴
- 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.⁶⁵

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.⁶⁶

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.⁶⁷

Charter schools share in district school board capital outlay funding but are not subject to any of the facilities plan requirements.⁶⁸

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

⁶⁴ Section 1002.33(18), F.S.

⁶⁵ Section 1013.45(4), F.S.

⁶⁶ Section 1013.35(2), F.S.

⁶⁷ Section 1013.35(4), F.S.

⁶⁸ Sections 1002.33 and 1013.62, F.S.

universities.⁶⁹ PECO revenues are appropriated annually in the General Appropriations Act and are distributed under the framework governing funds for comprehensive educational plant needs.⁷⁰

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.⁷¹ Funds must be expended on "needed projects as shown by survey or surveys" approved in accordance with those rules.⁷²

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.⁷³
- 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.⁷⁴

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.⁷⁵

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.⁷⁶ 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.⁷⁷ SREF requires district school boards to employ the services of an architect for all construction projects for which the construction cost is at least \$300,000.⁷⁸

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

⁶⁹ Art. XII, s. 9(a)(2), Fla. Const.; s. 1013.01(16), F.S. (defining "Public education capital outlay (PECO) funded projects").

⁷⁰ Sections 1013.60, 1013.61, 1013.62, 1013.64, 1013.65, F.S.

⁷¹ Sections 1013.31, 1013.35, 1013.64(1), F.S. (educational plant surveys; school district educational facilities plan; funds for comprehensive educational plant needs).

⁷² Section 1013.64(1)(b), F.S. (funds accruing to a district must be expended on needed projects shown by survey).

⁷³ Section 1013.31, F.S.; State Requirements for Educational Facilities (SREF) references to FISH as the inventory of educational facilities and capacity.

⁷⁴ Section 1013.64, F.S. (capital outlay FTE membership definition and use); DOE and FSFOA presentations on COFTE.

⁷⁵ DOE "Red Book" and related capital outlay presentations describing use of FISH and COFTE in projecting facility needs and allocating PECO.

⁷⁶ 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.

⁷⁷ 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).

⁷⁸ 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.⁷⁹

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.⁸⁰

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.⁸¹

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.

⁷⁹ Section 1013.45(4), F.S.

⁸⁰ Section 1013.451(1), F.S.

⁸¹ 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.⁸²

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.⁸³

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

⁸² Section 1010.20(1), F.S.

⁸³ 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.⁸⁴

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.⁸⁵

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.⁸⁶ 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.⁸⁷

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.⁸⁸

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.⁸⁹

Charter schools are exempt from these requirements.⁹⁰

⁸⁴ Section 1010.20(2), F.S.

⁸⁵ Section 1010.20(3), F.S.

⁸⁶ Section 1002.33(9)(g), (h), F.S.

⁸⁷ Section 1010.20, F.S.

⁸⁸ Section 1011.035(2), F.S.

⁸⁹ Section 1011.035(4), F.S.

⁹⁰ 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 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.⁹¹

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.⁹²

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.⁹³

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.⁹⁴

⁹¹ Section 1011.14, F.S.

⁹² Section 1011.62, F.S.; Florida Department of Education, *2024-25 Funding for Florida School Districts*, (2024), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 4 (last visited Dec. 3, 2025).

⁹³ Section 1002.33(17), F.S.

⁹⁴ Section 1011.60(2), F.S.

Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965 (ESEA),⁹⁵ as amended by the Every Student Succeeds Act of 2015,⁹⁶ 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.⁹⁷ For the 2024-2025 fiscal year, Florida received approximately \$1.09 billion for Title I programs.⁹⁸

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.⁹⁹

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.¹⁰⁰ 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.¹⁰¹

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 percent¹⁰² in 2024.¹⁰³

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

⁹⁵ Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

⁹⁶ Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

⁹⁷ 20 U.S.C. s. 6301.

⁹⁸ Florida Department of Education, *Finance Data Base: Fiscal Year 2024-2025*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2425.pdf>, at 8 (last visited Dec. 3, 2025).

⁹⁹ 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.

¹⁰⁰ 20 U.S.C. s. 6313(a)(3).

¹⁰¹ 34 C.F.R. s. 200.78(b).

¹⁰² 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).

¹⁰³ 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.¹⁰⁴

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.¹⁰⁵ The DOE requires all recruitment, retention, and reward incentives under the ESEA, including Title I-A and Title II,¹⁰⁶ to be based on the state value-added model or an alternative state-approved student growth model for personnel evaluations.¹⁰⁷

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.¹⁰⁸

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,¹⁰⁹ grants issued for a fiscal year may be made available for obligation on the basis of an academic or school basis.¹¹⁰ As a result of these requirements, many Federal programs – including the Title I, Title II,¹¹¹ and Title III¹¹² 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).¹¹³ 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.¹¹⁴

¹⁰⁴ Section 1011.69(4), F.S.

¹⁰⁵ 20 U.S.C. s. 6313(c)(4).

¹⁰⁶ 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.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8 (last visited Dec. 3, 2025).

¹⁰⁷ 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.

¹⁰⁸ See, e.g., 20 U.S.C. ss. 6314(b), 6315(b).

¹⁰⁹ Pub. L. No. 90-247.

¹¹⁰ 20 U.S.C. s. 1225b.

¹¹¹ 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.

¹¹² Title III of the ESEA is the English Language Acquisition, Language Enhancement, and Academic Achievement Act. 20 U.S.C. s. 6811.

¹¹³ 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).

¹¹⁴ 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,¹¹⁵ athletic facilities, or ancillary facilities.¹¹⁶
- 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.¹¹⁷

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.¹¹⁸

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.

¹¹⁵ "Auxiliary facility" means the spaces located at educational plants which are not designed for student occupant stations. Section 1013.01(1), F.S.

¹¹⁶ "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.

¹¹⁷ Section 1011.71(2), F.S.

¹¹⁸ 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 program¹¹⁹ and the 300 hour summer VPK program.¹²⁰ Historically, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.¹²¹

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.¹²²

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

¹¹⁹ Section 1002.63(1), F.S.

¹²⁰ Section 1002.61(1), F.S.

¹²¹ Florida Department of Education, *Division of Early Learning Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Dec. 3, 2025).

