

Tab 1	CS/SB 50 by CJ, Gaetz; Similar to CS/CS/H 00199 Veterans Affairs					
Tab 2	CS/CS/SB 54 by ACJ, CJ, Sharief (CO-INTRODUCERS) Osgood, Rouson, Bernard; Similar to H 01519 Use of Substances Affecting Cognitive Function					
Tab 3	CS/SB 176 by AHE, Polsky; Similar to H 00077 Public Postsecondary Education Safety Policies and Procedures					
Tab 4	CS/CS/SB 178 by JU, ED, Jones; Similar to CS/H 01253 Athletics in Public K-12 Schools					
Tab 5	CS/SB 198 by BI, Rouson (CO-INTRODUCERS) Arrington; Similar to CS/H 00505 Virtual Currency Kiosks					
855276	A	S	RC, Rouson	Delete L.100 - 349:	02/08 06:13 PM	
Tab 6	CS/CS/SB 290 by FP, AG, Truenow; Similar to CS/H 00433 Department of Agriculture and Consumer Services					
~~975150~~	A	S	WD	RC, Martin	Delete L.810 - 825:	01/27 10:03 AM
248378	A	S		RC, Trumbull	Delete L.892 - 908:	02/06 03:02 PM
667770	A	S		RC, Truenow	Delete L.1039 - 1075:	01/26 06:07 PM
~~678736~~	A	S	WD	RC, Truenow	Delete L.1072 - 1073:	01/26 06:08 PM
423906	A	S		RC, Truenow	Delete L.1109 - 1397:	02/06 04:34 PM
203322	A	S		RC, Truenow	Delete L.1743 - 1747:	01/23 03:12 PM
789224	A	S		RC, Truenow	btw L.1825 - 1826:	01/23 03:11 PM
212138	A	S		RC, Martin	Delete L.1856 - 1894:	02/06 10:02 PM
Tab 7	CS/SB 420 by AED, Burgess (CO-INTRODUCERS) Yarborough, Gaetz; Identical to CS/H 00371 Patriotic Displays at Public Schools					
Tab 8	CS/SB 502 by JU, Wright; Compare to CS/H 00351 Concurrent Legislative Jurisdiction over United States Military Installations					
Tab 9	CS/CS/SB 538 by JU, ED, Simon; Compare to H 00731 Extracurricular Activities					
475790	D	S	RC, Simon	Delete everything after	02/09 08:50 AM	
Tab 10	CS/SB 706 by TR, Mayfield (CO-INTRODUCERS) Massullo, Avila, Gruters, Pizzo; Similar to CS/CS/H 00919 Commercial Service Airports					
Tab 11	CS/SB 834 by BI, Yarborough; Identical to H 06015 Nonprofit Religious Organizations					
677184	A	S	RC, Yarborough	btw L.44 - 45:	02/06 12:15 PM	
Tab 12	SB 936 by McClain; Similar to H 00537 Temporary Door Locking Devices					
Tab 13	SB 962 by Bradley; Identical to CS/H 00837 Affordable Housing					
Tab 14	SB 1004 by Gaetz (CO-INTRODUCERS) Arrington; Compare to H 01521 Sale of Dogs and Cats					
651132	D	S	RC, Gaetz	Delete everything after	02/09 06:13 AM	

Tab 15	CS/SB 1080 by TR, DiCeglie ; Compare to CS/H 00543 Transportation

Tab 16	SB 7022 by ED ; Similar to H 07021 Public Records/Examination and Assessment Instruments

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

RULES

Senator Passidomo, Chair
Senator Jones, Vice Chair

MEETING DATE: Tuesday, February 10, 2026

TIME: 9:00—11:00 a.m.

PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Passidomo, Chair; Senator Jones, Vice Chair; Senators Avila, Berman, Boyd, Bradley, Brodeur, Burgess, Burton, Davis, DiCeglie, Gaetz, Garcia, Grall, Harrell, Hooper, Martin, Osgood, Pizzo, Rodriguez, Rouson, Simon, Trumbull, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 50 Criminal Justice / Gaetz (Similar CS/CS/H 199)	Veterans Affairs; Revising the admissions process for veterans treatment court programs; authorizing the multidisciplinary team to determine eligibility for veterans treatment court programs; authorizing sentencing courts to divert defendants to veterans treatment court programs under certain circumstances; requiring that a defendant's satisfactory completion of the program be a condition of the defendant's probation or community control, etc.	CJ 01/12/2026 Fav/CS JU 02/03/2026 Favorable RC 02/10/2026
2	CS/CS/SB 54 Appropriations Committee on Criminal and Civil Justice / Criminal Justice / Sharief (Similar H 1519)	Use of Substances Affecting Cognitive Function; Requiring medical examiners to take specified actions when performing an autopsy on a decedent who is a violent offender; requiring that autopsy reports for such individuals include certain findings and information; authorizing the release of certain patient records to law enforcement agencies without patient authorization under certain circumstances; requiring school safety specialists to provide school district staff with certain training on the adverse effects of specified substances, etc.	CJ 12/09/2025 Fav/CS ACJ 01/14/2026 Fav/CS RC 02/10/2026
3	CS/SB 176 Appropriations Committee on Higher Education / Polsky (Similar H 77)	Public Postsecondary Education Safety Policies and Procedures; Requiring state universities and Florida College System institutions to adopt and implement specified policies and procedures relating to safety; providing requirements for such policies and procedures; requiring state universities and Florida College System institutions to annually review and update the policies and procedures, etc.	HE 01/13/2026 Favorable AHE 01/28/2026 Fav/CS RC 02/10/2026

COMMITTEE MEETING EXPANDED AGENDA

Rules

Tuesday, February 10, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/CS/SB 178 Judiciary / Education Pre-K - 12 / Jones (Similar H 1253)	Athletics in Public K-12 Schools; Requiring the Florida High School Athletic Association to adopt bylaws authorizing a head coach to support the welfare of a student by using personal funds to provide certain effects to the student; requiring the head coach to report such use of personal funds to the association; providing that such use of personal funds is presumed not to be an impermissible benefit, etc. ED 01/20/2026 Fav/CS JU 02/03/2026 Fav/CS RC 02/10/2026	
5	CS/SB 198 Banking and Insurance / Rouson (Similar CS/H 505)	Virtual Currency Kiosks; Revising the definition of the term "money services business"; revising the requirements for certain rules adopted by the Financial Services Commission; prohibiting a virtual currency kiosk business from operating in this state without registering or renewing its registration; specifying that certain money transmitters are exempt from registration as a virtual currency kiosk business but are subject to certain provisions; prohibiting certain entities from performing certain actions without being licensed as a money services business, etc. BI 01/28/2026 Fav/CS CM 02/04/2026 Favorable RC 02/10/2026	
6	CS/CS/SB 290 Fiscal Policy / Agriculture / Truenow (Similar CS/H 433, Compare CS/H 607)	Department of Agriculture and Consumer Services; 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; 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; establishing the Florida Food Animal Veterinary Medicine Loan Repayment Program; revising the Florida Forest Service's powers, authority, and duties, etc. AG 12/02/2025 Fav/CS FP 01/14/2026 Fav/CS RC 01/27/2026 Temporarily Postponed RC 02/10/2026	

COMMITTEE MEETING EXPANDED AGENDA

Rules

Tuesday, February 10, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	CS/SB 420 Appropriations Committee on Pre-K - 12 Education / Burgess (Similar H 371)	Patriotic Displays at Public Schools; Requiring, subject to legislative appropriation, each district school board to adopt rules to require the display of portraits of George Washington and Abraham Lincoln at each public school in the district; requiring the Department of Education to select the portraits and make them available to each school district, etc. ED 01/13/2026 Favorable AED 01/28/2026 Fav/CS RC 02/10/2026	
8	CS/SB 502 Judiciary / Wright (Compare CS/H 351)	Concurrent Legislative Jurisdiction over United States Military Installations; Accepting concurrent legislative jurisdiction with the United States over delinquency matters on United States military installations if such matters meet certain criteria; establishing circuit court jurisdiction over such matters, etc. JU 01/20/2026 Fav/CS MS 02/02/2026 Favorable RC 02/10/2026	
9	CS/CS/SB 538 Judiciary / Education Pre-K - 12 / Simon (Compare H 731)	Extracurricular Activities; Revising eligibility requirements for a student to participate in an interscholastic or intrascholastic extracurricular activity; deleting requirements for the Florida High School Athletic Association to facilitate a program for private school students to participate in an interscholastic or intrascholastic sport; authorizing a public school to assess an activity fee for certain students; providing indemnity for a school and district school board under specified circumstances, etc. ED 01/20/2026 Fav/CS JU 02/03/2026 Fav/CS RC 02/10/2026	
10	CS/SB 706 Transportation / Mayfield (Similar CS/CS/H 919)	Commercial Service Airports; Preempting the naming of major commercial service airports to the state; providing names for major commercial service airports; providing that such airport names continue to be valid under certain circumstances; requiring the Department of Transportation to annually review provisions naming major commercial service airports for a certain purpose; providing that a political subdivision is in compliance with certain provisions under specified circumstances, etc. TR 01/27/2026 Fav/CS CA 02/03/2026 Favorable RC 02/10/2026	