¹²² Section 1002.53(6), F.S.

school VPK programs in their county or multi-county service region for both school year¹²³ and summer¹²⁴ 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.¹²⁵ The commissioner is appointed by the SBE and serves as the executive director of the DOE.¹²⁶ 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.¹²⁷

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.¹²⁸

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.¹²⁹

¹²³ Section 1002.63(9), F.S.

¹²⁴ Section 1002.61(10) F.S.

¹²⁵ Section 1001.20(1), F.S.

¹²⁶ Section 20.15(2), F.S.

¹²⁷ Section 1001.20(2), F.S.

¹²⁸ Section 120.565, F.S.

¹²⁹ 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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1 A bill to be entitled
 2 An act relating to administrative efficiency in public
 3 schools; amending s. 120.81, F.S.; exempting district
 4 school boards from requirements for adopting certain
 5 rules; amending s. 1001.23, F.S.; requiring the
 6 Department of Education to annually inform district
 7 school superintendents by a specified date that they
 8 are authorized to petition to receive a specified
 9 declaratory statement; requiring the department to
 10 annually maintain and provide school districts with a
 11 list of certain statutory and rule requirements;
 12 specifying requirements for such list; amending s.
 13 1001.42, F.S.; deleting a requirement for a district
 14 school board to employ an internal auditor in certain
 15 circumstances; amending s. 1002.20, F.S.; deleting a
 16 requirement that the school financial report be
 17 included in the student handbook; requiring the
 18 department to produce specified reports relating to
 19 school accountability and make them available on the
 20 department's website; requiring each school district
 21 to provide a link to such reports; amending s.
 22 1002.33, F.S.; conforming a provision relating to a 5-
 23 year facilities plan; amending s. 1002.451, F.S.;
 24 requiring innovation schools of technology to comply
 25 with specified provisions relating to instructional
 26 multiyear contracts, in addition to annual contracts,
 27 for instructional personnel; amending s. 1002.61,
 28 F.S.; deleting public schools from a requirement for
 29 early learning coalitions to verify compliance with

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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:
 161 120.81 Exceptions and special requirements; general areas.—
 162 (1) EDUCATIONAL UNITS.—
 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.
 166 120.536(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 Section 2. Subsections (5) and (6) are added to section
 170 1001.23, Florida Statutes, to read:
 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 ~~1. 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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administrators.

Section 7. Paragraph (a) of subsection (10) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider ~~and public school~~ delivering the Voluntary Prekindergarten Education Program within the coalition's county or multicounty region complies with this part.

Section 8. Subsection (9) of section 1002.63, Florida Statutes, is amended to read:

1002.63 School-year prekindergarten program delivered by public schools.—

~~(9)(a) Each early learning coalition shall verify that each public school delivering the Voluntary Prekindergarten Education Program within the coalition's service area complies with this part.~~

~~(b)~~ If a public school fails or refuses to comply with this part or engages in misconduct, the department must ~~shall~~ require that the school district ~~to~~ remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 9. Paragraph (b) of subsection (6) and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—

(6)

(b)1. Each private prekindergarten provider's ~~and district~~

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~~school board's~~ attendance policy must require the parent of each student in the Voluntary Prekindergarten Education Program to verify, each month, the student's attendance on the prior month's certified student attendance.

2. The parent must submit the verification of the student's attendance to the private prekindergarten provider ~~or public school~~ on forms prescribed by the department. The forms must include, in addition to the verification of the student's attendance, a certification, in substantially the following form, that the parent continues to choose the private prekindergarten provider or public school in accordance with s. 1002.53 and directs that payments for the program be made to the provider or school:

VERIFICATION OF STUDENT'S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

I, ...(Name of Parent)..., swear (or affirm) that my child, ...(Name of Student)..., attended the Voluntary Prekindergarten Education Program on the days listed above and certify that I continue to choose ...(Name of Provider or School)... to deliver the program for my child and direct that program funds be paid to the provider or school for my child.

...(Signature of Parent)...

...(Date)...

3. The private prekindergarten provider ~~or public school~~ must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning

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coalition, ~~and each public school must permit the school district,~~ to inspect the original signed forms during normal business hours. The department shall adopt procedures for early learning coalitions ~~and school districts~~ to review the original signed forms against the certified student attendance. The review procedures ~~must shall~~ provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition ~~and the school districts~~ must comply with the review procedures.

(7) The department shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures must ~~shall be revised,~~ to the maximum extent practicable, be revised to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of maintaining and transmitting attendance records to 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, actions ~~must shall~~ be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 5.0 percent of the funds paid by the coalition to private prekindergarten providers and public schools under

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paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

Section 10. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Purchase of instructional materials.—

(2) Each district school board must purchase current instructional materials to provide each student in kindergarten through grade 12 with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Such purchase must be made within the first 5 3 years after the effective date of the adoption cycle, subject to state board requirement for an earlier purchase date for a specific subject area, unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283.

Section 11. Subsections (2) and (3) of section 1008.212, Florida Statutes, are amended to read:

1008.212 Students with disabilities; extraordinary exemption.—

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) shall be granted an extraordinary exemption

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from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption. The first two administrations of the coordinated screening and progress monitoring system under s. 1008.25(9) or any alternate assessments used in lieu of such administrations are not subject to the requirements of this section.

(3) The IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption from the end-of-year or end-of-course statewide, standardized assessment at any time during the school year, but not later than 60 days before the current year's assessment administration for which the request is made. A request must include all of the following:

(a) A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills.

(b) Written documentation of the most recent evaluation data.

(c) Written documentation, if available, of the most recent administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

(d) A written description of the condition's effect on the student's participation in the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

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(e) Written evidence that the student has had the opportunity to learn the skills being tested.

(f) Written evidence that the student has been provided appropriate instructional accommodations.

(g) Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.

(h) Written evidence of the circumstance or condition as defined in subsection (1).

Section 12. Paragraphs (a), (b), and (d) of subsection (7) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. By January 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment schedule for, at a minimum, the next 2 school years. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized ELA and Mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30,

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except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. Beginning with the 2023-2024 school year, assessment results for the statewide, standardized ELA and Mathematics assessments must be available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.