COMMITTEE MEETING EXPANDED AGENDA

Rules

Tuesday, February 10, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	CS/SB 834 Banking and Insurance / Yarborough (Identical H 6015)	Nonprofit Religious Organizations; Revising the conditions under which a nonprofit religious organization is not subject to the requirements of the Florida Insurance Code, etc. BI 01/13/2026 Fav/CS JU 01/20/2026 Favorable RC 02/10/2026	
12	SB 936 McClain (Similar H 537, H 553)	Temporary Door Locking Devices; Defining the term "temporary door locking device"; authorizing temporary door locking devices to be installed at any height; requiring the Florida Building Commission to incorporate certain standards for temporary door locking devices into the Florida Building Code; requiring the use of temporary door locking devices be integrated into building safety plans, safety drills, and training programs for a specified purpose, etc. CA 01/27/2026 Favorable RI 02/03/2026 Favorable RC 02/10/2026	
13	SB 962 Bradley (Identical CS/H 837, Compare S 1548)	Affordable Housing; Revising the definitions of certain land use categories for which certain residential development may be authorized to exclude farms and farm operations and uses associated therewith, etc. CA 01/27/2026 Favorable AG 02/03/2026 Favorable RC 02/10/2026	
14	SB 1004 Gaetz (Compare H 1521, CS/S 1356)	Sale of Dogs and Cats; Requiring that if a pet sale is terminated for certain reasons, the financing agreement must be terminated without certain costs; requiring that all financial terms be disclosed to the consumer before the sale of the animal; requiring a pet dealer to provide copies of specified medical records to a consumer; providing that violations constitute an unfair method of competition or an unfair or deceptive act or practice in violation of specified provisions and subject to penalties, etc. CM 01/21/2026 Favorable JU 02/03/2026 Favorable RC 02/10/2026	

COMMITTEE MEETING EXPANDED AGENDA

Rules

Tuesday, February 10, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
15	CS/SB 1080 Transportation / DiCeglie (Compare CS/H 543, S 1274)	Transportation; Requiring the Department of Transportation to adopt rules establishing circumstances under which it may make direct payments to a first-tier subcontractor; requiring that a takeover agreement between the department and a surety require the surety's completion contractor to meet certain requirements and follow certain contract procedures, etc. TR 01/20/2026 Fav/CS CM 01/28/2026 Favorable RC 02/10/2026	
16	SB 7022 Education Pre-K - 12 (Similar H 7021)	Public Records/Examination and Assessment Instruments; Deleting a duplicative exemption from public records requirements for certain examination and assessment instruments; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, governing the retention and disposal process for specified records; deleting a provision requiring the State Board of Education and the Board of Governors to adopt certain rules and regulations, respectively, governing access to records; extending the scheduled repeal of the exemption; providing a statement of public necessity, etc. GO 02/02/2026 Favorable RC 02/10/2026	
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 Rules

BILL: CS/SB 50

INTRODUCER: Criminal Justice Committee and Senator Gaetz

SUBJECT: Veterans Affairs

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Fav/CS
2.	Bond	Cibula	JU	Favorable
3.	Wyant	Kruse	RC	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 50 repeals the exclusive authority of a state attorney to approve or deny admission of a defendant or offender into a veterans treatment court program. The bill gives the authority to the court or to a multidisciplinary team.

The bill also gives a sentencing court the authority to place an offender into a postadjudicatory veterans treatment court program if he or she was convicted of a misdemeanor or a nonviolent felony and if the offender otherwise meets the program requirements.

The bill may have an indeterminate fiscal impact on the Office of the State Courts Administrator. See *Section V. Fiscal Impact Statement*.

The bill takes effect on July 1, 2026.

II. Present Situation:

Veterans have unique experiences and face unique challenges. As a result, they have unique needs. Veterans treatment court programs are but one form of state aid provided to veterans.

Background

Specialty Courts In General

The court system has developed several specialty courts to address certain problems in society and to assist certain populations. The concept of a veterans treatment court program is a combination of features found in the drug court programs and the mental health court programs. Each of these problem-solving courts is administratively assisted by the Office of the State Courts Administrator's Office of Court Improvement.¹

Veterans Treatment Courts in General

Veterans treatment courts are designed to assist justice-involved defendants with the complex treatment needs associated with substance abuse, mental health, and other issues unique to the traumatic experiences that may result from military service. Some veterans returning home from service find it difficult to integrate back into the community. It is the intent of the Legislature to encourage and support the judicial circuits of the state and other agencies, local governments, interested public and private entities, and individuals to create and maintain a veterans treatment court program in each judicial circuit.² A court having jurisdiction over criminal cases may create and administer a veterans treatment court program that may adjudicate misdemeanors and felonies.³

A veterans treatment court program is typically administered by a multidisciplinary team. Current law does not specify who is appointed to these teams, thus its composition is a matter of local rule and custom at the direction of the chief judge of the circuit. Veterans treatment court programs typically involve cooperation and collaboration with traditional partners found in the similar drug court programs, such as the judge, state attorney, public defender, case manager, treatment provider, probation, and law enforcement agencies. Added to this interdisciplinary team are representatives of the Veterans Health Administration and the Veterans Benefit Administration – as well as State Departments of Veteran Affairs, Veteran Centers, Veterans Service Organizations, Department of Labor, volunteer veteran mentors, and other veteran support groups.⁴

The following are key components of a veterans treatment court program:⁵

- Integration of alcohol, drug treatment, and mental health services into justice system case processing;⁶
- Non-adversarial approach;⁷

¹ Office of the State Court Administrator, Veterans Resource Guide, *Office of the State Courts Administrator*, pp 13 and 17, available at: https://flcourts-media.flcourts.gov/content/download/2450937/file/VETERANS_RESOURCE_GUIDE_ADA-Compliant.pdf (last visited January 26, 2026).

² Section 394.47891(1), F.S.

³ Section 394.47891(3)(a)-(b), F.S.

⁴ Florida Courts, Veteran Courts, *Background*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

⁵ Florida Courts, Veteran Courts, *Current Status*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

⁶ Required by s. 394.47891(6)(a)1., F.S.

⁷ Required by s. 394.47891(6)(a)2., F.S.

- Early identification of eligible participants;⁸
- Continuum of services;
- Alcohol and drug testing for abstinence;⁹
- Coordinated strategy for responses to participants' compliance;
- Ongoing judicial interaction;¹⁰
- Monitoring and evaluation for program effectiveness;
- Interdisciplinary education; and,
- Partnerships with stakeholders.¹¹

Veterans Treatment Courts – Currently

As of October 2025, Florida has 33 veterans treatment court programs in operation. Florida veterans treatment courts admitted 683 participants in 2024.¹²

Referral to a Veterans Treatment Court Program

Referral to a veterans treatment court program is governed by numerous overlapping statutes:

Referral to Veterans Treatment Court Program Under s. 394.47891, F.S.

Section 394.47891, F.S., provides that any criminal defendant who meets the eligibility requirements may be admitted to a veterans treatment court program at any stage of a criminal proceeding.¹³ Veterans and servicemembers alike may apply. A veteran does not have an enforceable right to participate in a veterans treatment court program.¹⁴

A defendant seeking to participate in a veterans treatment court program must apply to the state attorney and the state attorney must review each application to determine whether the defendant meets the eligibility requirements. A defendant may participate in the program if he or she is approved by the state attorney, in consultation with the court, and meets the following criteria:¹⁵

- The defendant has a service-related mental health condition, service-related traumatic brain injury, service-related substance use disorder, or service-related psychological problem or has experienced military sexual trauma.¹⁶
- The defendant's participation in the veterans treatment court program is in the interest of justice and of benefit to the defendant and the community.