~~(b) By January of each year, the commissioner shall publish on the department's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next 2 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 for reporting the district assessment schedules under paragraph (d):~~

~~1. Whether the assessment is a district-required assessment or a state-required assessment.~~

~~2. The specific date or dates that each assessment will be administered, including administrations of the coordinated screening and progress monitoring system under s. 1008.25(9)(b).~~

~~3. The time allotted to administer each assessment.~~

~~4. Whether the assessment is a computer-based assessment or a paper-based assessment.~~

~~5. The grade level or subject area associated with the assessment.~~

~~6. The date that the assessment results are expected to be available to teachers and parents.~~

~~7. The type of assessment, the purpose of the assessment, and the use of the assessment results.~~

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~~8. A glossary of assessment terminology.~~

~~9. Estimates of average time for administering state-required and district-required assessments, by grade level.~~

~~(c)(d)~~ Each school district shall, by November 1 of each year, 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 shall publish the testing schedules on its website which specify whether an assessment is a state-required or district-required assessment and the grade bands or subject areas associated with the assessments using the uniform calendar, including all information required under paragraph (b), and submit the schedules to the Department of Education by October 1 of each year. Each public school shall publish schedules for statewide, standardized assessments and district-required assessments on its website using the uniform calendar, including all information required under paragraph (b). The school board-approved assessment uniform calendar must be included in the parent guide required by s. 1002.23(5).

Section 13. Paragraphs (b), (c), and (d) of subsection (9) of section 1008.25, Florida Statutes, are amended to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(b) Beginning with the 2022-2023 school year, private Voluntary Prekindergarten Education Program providers and public schools must participate in the coordinated screening and

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progress monitoring system pursuant to this paragraph.

1. For students in the school-year Voluntary Prekindergarten Education Program through grade 2, the coordinated screening and progress monitoring system must be administered at least three times within a school year, with the first administration occurring no later than the first 30 instructional days after a student's enrollment or the start of the school year, the second administration occurring midyear, and the third administration occurring within the last 30 days of the school year pursuant to state board rule. The state board may adopt alternate timeframes to address nontraditional school year calendars to ensure the coordinated screening and progress monitoring program is administered a minimum of three times within a year.

2. For students in the summer prekindergarten program, the coordinated screening and progress monitoring system must be administered two times, with the first administration occurring no later than the first 10 instructional days after a student's enrollment or the start of the summer prekindergarten program, and the final administration occurring within the last 10 days of the summer prekindergarten program pursuant to state board rule.

3. For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the

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scheduling requirements under s. 1008.22(7)(b) ~~s. 1008.22(7)(c)~~.
(c) To facilitate timely interventions and supports pursuant to subsection (4), the system must provide results from the first two administrations of the progress monitoring to a student's teacher or prekindergarten instructor within 1 week and to the student's parent within 2 weeks after the administration of the progress monitoring. Delivery of results from the comprehensive, end-of-year progress monitoring ELA assessment for grades 3 through 10 and Mathematics assessment for grades 3 through 8 must be in accordance with s. 1008.22(7)(g) ~~s. 1008.22(7)(h)~~.

1. A student's results from the coordinated screening and progress monitoring system must be recorded in a written, easy-to-comprehend individual student report. Each school district shall provide a parent secure access to his or her child's individual student reports through a web-based portal as part of its student information system. Each early learning coalition shall provide parents the individual student report in a format determined by state board rule.

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

3. The department shall annually update school districts and early learning coalitions on new system features and functionality and collaboratively identify with school districts and early learning coalitions strategies for meaningfully

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reporting to parents results from the coordinated screening and progress monitoring system. The department shall develop ways to increase the utilization, by instructional staff and parents, of student assessment data and resources.

4. An individual student report must be provided in a printed format upon a parent's request.

(d) Screening and progress monitoring system results, including the number of students who demonstrate characteristics of dyslexia and dyscalculia, shall be reported to the department pursuant to state board rule and maintained in the department's Education Data Warehouse. Results must be provided to a student's teacher and parent in a timely manner as required in s. 1008.22(7)(f) ~~s. 1008.22(7)(g)~~.

Section 14. Paragraph (c) of subsection (3) and subsection (5) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning; leadership quality improvement; educator quality improvement; professional learning; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and

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monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department. A school may not be required to use the measure of student learning growth in s. 1012.34(7) as the sole determinant to recruit instructional personnel. The rule must create a timeline for a school district's school improvement plan or district-managed turnaround plan to be approved and for the school improvement funds under Title I to be released to the school district. The timeline established in rule for the release of school improvement funding under Title I may not exceed 20 calendar days after the approval of the school improvement plan or district-managed turnaround plan.

(5) The state board shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section. The rules shall include timelines for submission of implementation plans, approval criteria for implementation plans, timelines for releasing Title I funding, timelines for implementing intervention and support strategies, a standard charter school turnaround contract, a standard facility lease, and a mutual management agreement. The state board shall consult with education stakeholders in developing the rules.

Section 15. Paragraph (e) is added to subsection (2) of section 1010.20, Florida Statutes, to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(e) Each charter school shall receive and respond to monitoring questions from the department.

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Section 16. Subsections (2) and (4) of section 1011.035, Florida Statutes, are amended to read:

1011.035 School district fiscal transparency.—

(2) Each district school board shall post on its website:

(a) 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 and includes:

~~(a) Graphical representations, for each public school within the district and for the school district, of the following:~~

~~1. Summary financial efficiency data.~~

~~2. Fiscal trend information for the previous 3 years on:~~

~~a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.~~

~~b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.~~

~~c. The total operating expenditures per full-time equivalent student.~~

~~d. The total instructional expenditures per full-time equivalent student.~~

~~e. The general administrative expenditures as a percentage of total budget.~~

~~f. The rate of change in the general fund's ending fund balance not classified as restricted.~~

(b) A link to the web-based fiscal transparency tool developed by the department pursuant to s. 1010.20 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.

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This information must be prominently posted on the school district's website in a manner that is readily accessible to the public.

(4) The website should contain links to:

~~(a) Help explain or provide background information on various budget items that are required by state or federal law.~~

~~(b) Allow users to navigate to related sites to view supporting details.~~

~~(c)~~ enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.

Section 17. Subsection (1) of section 1011.14, Florida Statutes, is amended to read:

1011.14 Obligations for a period of 1 year.—District school boards are authorized only under the following conditions to create obligations by way of anticipation of budgeted revenues accruing on a current basis without pledging the credit of the district or requiring future levy of taxes for certain purposes for a period of 1 year; however, such obligations may be extended from year to year with the consent of the lender for a period not to exceed 4 years, or for a total of 5 years including the initial year of the loan:

(1) PURPOSES.—The purposes for which such obligations may be incurred within the intent of this section shall include only the purchase of school buses, land, and equipment for educational purposes; the erection of, alteration to, or addition to educational plants, ancillary plants, and auxiliary facilities; and the adjustment of insurance on educational

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property on a 5-year plan, as provided by rules of the State Board of Education.

Section 18. Subsection (2) of section 1011.60, Florida Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(2) MINIMUM TERM.—Operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified by rules of the State Board of Education each school year. The State Board of Education may prescribe procedures for altering, and, upon written application, 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 the district school board certifies to the Commissioner of Education that, in the opinion of the board, it is not necessary ~~feasible~~ to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education 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. A strike, as defined in s. 447.203(6), by employees of the school district may not be considered an emergency.

Section 19. Paragraph (b) of subsection (3) of section

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1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Program Initiative.—The Principal Autonomy Program Initiative is created within the Department of Education. The purpose of the program is to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school, as well as other schools, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the district school board for participation in the program.

(3) EXEMPTION FROM LAWS.—

(b) A participating school or a school operated by a principal pursuant to subsection (5) shall comply with ~~the provisions of~~ chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and

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welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. 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 for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

10. Section 1012.335, relating to annual or instructional multiyear contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation procedures and criteria.

12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, is eligible for exemption.

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

Section 20. Subsection (4) of section 1011.69, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1011.69 Equity in School-Level Funding Act.—

(4) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high

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schools above the 50 percent threshold as permitted by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. ~~The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.~~

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. 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;

2. A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of 10 percent;

3. A reasonable and necessary amount to provide:

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs;

4. Up to 5 percent to provide financial incentives and rewards to teachers who serve students in eligible schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement

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activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a measurement under s. 1012.34(7) or a state-approved Alternative Student Growth Model is unavailable; and

~~5.4-~~ A necessary and reasonable amount, ~~not to exceed 1 percent~~, for eligible schools, including charter schools, to provide educational services in accordance with the approved Title I plan. Such educational services may include the provision of STEM curricula, instructional materials, and related learning technologies that support academic achievement in science, technology, engineering, and mathematics in Title I schools, including, but not limited to, technologies related to drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics. Funds may be reserved under this subparagraph only to the extent that all required reservations under federal law have been met and that such reservation does not reduce school-level allocations below the levels required under federal law.

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. An eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district. Any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection.

(c) Any funds carried forward by the school district are

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not subject to the requirements of this subsection.

(5) The Department of Education shall 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.

Section 21. Subsections (2) through (6) of section 1011.71, Florida Statutes, are amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. 1013.62(1) and (3) and for district schools for operational or capital purposes. to fund:

~~(a) New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.~~

~~(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).~~

~~(c) The purchase, lease-purchase, or lease of school buses.~~

~~(d) The purchase, lease-purchase, or lease of new and replacement equipment, computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support 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, of 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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combined with the 1.5 mills authorized in subsection (2), may not exceed 1.75 mills. If the district chooses to use up to 0.25 mills for fixed capital outlay, the compression adjustment pursuant to s. 1011.62(5) shall be calculated for the standard discretionary millage that is not eligible for transfer to capital outlay.

(4) If the revenue from the millage authorized in subsection (2) is insufficient to make payments due under a lease-purchase agreement entered into prior to June 30, 2008, by a district school board pursuant to paragraph (2)(e), an amount up to 0.5 mills of the taxable value for school purposes within the school district shall be legally available for such payments, notwithstanding other restrictions on the use of such revenues imposed by law.

~~(5) A school district may expend, subject to s. 200.065, up to \$200 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:~~

~~(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.~~

~~(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(b), (d), (f), (g), (h), and (m). Operating revenues~~

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~~that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.~~

~~(6) Violations of the expenditure provisions in subsection (2) or subsection (5) shall result in an equal dollar reduction in the Florida Education Finance Program (FEFP) funds for the violating district in the fiscal year following the audit citation.~~

Section 22. Paragraph (c) of subsection (1) and paragraph (a) of subsection (3) of section 1012.22, Florida Statutes, are amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) *Compensation and salary schedules.*—

1. Definitions.—As used in this paragraph:

a. "Adjustment" means an addition to the base salary schedule that is not a bonus and becomes part of the employee's permanent base salary and shall be considered compensation under s. 121.021(22).

b. "Grandfathered salary schedule" means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. "Instructional personnel" means instructional personnel

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as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may use advanced degrees in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification, a field related to his or her teaching assignment, or a related field of study. For the purposes of the salary schedule, an advanced degree may include a master's degree or higher in the area of certification

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or teaching assignment, or an advanced degree in another field with a minimum of 18 graduate semester hours related to the area of certification or teaching assignment.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 4.

~~5.~~ Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, high-demand teacher needs areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule

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that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments.—Salary adjustments for highly effective or effective performance shall be established as follows:

(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.

(II) The annual salary adjustment under the performance

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salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

(III) A salary schedule may ~~shall~~ not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in high-demand teacher needs areas. Statewide high-demand teacher needs areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of high-demand needs within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule may ~~shall~~ not be reduced on the basis of total cost or the value of individual awards in a

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manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

(3) (a) *Collective bargaining.*—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.

2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.

3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.

4. Implementing school safety plans and requirements.

5. Implementing staff and student recognition programs.

6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.

7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.

8. The school district's calendar.

9. Providing salary supplements pursuant to sub-sub-subparagraph (1) (c) 5.c. (III).

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Section 23. Present paragraphs (b) and (c) of subsection (1) of section 1012.335, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, a new paragraph (b) is added to that subsection, paragraphs (d), (e), and (f) are added to subsection (2) of that section, and subsections (3) and (4) of that section are amended, to read:

1012.335 Contracts with instructional personnel hired on or after July 1, 2011.—

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

(b) "Instructional multiyear contract," beginning July 1, 2026, means an employment contract for a period not to exceed 3 years which the district school board may choose to award to instructional personnel upon completion of a probationary contract and at least one annual contract.