⁸ Required by s. 394.47891(6)(a)3., F.S.

⁹ Required by s. 394.47891(6)(a)4., F.S.

¹⁰ Required by s. 394.47891(6)(a)5., F.S.

¹¹ Required by s. 394.47891(6)(a)7., F.S.

¹² Office of the State Courts Administrator, *Veterans Courts*, at <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts>.

¹³ Section 394.47891(4), F.S. This statute and other laws discussed in this analysis may apply also to someone convicted of a crime and serving a term of probation or community control, where the technical reference to a would be to an "offender."

¹⁴ Section 394.47891(10), F.S.

¹⁵ Section 394.47891(8)(a), F.S.

¹⁶ "Military sexual trauma" means psychological trauma that results from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while a servicemember or veteran was serving on active duty, active duty for training, or inactive duty training. Section 394.47891(2)(b), F.S.

In making the determination, the state attorney, in consultation with the court, must consider:¹⁷

- The nature and circumstances of the offense charged.
- The special characteristics or circumstances of the defendant and any victim or alleged victim, including any recommendation of the victim or alleged victim.
- The defendant's criminal history and whether the defendant previously participated in a veterans treatment court program or similar program.
- Whether the defendant's needs exceed the treatment resources available to the veterans treatment court program.
- The impact on the community of the defendant's participation and treatment in the veterans treatment court program.
- Recommendations of any law enforcement agency involved in investigating or arresting the defendant.
- If the defendant owes restitution, the likelihood of payment during the defendant's participation in the veterans treatment court program.
- Any mitigating circumstances.
- Any other circumstances reasonably related to the defendant's case.

The chief judge and state attorney of the judicial circuit have the exclusive authority to determine whether veterans who have been dishonorably discharged may participate in the program.¹⁸ This appears to be a limitation on whether a program in general may admit dishonorably discharged veterans.

***Referral to a Veterans Treatment Court Program under s. 948.08(7)(a), F.S.
(Pretrial Intervention)***

A veteran or a servicemember charged with a misdemeanor or felony offense may be referred to a veterans treatment court program as pretrial intervention.¹⁹ However, this statute prohibits referral if the defendant is charged with any of these felony offenses:²⁰

- Kidnapping or attempted kidnapping under s. 787.01, false imprisonment of a child under the age of 13 under s. 787.02(3), F.S., or luring or enticing a child under s. 787.025(2)(b) or (c), F.S.
- Murder or attempted murder under s. 782.04, F.S., attempted felony murder under s. 782.051, F.S., or manslaughter under s. 782.07, F.S.
- Aggravated battery or attempted aggravated battery under s. 784.045, F.S.
- Sexual battery or attempted sexual battery under s. 794.011(2), (3), (4), or (8)(b) or (c), F.S.
- Lewd or lascivious battery or attempted lewd or lascivious battery under s. 800.04(4), F.S., lewd or lascivious molestation under s. 800.04(5)(b) or (c)2., F.S., lewd or lascivious conduct under s. 800.04(6)(b), F.S., lewd or lascivious exhibition under s. 800.04(7)(b), F.S., or lewd or lascivious exhibition on computer under s. 847.0135(5)(b), F.S.
- Robbery or attempted robbery under s. 812.13, F.S., carjacking or attempted carjacking under s. 812.133, F.S., or home invasion robbery or attempted home invasion robbery under s. 812.135, F.S.

¹⁷ Section 394.47891(8)(b), F.S.

¹⁸ Section 394.47891(3)(d), F.S.

¹⁹ Section 948.08(7)(a), F.S.

²⁰ The statute refers to the list at s. 948.06(8)(c), F.S.

- Lewd or lascivious offense upon or in the presence of an elderly or disabled person or attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person under s. 825.1025, F.S.
- Sexual performance by a child or attempted sexual performance by a child under s. 827.071, F.S.
- Computer pornography under s. 847.0135(2) or (3), F.S., transmission of child pornography under s. 847.0137, F.S., or selling or buying of minors under s. 847.0145, F.S.
- Poisoning food or water under s. 859.01, F.S.
- Abuse of a dead human body under s. 872.06, F.S.
- Any burglary offense or attempted burglary offense that is either a first degree felony or second degree felony under s. 810.02(2) or (3), F.S.
- Arson or attempted arson under s. 806.01(1), F.S.
- Aggravated assault under s. 784.021, F.S.
- Aggravated stalking under s. 784.048(3), (4), (5), or (7), F.S.
- Aircraft piracy under s. 860.16, F.S.
- Unlawful throwing, placing, or discharging of a destructive device or bomb under s. 790.161(2), (3), or (4), F.S.
- Treason under s. 876.32, F.S.
- Any offense committed in another jurisdiction which would be an offense listed if that offense had been committed in this state.

Referral to a Veterans Treatment Court Program under s. 948.16(2), F.S. (Pretrial Intervention)

A veteran or a servicemember charged with only misdemeanor offenses may be referred to a veterans treatment court program as a pretrial intervention.²¹

Referral to a Veterans Treatment Court Program under s. 948.21(4), F.S. (Sentencing)

Current law implies that incarceration is the appropriate sentence for the commission of a crime unless the sentencing court finds that probation or community control is appropriate.²² As a part of probation or community control ordered at sentencing, a trial court adjudicating an offense may order the offender to participate in a veterans treatment court program if the offense was committed on or after July 1, 2021.²³ Offenses committed by a veteran on or after July 1, 2012 and prior to July 1, 2021 may be referred to an unspecified treatment program.

Referral to a Veterans Treatment Court Program under s. 948.01, F.S. (Sentencing)

Section 948.01, F.S., governs referrals to mental health treatment court²⁴ and referrals to drug court,²⁵ but does not specifically have any provision for referrals to a veterans treatment court program.

²¹ Section 948.16(2), F.S.

²² Sections 921.0024 and 948.01(2), F.S.

²³ Section 948.21(4), F.S.

²⁴ Section 948.01(8)(a), F.S.

²⁵ Section 948.01(7)(a), F.S.

Referral to a Veterans Treatment Court Program under s. 948.06(2)(k) (Violation of Probation or Community Control)

If the offense was committed on or after July 1, 2016, an offender who has been found guilty of, or who admits to, violating his or her community control or probation may be ordered to successfully complete a veterans court treatment program.²⁶ The court may only refer the violation to a veterans treatment court program if the underlying offense is a nonviolent felony. For purposes of this statute, a nonviolent felony is any felony other than the following:

- A second degree or higher felony related to burglary or trespass.
- Treason.
- Murder.
- Manslaughter.
- Sexual battery.
- Carjacking.
- Home-invasion robbery.
- Robbery.
- Burglary.
- Arson.
- Kidnapping.
- Aggravated assault.
- Aggravated battery.
- Aggravated stalking.
- Aircraft piracy.
- Unlawful throwing, placing, or discharging of a destructive device or bomb.
- Any other felony which involves the use or threat of physical force or violence against any individual.

Inconsistencies in the Current Law

There are two inconsistencies in the current statutory law:

Control Over Admission to the Program

Section 394.47891, F.S., provides that admission to a veterans treatment court program requires application to the state attorney and the subsequent consent of the state attorney. However, the remaining statutes listed above provide that the court controls admission, and thus may refer an otherwise qualifying defendant to a veterans treatment court program with or without the consent of the state attorney. Case law resolved this conflict in favor of control by the state attorney, pursuant to s. 394.47891, F.S.²⁷

Disqualification for Admission to a Program

One statute above provides that all felonies are disqualifying, two statutes have a list of disqualifying felonies, and two allow referral regardless of the charges. These inconsistencies are unresolved.

²⁶ Section 948.06(2)(k), F.S.

²⁷ *State v. Mancuso*, 355 So.3d 942 (Fla. 4th DCA 2023).

III. Effect of Proposed Changes:

Amendment of s. 394.47891, F.S.

The bill amends s. 394.47891, F.S., to revise the admissions process for veterans treatment court programs.

The bill amends the process for admission in s. 394.47891(4), F.S., to authorize the court, at any stage of the criminal case, to refer a defendant to a veterans treatment court program. The court's decision must be based upon its assessment of the defendant's criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant's agreement to enter the program.

The current requirement in subsection (4) for a defendant to apply to the state attorney and giving the state attorney the right to approve or deny entry into a veterans treatment court program are repealed. The bill also amends subsection (8) to repeal the authority of the state attorney to determine eligibility. Instead, the bill gives the authority to determine whether the defendant is eligible to participate in the veterans treatment court program to a "multidisciplinary team."

Creation of s. 948.01(9), F.S.

The bill amends s. 948.01, F.S., creating subsection (9) to authorize a sentencing court to place an offender into a postadjudicatory veterans treatment court program if:

- The offense is a nonviolent felony committed on or after July 1, 2026;
- The offender is a servicemember or veteran; and
- The offender is otherwise eligible to participate, which eligibility is by reference to s. 394.47891(8), F.S.

The disqualifying felonies for this subsection (9) are the same as those that are disqualifying under s. 948.06(2)(k), F.S., relating to referral to a veterans treatment court program after violation of probation or community control.

The offender must be fully advised of the purpose of the veterans treatment court program and agree to enter the program. The sentencing court must relinquish jurisdiction to the veterans treatment court program until:

- The offender is no longer active in the program;
- The case is returned to the sentencing court due to the offender's termination from the program for failure to comply with the terms of the program; or,
- The offender's sentence is completed.

An offender sentenced to postadjudicatory veterans treatment court program who violates probation or community control will have the violation heard by the judge presiding over the postadjudicatory veterans treatment court program. The judge must dispose of any such violation, after a hearing or admission of the violation, as he or she deems appropriate if the resulting sentence or conditions are lawful.

Satisfactory completion of the program must be a condition of the offender's probation or community control.

Effective Date

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Funding for problem solving treatment courts is generally received by legislative appropriation, grants, and local community resources funded by other entities.

The Office of the State Courts Administrator agency analysis provided the following statement regarding expenditures:

“The fiscal impact of this legislation cannot be accurately determined due to the unavailability of data needed to quantifiably establish the effects on judicial time and workload resulting in revising approval requirements for veterans treatment court admissions.... However, legislation that may increase participation in veterans treatment court programs could result in a fiscal impact to the trial courts problem-solving courts special funding category.”²⁸

Potential cost incurred by an increase in participants may be offset by applicable offenders being diverted from detention or incarceration.

VI. Technical Deficiencies:

The bill appears inconsistent on the authority to admit a defendant or offender into a veterans treatment court program, at one point indicating that the court must approve, at another point indicating that the multidisciplinary team alone may approve.

The bill references a “multidisciplinary team” without providing who is on the team. While teams appear to exist and operate today, their authority to exist is not clear. Ideally, the bill would provide the membership (who appoints, who qualifies, who removes, do the members have fixed terms, are they paid, are they reimbursed for expenses, and who provides administrative support). At a minimum, the bill could defer those decisions to a local authority.

The current statutes regarding veterans treatment court programs appear to have conflicting requirements and conditions for referral to a program and conflicting disqualifiers. The bill does not appear to resolve those conflicts, and indeed adds a new statute at s. 948.01(9)(a), F.S. that appears to continue with the inconsistencies.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 394.47891 and 948.01 of the Florida Statutes.

IX. Additional Information:

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

CS by Criminal Justice on January 12, 2026:

This Committee Substitute:

- Allows for a multidisciplinary team to consider the eligibility of a defendant for a veterans treatment court program.
- Requires entry into the program to be based upon the sentencing court’s assessment of the defendant’s criminal history, substance abuse screening outcome, amenability

²⁸ Office of the State Courts Administrator, *Agency Bill Analysis for SB50*, (on file with the Senate Committee on Criminal Justice).

to the services of the program, total sentence points, the recommendation of the state attorney and the victim, and the defendant's agreement to enter the program.

- Modifies the date provided for offenses eligible for a postadjudicatory veterans treatment court from July 1, 2016, to July 1, 2026.

B. Amendments:

None.

By the Committee on Criminal Justice; and Senator Gaetz

591-01879A-26

202650c1

A bill to be entitled
An act relating to veterans affairs; amending s.
394.47891, F.S.; revising the admissions process for
veterans treatment court programs; authorizing the
multidisciplinary team to determine eligibility for
veterans treatment court programs; amending s. 948.01,
F.S.; authorizing sentencing courts to divert
defendants to veterans treatment court programs under
certain circumstances; requiring that a defendant's
satisfactory completion of the program be a condition
of the defendant's probation or community control;
defining the term "nonviolent felony"; requiring that
certain notice be provided to defendants; providing
for disposition of probation or community control
violations by program participants; providing an
effective date.

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

Section 1. Subsections (4) and (8) of section 394.47891,
Florida Statutes, are amended to read:

394.47891 Veterans treatment court programs.—

(4) ADMISSION.—A defendant who meets the eligibility
requirements provided in ~~under~~ subsection (8) may be admitted to
a veterans treatment court program at any stage of a criminal
proceeding. Entry into a veterans treatment court program must
be based upon the sentencing court's assessment of the
defendant's criminal history, substance abuse screening outcome,
amenability to the services of the program, total sentence

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points, the recommendation of the state attorney and the victim,
if any, and the defendant's agreement to enter the program. A
~~defendant seeking to participate in a veterans treatment court~~
~~program must submit an application to the state attorney. The~~
~~state attorney must review each application and determine~~
~~whether the defendant meets the eligibility requirements in~~
~~subsection (8).~~

(8) ELIGIBILITY.—

(a) A defendant may participate in a veterans treatment
court program if he or she is approved by the multidisciplinary
~~team state attorney, in consultation with the court,~~ and meets
the following criteria:

1. The defendant has a service-related mental health
condition, service-related traumatic brain injury, service-
related substance use disorder, or service-related psychological
problem or has experienced military sexual trauma.

2. The defendant's participation in the veterans treatment
court program is in the interest of justice and of benefit to
the defendant and the community.

(b) In making the determination under subparagraph (a)2.,
the multidisciplinary team ~~the state attorney, in consultation~~
~~with the court,~~ must consider:

1. The nature and circumstances of the offense charged.

2. The special characteristics or circumstances of the
defendant and any victim or alleged victim, including any
recommendation of the victim or alleged victim.

3. The defendant's criminal history and whether the
defendant previously participated in a veterans treatment court
program or similar program.

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4. Whether the defendant's needs exceed the treatment resources available to the veterans treatment court program.

5. The impact on the community of the defendant's participation and treatment in the veterans treatment court program.

6. Recommendations of any law enforcement agency involved in investigating or arresting the defendant.

7. If the defendant owes restitution, the likelihood of payment during the defendant's participation in the veterans treatment court program.

8. Any mitigating circumstances.

9. Any other circumstances reasonably related to the defendant's case.

Section 2. Subsection (9) is added to section 948.01, Florida Statutes, to read:

948.01 When court may place defendant on probation or into community control.—

(9) (a) Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2026, the sentencing court may place the defendant into a postadjudicatory veterans treatment court program if the offense is a nonviolent felony, the defendant is a servicemember or veteran as those terms are defined in s. 394.47891(2), and the defendant is otherwise qualified to participate in a veterans treatment court program under s. 394.47891(8). Satisfactory completion of the program must be a condition of the defendant's probation or community control. As used in this subsection, the term "nonviolent felony" means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as

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88 defined in s. 776.08.

89 (b) The defendant must be fully advised of the purpose of
90 the veterans treatment court program, and the defendant must
91 agree to enter the program. The original sentencing court shall
92 relinquish jurisdiction of the defendant's case to the
93 postadjudicatory veterans treatment court program until the
94 defendant is no longer active in the program, the case is
95 returned to the sentencing court due to the defendant's
96 termination from the program for failure to comply with the
97 terms of the program, or the defendant's sentence is completed.

98 (c) A defendant sentenced to a postadjudicatory veterans
99 treatment court program who, while a veterans treatment court
100 program participant, is the subject of a violation of probation
101 or community control under s. 948.06 shall have the violation of
102 probation or community control heard by the judge presiding over
103 the postadjudicatory veterans treatment court program. The judge
104 shall dispose of any such violation, after a hearing on or
105 admission of the violation, as he or she deems appropriate if
106 the resulting sentence or conditions are lawful.