(2) EMPLOYMENT.—

(d) An instructional multiyear contract may be awarded, beginning July 1, 2026, only if the employee:

1. Holds an active professional certificate issued pursuant to s. 1012.56 and rules of the State Board of Education;

2. Has been recommended by the district school superintendent for the instructional multiyear contract based upon the individual's evaluation under s. 1012.34 and approved by the district school board; and

3. Has not received an annual performance evaluation rating of unsatisfactory or needs improvement in the past 3 years under s. 1012.34.

(e) An employee awarded an instructional multiyear contract who receives an annual performance evaluation rating of 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
- 1221 district school board, 3 years of full-time successful
- 1222 occupational experience or the equivalent of part-time
- 1223 experience in the teaching specialization area. The district
- 1224 school board may establish alternative qualifications for
- 1225 teachers with an industry certification in the career area in
- 1226 which they teach.
- 1227 c. ~~For full-time teachers, completion of professional~~
- 1228 ~~education training in teaching methods, course construction,~~
- 1229 ~~lesson planning and evaluation, and teaching special needs~~
- 1230 ~~students. This training may be completed through coursework from~~
- 1231 ~~an accredited or approved institution or an approved district~~
- 1232 ~~teacher education program, or the local school district~~
- 1233 ~~inservice master plan.~~
- 1234 ~~d.~~ Documentation of industry certification when state or
- 1235 national industry certifications are available and applicable.
- 1236 Section 25. Paragraphs (a), (b), (d), and (e) of subsection
- 1237 (2) of section 1012.555, Florida Statutes, are amended to read:
- 1238 1012.555 Teacher Apprenticeship Program.—
- 1239 (2)(a) An individual must meet the following minimum
- 1240 eligibility requirements to participate in the apprenticeship
- 1241 program:
- 1242 1. Be enrolled in or have completed ~~Have received~~ an
- 1243 associate degree program at ~~from~~ an accredited postsecondary
- 1244 institution.
- 1245 2. Have earned a cumulative grade point average of 2.5 in
- 1246 that degree program.
- 1247 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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who fulfills one of the following:

1. Meets all the applicable requirements outlined in subsection (2).
2. For a professional certificate covering grades 6 through 12:
 - a. Meets the applicable requirements of paragraphs (2)(a)-(h).
 - b. Holds a master's or higher degree in the area of science, technology, engineering, or mathematics.
 - c. Teaches a high school course in the subject of the advanced degree.
 - d. Is rated highly effective as determined by the teacher's performance evaluation under s. 1012.34, based in part on student performance as measured by a statewide, standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.
 - e. Achieves a passing score on the Florida professional education competency examination required by state board rule.
3. Meets the applicable requirements of paragraphs (2)(a)-(h) and completes a professional learning certification program approved by the department pursuant to paragraph (8)(c) or an educator preparation institute approved by the department pursuant to s. 1004.85. An applicant who completes one of these programs and is rated highly effective as determined by his or her performance evaluation under s. 1012.34 is not required to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate.

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(b) The department shall issue a temporary certificate to any applicant who:

1. Completes the requirements outlined in paragraphs (2)(a)-(f) and completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5) and holds an accredited degree or a degree approved by the Department of Education at the level required for the subject area specialization in state board rule;
2. For a subject area specialization for which the state board otherwise requires a bachelor's degree, documents 48 months of active-duty military service with an honorable discharge or a medical separation; completes the requirements outlined in paragraphs (2)(a), (b), and (d)-(f); completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5); and documents completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher; or
3. Is enrolled in a state-approved teacher preparation program under s. 1004.04; is actively completing the required program field experience or internship at a public school; completes the requirements outlined in paragraphs (2)(a), (b), and (d)-(f); completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5); and documents

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completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher.

(c) The department shall issue one nonrenewable 2-year temporary certificate and one nonrenewable 5-year professional certificate to a qualified applicant who holds a bachelor's degree in the area of speech-language impairment to allow for completion of a master's degree program in speech-language impairment.

(d) The department shall issue a temporary apprenticeship certificate to any applicant who meets the requirements of paragraphs (2)(a), (b), and (d)-(f).

(e) A person who is issued a temporary certificate under paragraph (b) must be assigned a teacher mentor for a minimum of 2 school years after commencing employment. Each teacher mentor selected by the school district, charter school, or charter management organization must:

1. Hold a valid professional certificate issued pursuant to this section;

2. Have earned at least 3 years of teaching experience in prekindergarten through grade 12; and

3. Have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34.

(f)1. A temporary certificate is valid for 5 school fiscal years, is limited to a one-time issuance, and is nonrenewable.

2. A temporary apprenticeship certificate issued under

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paragraph (d) is valid for 5 school years, may be issued only once, and is nonrenewable.

(g) A certificateholder may request that her or his certificate be placed in an inactive status. A certificate that has been inactive may be reactivated upon application to the department. The department shall prescribe, by rule, professional learning requirements as a condition of reactivating a certificate that has been inactive for more than 1 year.

(h) A school district or a regional education consortium may issue temporary certificates, based on the requirements in paragraph (b). School districts and regional education consortia shall report the number of such certificates issued, and any additional information, to the department, based on reporting requirements adopted by the State Board of Education. Such certificates are subject to the authority of the Education Practices Commission under s. 1012.795.

At least 1 year before an individual's department-issued temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

(8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based 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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strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

b. The educator-accomplished practices approved by the state board.

4. Required achievement of passing scores on the subject area and professional education competency examination required by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

5. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum.

Section 27. Paragraph (a) of subsection (2), subsection (3), and paragraph (b) of subsection (5) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(2)(a) All professional certificates, except a nonrenewable professional certificate, are shall be renewable for successive periods not to exceed 10 ~~5~~ years after the date of submission of documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 5-year or 10-year validity period of a professional

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certificate.

1. An applicant who is rated highly effective, pursuant to s. 1012.34, in the first 4 years of the 5-year validity period of his or her professional certificate is eligible for a professional certificate valid for 10 years. An applicant must be issued at least one 5-year professional certificate to be eligible for a 10-year professional certificate. An applicant who does not meet the requirement of this subparagraph is eligible only to renew his or her 5-year professional certificate.

2. An applicant who is rated effective or highly effective, pursuant to s. 1012.34, for the first 9 years of the 10-year validity period of his or her professional certificate is eligible to renew a professional certificate valid for 10 years. An applicant issued a 10-year professional certificate who does not meet the requirement of this subparagraph is eligible only for renewal of a professional certificate valid for 5 years.