107 Section 3. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/CS/SB 54

INTRODUCER: Appropriations Committee on Criminal and Civil Justice Committee; Criminal Justice Committee; and Senator Sharief and others

SUBJECT: Use of Substances Affecting Cognitive Function

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Cellon	Stokes	CJ	Fav/CS
2. Kolich	Harkness	ACJ	Fav/CS
3. Cellon	Kruse	RC	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 54 creates s. 406.139, F.S., to mandate district medical examiners perform toxicology screenings for psychotropic drugs and intoxicating substances on decedents suspected of being a violent offender. The bill creates additional responsibilities for district medical examiners related to the autopsies of decedents who are violent offenders.

Any findings related to the use of intoxicating substances or psychotropic drugs must be reported by the district medical examiner to the Department of Law Enforcement. Any findings related to the use of psychotropic drugs and the prescribing facility must also be reported to the Department of Health and the Agency for Health Care Administration.

Section 456.057, F.S., is amended to require the release of certain records to a law enforcement agency, upon request, for the purpose of investigating a violent offender. The records must include any medical records that may be relevant to the mental or psychological state of the suspected person; records related to the prescription or use of psychotropic drugs; or records related to the prescription or use of any drugs or substances that may contribute to a person's mental or psychological state.

The bill amends s. 1006.07, F.S., to require the district school safety specialist, or his or her designee, to provide the necessary training and resources to school district staff on the adverse

effects of psychotropic drugs and intoxicating substances as those terms are defined by the bill in s. 406.139, F.S.

The bill amends s. 1006.12, F.S., to require each safe-school officer to complete training on the adverse effects of psychotropic drugs and intoxicating substances as those terms are defined in s. 406.139, F.S.

The bill will have an indeterminate negative fiscal impact on the local district medical examiners. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Psychotropic Medications

Psychotropic medication is defined under Florida law as any drug or compound used to treat mental or emotional disorders affecting the mind, behavior, intellectual functions, perception, moods, or emotions and includes antipsychotic, antidepressant, antimanic, and antianxiety drugs.¹

Generally, medications used to treat mental illness affect neurotransmitters, which are chemicals that carry messages in the nervous system. Weak or overactive neurotransmitters may produce unnecessary chemical reactions that lead to a mental health condition.² Psychotropic medications include antidepressants, anti-anxiety medications, stimulants, antipsychotics, and mood stabilizers.³

There are various common side effects of psychotropic medications. Individuals may have different treatments responses and side effects to various medications, and there is no single dosage that works for everyone. The following includes common side effects for each listed category of drug:

- Antidepressants: Nausea, diarrhea, sexual dysfunction, insomnia, drop in blood pressure when standing, sedation, dry mouth, constipation, urinary retention, weight gain, dizziness, blurred vision and fatigue.⁴
- Anti-anxiety: Drowsiness, impaired coordination, memory impairment, and dry mouth.⁵
- Stimulants: Loss of appetite, sleep problems, and mood swings.⁶
- Antipsychotics: Drowsiness, restlessness, muscle spasms, tremor, dry mouth, blurring vision, constipation, dizziness/lightheadedness, and weight gain.⁷

¹ Section 916.12, F.S.

² WebMD, *What are Psychotropic Medications?* April 13, 2025. Available at <https://www.webmd.com/mental-health/what-are-psychotropic-medications> (last visited December 4, 2025).

³ *Id.*

⁴ PsychCentral, *Common Side Effects of Psychiatric Medications*. Available at <https://psychcentral.com/lib/common-side-effects-of-psychiatric-medications#1> (last visited December 4, 2025). Side effects listed are for selective serotonin reuptake inhibitors and tricyclics, commonly prescribed for depression.

⁵ *Id.* Side effects listed are for Benzodiazepines.

⁶ *Id.*

⁷ *Id.*

In 2004, the FDA issued a black box warning that antidepressants could increase the risk of suicidal thinking and behavior in teens. This warning was subsequent to an analysis of nearly 400 clinical trials of antidepressants, which found that individuals under the age of 18 who were taking antidepressants had more suicidal thoughts and behavior. Specifically, four percent of minors taking antidepressants had suicidal thoughts and behaviors while two percent of those in the placebo group had suicidal thoughts or behaviors.⁸

On February 13, 2025, President Trump signed the executive order establishing the President's Make America Healthy Again Commission. Part of the assessment and strategy of the commission is to "assess the prevalence of and threat posed by the prescription of selective serotonin reuptake inhibitors, antipsychotics, mood stabilizers, stimulants, and weight loss drugs."⁹

In response to the executive order, various associations and organizations¹⁰ wrote a joint statement in response to federal concerns about psychotropic medication safety.¹¹ The joint statement provides that psychiatric medications are safe, effective, and can be lifesaving if they are taken properly- as directed- under the care of an appropriately licensed healthcare professional. The medications can significantly improve quality of life for children with mental health conditions, including those at imminent risk of suicide. Further, the statement provides that following the FDA black box warning, suicide rates increased, by as much as 60 percent in untreated youth with major depression. Additionally, post-mortem toxicology studies suggest that many suicide victims with known mental health conditions do not have detectable levels of psychotropic medication in their system.¹²

There have been few studies on the links between psychotropic medication and violence. One such study assessed the risk of violent crime during periods on compared to off SSRI treatment within individuals.¹³ This study found that "SSRI treatment was associated with an increased hazard of violent crime across age categories, in a cohort of SSRI users where 2.7 percent went on to commit violent crimes. The hazard was possibly elevated throughout on-treatment periods, and for up to 12 weeks after treatment discontinuation, thought more research is necessary to confirm these findings."¹⁴ The study went on to note that because the vast majority of individuals

⁸ Stanford Medicine: News Center, Antidepressants for kids and teens: What the science says, July 28, 2025, available at <https://med.stanford.edu/news/insights/2025/07/antidepressants-for-kids-and-teens--what-the-science-says.html> (last visited January 8, 2026).

⁹ The White House: Presidential actions, *Establishing the President's Make America Healthy Again Commission*, February 13, 2025, available at <https://www.whitehouse.gov/presidential-actions/2025/02/establishing-the-presidents-make-america-healthy-again-commission/> (last visited January 8, 2026).

¹⁰ American Psychiatric Association, *Joint Statement on Federal Concerns About Psychotropic Medication Safety*, March 21, 2025, available at <https://www.psychiatry.org/news-room/news-releases/joint-statement-on-federal-concerns-about-psychotr> (last visited January 8, 2025), such associations and organizations include: American Society for Clinical Psychopharmacology, American College of Neuropsychopharmacology, American Academy of Child & Adolescent Psychiatry, American Psychiatric Association, National Network of Depression Centers, Society of Biological Psychiatry.

¹¹ American Psychiatric Association, *Joint Statement on Federal Concerns About Psychotropic Medication Safety*, March 21, 2025, available at <https://www.psychiatry.org/news-room/news-releases/joint-statement-on-federal-concerns-about-psychotr> (last visited January 8, 2026).

¹² *Id.*

¹³ European Neuropsychopharmacology, *Associations between selective serotonin reuptake inhibitors and violent crime in adolescents, young, and older adults- Swedish register-based study*, Lagerberg, T., et. al., (2020) Vol. 36, pg. 1-9.

¹⁴ *Id.* at pg. 6.

taking SSRI's will not commit violent crime, the results should not be used as reason to withhold treatment from those who may benefit from them, especially because causality is unclear.¹⁵

Another study assessed the patterns of aggressive and violent behavior in patients prescribed antipsychotics. This study concluded that polypharmacy is common in patients in different treatment settings, and that the prescription of antipsychotics “has an important role in preventing and managing aggressive and violent behavior in people with severe mental disorders, and clozapine has a special role in the clinical management of patients with an history of aggressive and violent behaviors: Finally, patient compliance is also of paramount importance to prevent and effectively treat aggressive and violent behaviors.”¹⁶

Obtaining Medical Information

Generally, a person's medical records are protected. However, under certain circumstances, medical records may become relevant to a criminal investigation, and certain entities may access such information. For example, medical examiners may have access to a decedent's past records, or law enforcement may request access to medical records or request a blood draw of a suspect if they have probable cause and get a warrant.

Access to Medical Records Generally (HIPAA)

The federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) governs the use and disclosure of protected health information (PHI) by covered entities, including most health care providers, health plans, and health care clearinghouses. The HIPAA Privacy Rule, codified at 45 C.F.R. Part 164, Subpart E, establishes national standards to protect individuals' medical records and other personal health information and requires appropriate safeguards to ensure patient privacy.

Under the Privacy Rule, a covered entity generally may not disclose PHI without the patient's written authorization unless the disclosure is otherwise permitted or required by law. One such permissible disclosure is for law enforcement purposes under specific circumstances outlined in 45 C.F.R. § 164.512(f).

For example, PHI may be disclosed in response to a court order, subpoena, or warrant, or to identify or locate a suspect, fugitive, material witness, or missing person, provided that certain conditions are met to protect the patient's privacy and limit the scope of the information disclosed.

HIPAA preempts state laws that are contrary to its provisions unless the state law is “more stringent,” meaning it provides greater privacy protections to individuals. However, HIPAA expressly allows disclosure of PHI if “required by law,” which includes statutes, regulations, or court orders that compel disclosure and that are enforceable in court. Thus, if a state law

¹⁵ *Id.* at pg. 7.

¹⁶ Int. J. Neuropsychopharmacology, *Prescribing Patterns of Psychotropic Drugs and Risk of Violent Behavior: A prospective, Multicenter Study in Italy*, Giacomo, E., et. al., (2020) Vol. 23, pg. 300-310. Available at <https://academic.oup.com/ijnp/article/23/5/300/5716914> (last visited January 8, 2026).

mandates or permits disclosure under defined circumstances, and the disclosure is narrowly tailored, HIPAA will generally not preempt it.

However, when a state law authorizes disclosure of PHI beyond what HIPAA permits, particularly without patient authorization or legal process, it risks preemption unless the disclosure falls within a HIPAA-permissible exception or if it constitutes a disclosure “required by law.”

Medical Examiners, Autopsies

The Governor appoints district medical examiners.¹⁷ The Governor also appoints the members of the Medical Examiners Commission within the Florida Department of Law Enforcement (FDLE).¹⁸ The Commission is responsible to:

- Initiate cooperative policies with any agency of the state or political subdivision thereof.
- Remove or suspend district medical examiners pursuant to ch. 406, Part I, F.S., and have the authority to investigate violations of ch. 406, Part I, F.S.
- Oversee the distribution of state funds for the medical examiner districts and may make such agreements and contracts, subject to approval of the executive director of the FDLE, as may be necessary to effect the provisions of ch. 406, Part I, F.S.¹⁹

Under certain circumstances, the district medical examiner has the authority to make or perform such examinations, investigations, autopsies, laboratory examinations, or to obtain evidence necessary for forensic evidence, as he or she deems necessary and in the public interest or as requested by the state attorney.²⁰

An autopsy report of a person whose manner of death was suicide held by a medical examiner is confidential and exempt from s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution, except that a surviving spouse of the deceased may view and copy the autopsy report. If there is no surviving spouse, the surviving parents must have access to such records. If there is no surviving spouse or parent, the adult children and siblings must have access to such records.²¹ Additionally, a local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, may view or copy an autopsy report of a person whose manner of death was determined by a medical examiner to have been by suicide.²²

¹⁷ Section 406.06, F.S.

¹⁸ Section 406.02, F.S.

¹⁹ *Id.*

²⁰ Section 406.11(1)(a), F.S.; The circumstances under which the medical examiner is authorized to perform an autopsy and other examinations under s. 406.11(1), F.S., include when the death is by suicide. Notwithstanding subsection (2) of s. 406.135, F.S., the medical examiner may permit a local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, to view or copy an autopsy report of a person whose manner of death was determined by a medical examiner to have been by suicide. s. 406.135(3)(b), F.S.

²¹ Section 406.135(2)(c), F.S.

²² Section 406.135(3)(b), F.S.; also, HIPAA expressly allows disclosure of PHI (Personal Health Information) if “required by law,” which includes statutes, regulations, or court orders that compel disclosure and that are enforceable in court. Thus, if a state law mandates or permits disclosure under defined circumstances, and the disclosure is narrowly tailored, HIPAA will generally not preempt it.

Violence in Schools

The National Threat Assessment Center (NTAC) within the U.S. Secret Service studied and analyzed 41 incidents of targeted school violence that occurred at K-12 schools in the United States from 2008 to 2017.²³ Among the key findings reported:

- There is no profile of a student attacker: Attackers varied in age, gender, race, grade level, academic performance, and social characteristics.
- Half of the attackers had interests in violent topics: Violent interests, without an appropriate explanation, are concerning, which means schools should not hesitate to initiate further information-gathering, assessment, and management of the student's behavior.
- Most attackers were victims of bullying, which was often observed by others: Most of the attackers were bullied by their classmates, and for over half of the attackers the bullying appeared to be of a persistent pattern which lasted for weeks, months, or years.
- All attackers exhibited concerning behaviors. Most elicited concern from others, and most communicated their intent to attack: The behaviors that elicited concern ranged from a constellation of lower-level concerns to objectively concerning or prohibited behaviors.
- Nearly every attacker experienced negative home life factors: The negative home life factors experienced by the attackers included parental separation or divorce, drug use or criminal charges among family members, and domestic abuse.

Most attackers had experienced psychological, behavioral, or developmental symptoms: the observable mental health symptoms displayed by attackers prior to their attacks were divided into three main categories which were psychological (e.g., depressive symptoms or suicidal ideation), behavioral (e.g., defiance/misconduct or symptoms of ADD/ADHD), and neurological/developmental (e.g., developmental delays or cognitive deficits).²⁴

School Safety Training

The Office of Safe Schools (OSS) is the state's central repository for school-safety best practices, training standards, and compliance oversight.²⁵ The OSS develops and updates the statewide risk-assessment tool, provides training and technical assistance (including the School Safety Specialist Training Program), and conducts triennial unannounced compliance inspections of public schools.²⁶

School Safety Specialist

Each district school superintendent must designate a school safety specialist who oversees the district's school-safety and security personnel, policies, and procedures.²⁷ The specialist must complete training provided by the OSS within one year of appointment.²⁸ The school safety specialist (or designee) must:

²³ National Threat Assessment Center. (2019). *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted School Violence*. U.S. Secret Service, Department of Homeland Security, available at https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf (last visited January 8, 2026).

²⁴ *Id.*

²⁵ Section 1001.212, F.S.

²⁶ Section 1001.212, F.S.; Section 1006.1493, F.S.

²⁷ Section 1006.07(6)(a), F.S.

²⁸ *Id.*

- Review district policies and procedures for compliance with state law and rule and report any noncompliance to the superintendent and school board at least quarterly.
- Provide training and resources to students and staff on youth mental health awareness and assistance, emergency procedures (including active-assailant response), and school safety and security.
- Serve as the district's liaison with public-safety agencies on school-safety matters.
- Ensure that each public school completes an annual security risk assessment using the Florida Safe Schools Assessment Tool (FSSAT).
- Present findings and recommendations at a publicly noticed school-board meeting and report resulting board actions to the OSS.
- Conduct annual unannounced safety inspections of each public school using an OSS-prescribed compliance form.
- Report violations of specified school-safety requirements by administrative and instructional personnel.²⁹

Districts also implement the Youth Mental Health Awareness and Assistance training program for school personnel, which is used to train employees in recognizing and responding to signs of mental illness, substance-use disorders, and suicide risk.³⁰ The specialist coordinates or designates certified trainers to support that requirement.³¹

Safe School Officer Training

Each district school board and superintendent must ensure that one or more safe-school officers are assigned to every public school facility in the district, including charter schools, and may use any combination of the statutory options to meet this requirement.³² Safe-school officer options include:

- *School resource officer (SRO)*. A district may establish an SRO program by agreement with a law enforcement agency; SROs must be certified law enforcement officers, undergo criminal background checks, drug testing, and a psychological evaluation, abide by district policies, and coordinate with the principal while remaining employees of the law enforcement agency.³³
- *School safety officer*. A district may commission one or more school safety officers who are certified law enforcement officers employed by a law enforcement agency or by the district; safety officers have arrest authority on school property and authority to carry weapons while on duty.³⁴
- *School guardian*. A district or charter governing board may participate in the state guardian program; eligible employees who complete the statutory requirements and are certified by the sheriff may serve as school guardians.³⁵
- *School security guard*. A district or charter governing board may contract with a licensed security agency to provide a school security guard who holds Class "D" and Class "G"

²⁹ Section 1006.07(6)(a)1.-6., F.S.