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must:

1. Earn a minimum of 6 college credits or 120 inservice points or a combination thereof for a certificate valid for 5 years.

2. Earn a minimum of 12 college credits or 240 inservice points or a combination thereof for a professional certificate valid for 10 years. A minimum of 5 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.

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1509 (b) For each area of specialization to be retained on a
 1510 certificate, the applicant must earn at least 3 of the required
 1511 credit hours or equivalent inservice points in the
 1512 specialization area. Education in "clinical educator" training
 1513 pursuant to s. 1004.04(5)(b); participation in mentorship and
 1514 induction activities, including as a mentor, pursuant to s.
 1515 1012.56(8)(a); credits or points that provide training in the
 1516 knowledge and skills required to support students with autism;
 1517 and credits or points that provide training in the area of
 1518 scientifically researched, knowledge-based reading literacy
 1519 grounded in the science of reading, including explicit,
 1520 systematic, and sequential approaches to reading instruction,
 1521 developing phonemic awareness, and implementing multisensory
 1522 intervention strategies, and computational skills acquisition,
 1523 exceptional student education, normal child development, and the
 1524 disorders of development may be applied toward any
 1525 specialization area. Credits or points that provide training in
 1526 the areas of drug abuse, child abuse and neglect, strategies in
 1527 teaching students having limited proficiency in English, or
 1528 dropout prevention, or training in areas identified in the
 1529 educational goals and performance standards adopted pursuant to
 1530 ss. 1000.03(5) and 1008.345 may be applied toward any
 1531 specialization area, except specialization areas identified by
 1532 State Board of Education rule that include reading instruction
 1533 or intervention for any students in kindergarten through grade
 1534 6. Each district school board shall include in its inservice
 1535 master plan the ability for teachers to receive inservice points
 1536 for supporting students in extracurricular career and technical
 1537 education activities, such as career and technical student

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1538 organization activities outside of regular school hours and
 1539 training related to supervising students participating in a
 1540 career and technical student organization. Credits or points
 1541 earned through approved summer institutes may be applied toward
 1542 the fulfillment of these requirements. Inservice points may also
 1543 be earned by participation in professional growth components
 1544 approved by the State Board of Education and specified pursuant
 1545 to s. 1012.98 in the district's approved master plan for
 1546 inservice educational training; however, such points may not be
 1547 used to satisfy the specialization requirements of this
 1548 paragraph.

1549 (c) ~~(b)~~ 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) ~~(e)~~ 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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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1. A teacher who holds a professional certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading in excess of 6 semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.

2. A teacher who holds a temporary certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading toward renewal of the teacher's first professional certificate. Such training must not have been included within the degree program, and the teacher's temporary and professional certificates must be issued for consecutive school years.

(f)~~(e)~~ Beginning July 1, 2014, an applicant for renewal of a professional certificate must earn a minimum of one college credit or the equivalent inservice points in the area of instruction for teaching students with disabilities. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(g)~~(f)~~ An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education 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 2 college credits or the equivalent inservice points in evidence-based instruction and interventions

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grounded in the science of reading 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. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional learning systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(h)~~(g)~~ An applicant for renewal of a professional certificate in educational leadership from a Level I program under s. 1012.562(2) or Level II program under s. 1012.562(3), with a beginning validity date of July 1, 2025, or thereafter, must earn a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards, as established in rule by the State Board of Education. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(i)~~(h)~~ A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

(5) The State Board of Education shall adopt rules to allow the reinstatement of expired professional certificates. The department may reinstate an expired professional certificate if the certificateholder:

(b) Documents completion of 6 college credits during the 5 years immediately preceding reinstatement of the expired 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)~~.

1628
 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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listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, ~~which is required in order to:~~

1. ~~Properly maintain the educational plant and ancillary facilities of the district.~~

2. ~~Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs.~~

(c) ~~"Tentative educational facilities plan" means the comprehensive planning document prepared annually by the district school board and submitted to the Office of Educational Facilities and the affected general-purpose local governments.~~

~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.~~

~~(a) Annually, before prior to the adoption of the district school budget, each district school board shall prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. The district school board shall submit the tentative facilities plan to the department. The plan must be developed in coordination with the general-purpose local governments and be consistent with the local government comprehensive plans. The school board's plan for provision of new schools must meet the needs of all growing communities in the district, ranging from small rural communities to large urban cities. The plan must include:~~

1. ~~Projected student populations apportioned geographically at the local level. The projections must be based on information~~

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produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136, where available, as modified by the district based on development data and agreement with the local governments and the Office of Educational Facilities. The projections must be apportioned geographically with assistance from the local governments using local development trend data and the school district student enrollment data.

2. ~~An inventory of existing school facilities. Any anticipated expansions or closures of existing school sites over the 5-year, 10-year, and 20-year periods must be identified. The inventory must include an assessment of areas proximate to existing schools and identification of the need for improvements to infrastructure, safety, including safe access routes, and conditions in the community. The plan must also provide a listing of major repairs and renovation projects anticipated over the period of the plan.~~

3. ~~Projections of facilities space needs, which may not exceed the norm space and occupant design criteria established in the State Requirements for Educational Facilities.~~

4. ~~Information on leased, loaned, and donated space and relocatables used for conducting the district's instructional programs.~~

5. ~~The general location of public schools proposed to be constructed over the 5-year, 10-year, and 20-year time periods, including a listing of the proposed schools' site acreage needs and anticipated capacity and maps showing the general locations. The school board's identification of general locations of future school sites must be based on the school siting requirements of s. 163.3177(6)(a) and policies in the comprehensive plan which~~

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provide guidance for appropriate locations for school sites.

~~6. The identification of options deemed reasonable and approved by the school board which reduce the need for additional permanent student stations. Such options may include, but need not be limited to:~~

~~a. Acceptable capacity;~~

~~b. Redistricting;~~

~~c. Busing;~~

~~d. Year-round schools;~~

~~e. Charter schools;~~

~~f. Magnet schools; and~~

~~g. Public private partnerships.~~

~~7. The criteria and method, jointly determined by the local government and the school board, for determining the impact of proposed development to public school capacity.~~

~~(b) The plan must also include a financially feasible district facilities work program for a 5-year period. The work program must include:~~

~~1. A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.~~

~~2. A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs. This schedule shall consider:~~

~~a. The locations, capacities, and planned utilization rates of current educational facilities of the district. The capacity of existing satisfactory facilities, as reported in the Florida Inventory of School Houses must be compared to the capital~~

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~~outlay full-time-equivalent student enrollment as determined by the department, including all enrollment used in the calculation of the distribution formula in s. 1013.64.~~

~~b. The proposed locations of planned facilities, whether those locations are consistent with the comprehensive plans of all affected local governments, and recommendations for infrastructure and other improvements to land adjacent to existing facilities. The provisions of ss. 1013.33(6), (7), and (8) and 1013.36 must be addressed for new facilities planned within the first 3 years of the work plan, as appropriate.~~

~~e. Plans for the use and location of relocatable facilities, leased facilities, and charter school facilities.~~

~~d. Plans for multitrack scheduling, grade level organization, block scheduling, or other alternatives that reduce the need for additional permanent student stations.~~

~~e. Information concerning average class size and utilization rate by grade level within the district which will result if the tentative district facilities work program is fully implemented.~~

~~f. The number and percentage of district students planned to be educated in relocatable facilities during each year of the tentative district facilities work program. For determining future needs, student capacity may not be assigned to any relocatable classroom that is scheduled for elimination or replacement with a permanent educational facility in the current year of the adopted district educational facilities plan and in the district facilities work program adopted under this section. Those relocatable classrooms clearly identified and scheduled 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 ~~(c) 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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audit conducted by the Auditor General pursuant to s. 11.45 satisfies this requirement.

~~(4)(3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN TO LOCAL GOVERNMENT.~~ The district school board shall submit a copy of its tentative district educational facilities plan to all affected local governments before ~~prior~~ to adoption by the board. The affected local governments may ~~shall~~ review the tentative district educational facilities plan and comment to the district school board on the consistency of the plan with the local comprehensive plan, whether a comprehensive plan amendment will be necessary for any proposed educational facility, and whether the local government supports a necessary comprehensive plan amendment. If the local government does not support a comprehensive plan amendment for a proposed educational facility, the matter must ~~shall~~ be resolved pursuant to the interlocal agreement when required by ss. 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the submittal and review must ~~shall~~ be detailed in the interlocal agreement when required pursuant to ss. 163.3177(6)(h), 163.31777, and 1013.33(2).

~~(5)(4) ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ Annually, the district school board shall consider and adopt the tentative district educational facilities plan ~~completed~~ pursuant to ~~subsection (2)~~. Upon giving proper notice to the public and local governments and opportunity for public comment, the district school board may amend the plan to revise the priority of projects, to add or delete projects, to reflect the impact of change orders, or to reflect the approval of new revenue sources which may become available. The district school

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board shall submit the revised plan to the department. The adopted district educational facilities plan must ~~shall~~:

(a) Be a complete, balanced, and financially feasible capital outlay financial plan for the district.

(b) 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.

~~(6)(5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ The first year of the adopted district educational facilities plan constitutes ~~shall constitute~~ the capital outlay budget required in s. 1013.61. ~~The adopted district educational facilities plan shall include the information required in subparagraphs (2)(b)1., 2., and 3., based upon projects actually funded in the plan.~~

Section 30. Subsections (3) and (4) of section 1013.41, Florida Statutes, are amended to read:

1013.41 SMART schools; Classrooms First; legislative purpose.—

(3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the purpose of the Legislature to create s. 1013.35, requiring each school district annually to adopt an educational facilities plan that provides an integrated long-range facilities plan, ~~including the survey of projected needs and the 5-year work program.~~ The purpose of the educational facilities plan is to keep the district school board, local governments, and the 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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process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 32. Section 1013.451, Florida Statutes, is repealed.

Section 33. Paragraph (e) of subsection (1) and paragraph (b) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)

(e) Remodeling projects must ~~shall~~ be based on the recommendations of a survey pursuant to s. 1013.31, or, for district school boards, as indicated by the relative need as determined by the Florida Inventory of School Houses and the capital outlay full-time equivalent enrollment in the district.

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance

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Grant Program funds provided in s. 1013.738 to pay for any portion of the cost of any new construction of educational plant space with a total cost per student station, including change orders, which exceeds:

- a. \$17,952 for an elementary school;
- b. \$19,386 for a middle school; or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index. The department, in conjunction with the Office of Economic and Demographic Research, shall review and adjust the cost per student station limits to reflect actual construction costs by January 1, 2020, and annually thereafter. The adjusted cost per student station shall be used by the department for computation of the statewide average costs per student station for each instructional level pursuant to paragraph (d). The department shall also collaborate with the Office of Economic and Demographic Research to select an industry-recognized construction index to replace the Consumer Price Index by January 1, 2020, adjusted annually to reflect changes in the construction index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district.

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 2017, 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.

2043 4. A district school board must not use funds from the
 2044 Public Education Capital Outlay and Debt Service Trust Fund or
 2045 the School District and Community College District Capital
 2046 Outlay and Debt Service Trust Fund for any new construction of
 2047 an ancillary plant that exceeds 70 percent of the average cost
 2048 per square foot of new construction for all schools.

2049 Section 34. Paragraph (e) of subsection (6) of section
 2050 163.3180, Florida Statutes, is amended to read:

2051 163.3180 Concurrency.—

2052 (6)

2053 (e) A school district that includes relocatable facilities
 2054 in its inventory of student stations shall include the capacity
 2055 of such relocatable facilities ~~as provided in s.~~
 2056 ~~1013.35(2)(b)2.f.~~, provided the relocatable facilities were
 2057 purchased after 1998 and the relocatable facilities meet the
 2058 standards for long-term use pursuant to s. 1013.20.

2059 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~~
 2082 ~~s. 1011.71(2)(i).~~ The additional notice shall be in the
 2083 following form, except that if the district school board is
 2084 proposing to levy the same millage under s. 1011.71(2) or (3)
 2085 which it levied in the prior year, the words "continue to" shall
 2086 be inserted before the word "impose" in the first sentence, and
 2087 except that the second sentence of the second paragraph shall be
 2088 deleted if the district is advertising pursuant to paragraph

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(3) (e) :

NOTICE OF TAX FOR SCHOOL

CAPITAL OUTLAY

The ...(name of school district)... will soon consider a measure to impose a ...(number)... mill property tax for the capital outlay projects listed herein.