³⁰ Section 1012.584, F.S.

³¹ Section 1012.584, F.S.; Section 1006.07(6)(a), F.S.

³² Section 1006.12, F.S.

³³ Section 1006.12(1)(a)–(b), F.S.

³⁴ Section 1006.12(2), F.S.

³⁵ Section 1006.12(3), F.S.; s. 30.15(1)(k), F.S.

licenses and meets statutory training, screening, approval, and ongoing qualification requirements.³⁶

Sworn law-enforcement officers serving as safe-school officers (school resource officers and school safety officers) must complete mental-health crisis-intervention training using a nationally developed curriculum.³⁷ School guardians and school security guards must complete the sheriff-conducted 144-hour guardian training program, which includes de-escalation and comprehensive firearms safety and proficiency, with security guards also subject to screening and ongoing qualification requirements.³⁸

Florida K-12 School Students and Psychotropic Medication

As used in s. 1006.0625, F.S., the term “psychotropic medication” means a prescription medication that is used for the treatment of mental disorders and includes, without limitation, antihypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.³⁹

A public school may not deny any student access to programs or services because the parent of the student has refused to place the student on psychotropic medication.⁴⁰

A public school teacher and school district personnel may share school-based observations of a student’s academic, functional, and behavioral performance with the student’s parent and offer program options and other assistance that is available to the parent and the student based on the observations.⁴¹ However, public school teachers and school district personnel may not compel or attempt to compel any specific actions by the parent or require that a student take medication.⁴² A parent may refuse psychological screening of the student.⁴³ Finally, any medical decision made to address a student’s needs is a matter between the student, the student’s parent, and a competent health care professional chosen by the parent.⁴⁴

³⁶ Section 1006.12(4)(a)–(c), F.S.; Chapter 493, F.S.

³⁷ Section 1006.12(6), F.S.; s. 1006.12(2)(c), F.S.

³⁸ Section 30.15(1)(k)2.b., F.S.; s. 1006.12(4)(a)1.–5., F.S.; s. 30.15(1)(k)2.e., F.S.

³⁹ Section 1006.0625(1), F.S.; For a good explanation of the medications used to treat many mental illnesses *see* the Web MD article *Mental Health Medications Guide*, Lori M King, PhD, February 3, 2025, available at <https://www.webmd.com/mental-health/medications-treat-disorders> (last viewed January 8, 2026). *See also* s. 916.12(1), and (5), F.S., relating to the incompetence of a criminal defendant to proceed, which means that the defendant does not have sufficient present ability to consult with her or his lawyer with a reasonable degree of rational understanding or if the defendant has no rational, as well as factual, understanding of the proceedings against her or him.... A defendant who, because of psychotropic medication, is able to understand the nature of proceedings and assist in the defendant’s own defense shall not automatically be deemed incompetent to proceed simply because the defendant’s satisfactory mental functioning is dependent upon such medication. As used in this subsection, “psychotropic medication” means any drug or compound used to treat mental or emotional disorders affecting the mind, behavior, intellectual functions, perception, moods, or emotions and includes antipsychotic, antidepressant, antimanic, and antianxiety drugs.

⁴⁰ Section 1006.0625(2), F.S.

⁴¹ Section 1006.0625(3), F.S.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Section 1006.0625, F.S.

III. Effect of Proposed Changes:

Section 1 – Autopsies of Suspected Violent Offenders (creating s. 406.139, F.S.)

The bill provides the following requirements for a medical examiner performing the autopsy on a decedent who is a violent offender:

- Order and perform a toxicology screening on the decedent to determine whether psychotropic drugs or intoxicating substances are present in the decedent's body;
- Make reasonable efforts to determine the identity of any treating mental health professional or primary care physician of the decedent; and
- Consult such individuals, if known and available, to obtain information regarding the decedent's history of psychotropic drug use, including any prescribed or discontinued medications.

All findings made by the medical examiner must be documented and included in the final autopsy report, along with any available corroborating information.

Any findings relating to the use of intoxicating substances or psychotropic drugs must be reported by the medical examiner to the Department of Law Enforcement. Also, any findings relating to the use of psychotropic drugs, and if known, the prescribing facility, must be reported to the Department of Health and the Agency for Health Care Administration.

The bill creates definitions for the terms "intoxicating substance," "psychotropic drug," and "violent offender" as follows:

- Intoxicating substance means alcoholic beverages, any controlled substance controlled under ch. 893, F.S., or any chemical substance set forth in s. 877.111, F.S.;
- Psychotropic drug is defined as any drug prescribed to affect an individual's mental state, including, but not limited to, antidepressants, antipsychotics, mood stabilizers, and antianxiety medications; and
- Violent offender means any person who is suspected by law enforcement of engaging in unprovoked violence that results in, or is likely to result in, the death or serious bodily injury of another.

Section 2 – Ownership and Control of Patient Records; Report or Copies of Records to be Furnished; Disclosure of Information (amending s. 456.057, F.S.)

The bill requires that records must be furnished to a law enforcement agency, upon request, for the purpose of investigating a violent offender. The release of such medical records must include:

- Any medical records that may be relevant to the mental or psychological state of the suspected person; and
- Any records related to the prescription or use of psychotropic drugs or the prescription or use of any drugs or substances that may contribute to a person's mental or psychological state.

Section 3 – School Safety Specialist (amending s. 1006.07, F.S.)

The bill requires the district school safety specialist, or his or her designee, to provide the necessary training and resources to school district staff on the adverse effects of psychotropic drugs and intoxicating substances, including the irrational, violent, or suicidal behavior that may be demonstrated by students under the influence of such drugs or substances.

The training must include instruction on how such staff can identify and safely interact with students who may be under the influence of such drugs or substances, including de-escalation techniques to ensure student and staff safety.

Section 4 – Safe-School Officer Training (amending s. 1006.12, F.S.)

The bill requires each safe-school officer to complete training on the adverse effects of psychotropic drugs and intoxicating substances, including the irrational, violent, or suicidal behavior that may be demonstrated by students under the influence of such drugs or substances.

The training must include instruction on how a safe-school officer can identify and safely interact with students who may be under the influence of such drugs or substances, including de-escalation techniques to ensure student and officer safety.

The bill takes effect on July 1, 2026.

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

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will have an indeterminate negative fiscal impact on local district medical examiners by requiring toxicology screenings of deceased violent offenders to determine the presence of psychotropic drugs or other intoxicating substances. The Department of Law Enforcement anticipates the bill will increase workload to post-mortem labs operated through the medical examiner's office. A toxicology professor from the University of Florida cited in the department's bill analysis concluded that the bill would require a comprehensive analysis of the decedent and that routine testing would not suffice which would increase the cost of the examination. Furthermore, the testing of postmortem fluids and tissues does not include all psychotropic drugs or intoxication substances; new psychotropic drugs require directed and costly analysis.⁴⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 456.057, 1006.07, and 1006.12.

This bill creates section 406.139 of the Florida Statutes.

⁴⁵ Florida Department of Law Enforcement, *2026 FDLE Legislative Bill Analysis for CS SB 54*, January 13, 2026.

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 Appropriations Committee on Criminal and Civil Justice on January 15, 2026:

The committee substitute:

- Amended s. 456.057, F.S., to provide that records furnished to law enforcement must include any medical records relevant to the mental or psychological state of the suspected person and any records related to the prescription or use of psychotropic drugs or the prescription or use of any drugs or substances that may contribute to a person's mental or psychological state.
- Removed limitations to the release of only records that confirm whether a suspected person was ever treated with psychotropic drugs and the records reasonably relate to such treatment.

CS by Criminal Justice on December 9, 2025:

The committee substitute:

- Removed mass shooting and replaced it with “violent offender” which was defined as a person who is suspected by law enforcement of engaging in unprovoked violence that results in, or is likely to result in, the death or serious bodily injury of another.
- Provides findings must be reported to the FDLE, the FDOH and AHCA.
- Defined the term intoxicating substance.
- Removed s. 901.225, F.S., (Section 2), which required a toxicology screening if the person was arrested for committing a mass shooting or other violent crime, and required training for all LEOs.
- Amended s. 456.057, F.S., to provide that records must be furnished to law enforcement for the purpose of investigating a violent offender and limited the release to only records that confirm whether a suspected person psychotropic drugs, and records reasonably related to the treatment.
- Made technical changes.