This tax is in addition to the school board's proposed tax of ...(number)... mills for operating expenses and is proposed solely at the discretion of the school board. THE PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

The capital outlay tax will generate approximately \$...(amount)..., to be used for the following projects:

...(list of capital outlay projects)...

All concerned citizens are invited to a public hearing to be held on ...(date and time)... at ...(meeting place)....

A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

Section 36. Paragraph (a) of subsection (5) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(5) (a) If a public school's or private prekindergarten provider's program assessment composite score for its

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prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under s. 1002.55(6), s. 1002.61(10)(b), s. 1002.63(9) ~~ss-~~ ~~1002.55(6), 1002.61(10)(b), 1002.63(9)(b)~~, or paragraph (5) (b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider is ~~shall be~~ responsible for the cost of the program assessment.

Section 37. Paragraph (c) of subsection (2) of section 1003.631, Florida Statutes, is amended to read:

1003.631 Schools of Excellence.—The Schools of Excellence Program is established to provide administrative flexibility to the state's top schools so that the instructional personnel and administrative staff at such schools can continue to serve their communities and increase student learning to the best of their professional ability.

(2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence 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,
 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

2196 The State Board of Education shall approve the training
 2197 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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experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

Section 39. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in

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the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 40. Paragraph (e) of subsection (2) of section 1012.552, Florida Statutes, is amended to read:

1012.552 The Coaching for Educator Readiness and Teaching (CERT) Certification Program.—

(2) PROGRAM REQUIREMENTS.—A CERT program must include all of the following:

(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) ~~s. 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) ~~s.~~
 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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reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 shall include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other

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data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district shall ~~must~~ provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~.

Section 43. Subsection (3) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department must ~~shall~~ use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the

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school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation. The amount of funds a school district must distribute to charter schools shall be as follows:

1. For fiscal year 2023-2024, the amount is 20 percent of the amount calculated under this paragraph.

2. For fiscal year 2024-2025, the amount is 40 percent of the amount calculated under this paragraph.

3. For fiscal year 2025-2026, the amount is 60 percent of the amount calculated under this paragraph.

4. For fiscal year 2026-2027, the amount is 80 percent of the amount calculated under this paragraph.

5. For fiscal year 2027-2028, and each fiscal year

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thereafter, the amount is 100 percent of the amount calculated under this paragraph.

(e) School districts shall distribute capital outlay funds to eligible charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board. School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirement of paragraph (a) and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (a) ~~and s. 1011.71(2)(e)~~ during scheduled operational audits of school districts.

Section 44. This act shall take effect July 1, 2026.

1/14/26

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 320

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jessica Janasiewicz (Jan-ah-see-witz)

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Address 119 South Monroe Street Suite 202

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32301

City

State

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Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Oseola County Schools

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

1/14/2026

APPEARANCE RECORD

SB 320

Meeting Date

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Michele White, Florida Association of School AdministratorsPhone 850-224-3626Address 206B S. Monroe St.
*Street*Email mwhite@fasa.netTallahasseeFL32301*City**State**Zip*Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☒ I am appearing without
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representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
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1/14/26
Meeting Date
Fiscal Policy
Committee

320
Bill Number or Topic

Amendment Barcode (if applicable)

Name Scott Howat (How-it) Phone 407-317-3200

Address 445 W. Amelia St Email scott.howat@ocps.net
Street

Orlando FL 32801
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Orange County Public Schools

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S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 1/14/2026 9:00:09 AM

Ends: 1/14/2026 9:30:41 AM

Length: 00:30:33

9:00:13 AM Chair Gruters calls the meeting to order
9:00:15 AM Roll Call
9:00:50 AM Chair Gruters makes opening remarks
9:01:01 AM Tab 1, CS/SB 290 by AG/Senator Truenow, Department of Agriculture and Consumer Services
9:01:11 AM Senator Truenow explains the bill
9:01:30 AM Amendment #563518 by Senator Truenow
9:02:23 AM Senator Truenow explains the amendment
9:03:38 AM Senator Truenow waives close on the amendment
9:03:42 AM Back on bill as amended
9:03:45 AM Questions:
9:03:47 AM Senator Osgood
9:04:29 AM Senator Truenow
9:04:46 AM Senator Osgood
9:05:22 AM Senator Truenow
9:05:41 AM Senator Davis
9:06:20 AM Senator Truenow
9:07:00 AM Senator Davis
9:07:18 AM Senator Truenow
9:07:37 AM Senator Davis
9:08:21 AM Senator Truenow
9:09:52 AM Senator Bracey Davis
9:10:08 AM Senator Truenow
9:10:32 AM Senator Bracey Davis
9:10:47 AM Senator Truenow
9:10:53 AM Senator Bracey Davis
9:11:08 AM Senator Truenow
9:11:15 AM Senator Jones
9:11:44 AM Senator Truenow
9:11:55 AM Senator Bradley
9:12:17 AM Senator Truenow
9:12:22 AM Senator Bradley
9:12:47 AM Senator Truenow
9:13:25 AM Senator Bradley
9:14:01 AM Chair Gruters recognizes public appearances
9:14:05 AM Speaking:
9:14:14 AM Elizabeth Alvi
9:17:57 AM Debate:
9:18:00 AM Senator Jones
9:19:24 AM Senator Osgood
9:21:29 AM Senator Truenow makes closing remarks on the bill
9:22:33 AM Senator Truenow waives close on the bill
9:22:36 AM Roll Call
9:23:20 AM Tab 2, SB 320 by Senator Simon, Administrative Efficiency in Public Schools
9:23:27 AM Senator Simon explains the bill
9:25:49 AM Chair Gruters recognizes public appearances
9:26:14 AM Debate:
9:26:17 AM Senator Osgood
9:27:17 AM Senator Bracey Davis
9:27:52 AM Senator Simon makes closing remarks
9:29:38 AM Senator Simon waives close on the bill
9:29:41 AM Roll Call
9:30:28 AM Chair Gruters recognizes senators wishing to record votes

9:30:30 AM Senator Osgood moves to adjourn
9:30:33 AM Meeting adjourned