B. Amendments:

None.

By the Appropriations Committee on Criminal and Civil Justice;
the Committee on Criminal Justice; and Senators Sharief, Osgood,
Rouson, and Bernard

604-01946-26

202654c2

A bill to be entitled

An act relating to the use of substances affecting
cognitive function; creating s. 406.139, F.S.;
defining terms; requiring medical examiners to take
specified actions when performing an autopsy on a
decedent who is a violent offender; requiring that
autopsy reports for such individuals include certain
findings and information; requiring notification of
certain findings and information to the Department of
Law Enforcement, the Department of Health, and the
Agency for Health Care Administration; amending s.
456.057, F.S.; authorizing the release of certain
patient records to law enforcement agencies without
patient authorization under certain circumstances;
amending s. 1006.07, F.S.; requiring school safety
specialists to provide school district staff with
certain training on the adverse effects of specified
substances; specifying requirements for training;
amending s. 1006.12, F.S.; requiring safe-school
officers to complete certain training on the adverse
effects of specified substances; specifying
requirements for training; amending s. 381.028, F.S.;
conforming a cross-reference; providing an effective
date.

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

Section 1. Section 406.139, Florida Statutes, is created to
read:

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406.139 Autopsy of a suspected violent offender.—

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

(a) "Intoxicating substance" means any alcoholic beverage, controlled substance controlled under chapter 893, or chemical substance set forth in s. 877.111.

(b) "Psychotropic drug" means any drug prescribed to affect an individual's mental state, including, but not limited to, antidepressants, antipsychotics, mood stabilizers, and antianxiety medications.

(c) "Violent offender" means any person who is suspected by law enforcement of engaging in unprovoked violence that results in, or is likely to result in, the death or serious bodily injury of another.

(2) CONSULTATION; TOXICOLOGY SCREENING.—If a medical examiner's office performs an autopsy on a decedent who is a violent offender, the medical examiner must do all of the following:

(a)1. Make reasonable efforts to determine the identity of any treating mental health professional or primary care physician of the decedent; and

2. Consult such individuals, if known and available, to obtain information and records regarding the decedent's history of psychotropic drug use, including any prescribed or discontinued medications.

(b) Order and perform a toxicology screening on the decedent to determine whether psychotropic drugs or intoxicating substances are present in the decedent's body.

(3) AUTOPSY REPORT; NOTIFICATION.—

(a) All findings under subsection (2) must be documented

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59 and included in the final autopsy report, along with any
60 available corroborating information.

61 (b)1. Any findings relating to the use of intoxicating
62 substances or psychotropic drugs must be reported to the
63 Department of Law Enforcement.

64 2. Any findings relating to the use of psychotropic drugs
65 and, if known, the prescribing facility, must be reported to the
66 Department of Health and the Agency for Health Care
67 Administration.

68 Section 2. Present subsections (8) through (20) of section
69 456.057, Florida Statutes, are redesignated as subsections (9)
70 through (21), respectively, and a new subsection (8) is added to
71 that section, to read:

72 456.057 Ownership and control of patient records; report or
73 copies of records to be furnished; disclosure of information.—

74 (8) Notwithstanding any other law, records must be
75 furnished to a law enforcement agency as defined in s. 914.28
76 upon request for the purpose of investigating a violent offender
77 as defined in s. 406.139. The release of such medical records
78 must include:

79 (a) Any medical records that may be relevant to the mental
80 or psychological state of the suspected person.

81 (b) Any records related to the prescription or use of
82 psychotropic drugs as defined in s. 406.139 or the prescription
83 or use of any drugs or substances that may contribute to a
84 person's mental or psychological state.

85 Section 3. Paragraph (a) of subsection (6) of section
86 1006.07, Florida Statutes, is amended to read:

87 1006.07 District school board duties relating to student

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88 discipline and school safety.—The district school board shall
89 provide for the proper accounting for all students, for the
90 attendance and control of students at school, and for proper
91 attention to health, safety, and other matters relating to the
92 welfare of students, including:

93 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
94 school superintendent shall establish policies and procedures
95 for the prevention of violence on school grounds, including the
96 assessment of and intervention with individuals whose behavior
97 poses a threat to the safety of the school community.

98 (a) *School safety specialist*.—Each district school
99 superintendent shall designate a school safety specialist for
100 the district. The school safety specialist must be a school
101 administrator employed by the school district or a law
102 enforcement officer employed by the sheriff's office located in
103 the school district. Any school safety specialist designated
104 from the sheriff's office must first be authorized and approved
105 by the sheriff employing the law enforcement officer. Any school
106 safety specialist designated from the sheriff's office remains
107 the employee of the office for purposes of compensation,
108 insurance, workers' compensation, and other benefits authorized
109 by law for a law enforcement officer employed by the sheriff's
110 office. The sheriff and the school superintendent may determine
111 by agreement the reimbursement for such costs, or may share the
112 costs, associated with employment of the law enforcement officer
113 as a school safety specialist. The school safety specialist must
114 earn a certificate of completion of the school safety specialist
115 training provided by the Office of Safe Schools within 1 year
116 after appointment and is responsible for the supervision and

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oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist, or his or her designee, shall:

1. In conjunction with the district school superintendent, annually review school district policies and procedures for compliance with state law and rules, including the district's timely and accurate submission of school environmental safety incident reports to the department pursuant to s. 1001.212(8). At least quarterly, the school safety specialist must report to the district school superintendent and the district school board any noncompliance by the school district with laws or rules regarding school safety.

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.

3. Provide the necessary training and resources to school district staff in matters relating to the adverse effects of psychotropic drugs and intoxicating substances as those terms are defined in s. 406.139, including the irrational, violent, or suicidal behavior that may be demonstrated by students under the influence of such drugs or substances. The training must include instruction on how such staff can identify and safely interact with students who may be under the influence of such drugs or substances, including de-escalation techniques to ensure student and staff safety.

4. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

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146 ~~5.4.~~ In collaboration with the appropriate public safety
147 agencies, as that term is defined in s. 365.171, by October 1 of
148 each year, conduct a school security risk assessment at each
149 public school using the Florida Safe Schools Assessment Tool
150 developed by the Office of Safe Schools pursuant to s.
151 1006.1493. Based on the assessment findings, the district's
152 school safety specialist shall provide recommendations to the
153 district school superintendent and the district school board
154 which identify strategies and activities that the district
155 school board should implement in order to address the findings
156 and improve school safety and security. Each district school
157 board must receive such findings and the school safety
158 specialist's recommendations at a publicly noticed district
159 school board meeting to provide the public an opportunity to
160 hear the district school board members discuss and take action
161 on the findings and recommendations. Each school safety
162 specialist, through the district school superintendent, shall
163 report such findings and school board action to the Office of
164 Safe Schools within 30 days after the district school board
165 meeting.

166 ~~6.5.~~ Conduct annual unannounced inspections, using the form
167 adopted by the Office of Safe Schools pursuant to s.
168 1001.212(13), of all public schools, including charter schools,
169 while school is in session and investigate reports of
170 noncompliance with school safety requirements.

171 ~~7.6.~~ Report violations of paragraph (f) by administrative
172 personnel and instructional personnel to the district school
173 superintendent or charter school administrator, as applicable.

174 Section 4. Subsection (6) of section 1006.12, Florida

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Statutes, is amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement any combination of the options in subsections (1)–(4) to best meet the needs of the school district and charter schools.

(6) CRISIS INTERVENTION TRAINING; SUBSTANCE USE TRAINING.—

(a) Each safe-school officer who is also a sworn law enforcement officer shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training must improve the officer's knowledge and skills as a first responder to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(b) Each safe-school officer shall complete training on the adverse effects of psychotropic drugs and intoxicating substances as those terms are defined in s. 406.139, including the irrational, violent, or suicidal behavior that may be demonstrated by students under the influence of such drugs or substances. The training must include instruction on how such a safe-school officer can identify and safely interact with

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students who may be under the influence of such drugs or substances, including de-escalation techniques to ensure student and officer safety.

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a school resource officer or school safety officer to the charter school. Under such circumstances, the charter school's share of the costs of the school resource officer or school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(12) and shall be retained by the school district.

Section 5. Paragraph (c) of subsection (7) of section 381.028, Florida Statutes, is amended to read:

381.028 Adverse medical incidents.—

(7) PRODUCTION OF RECORDS.—

(c)1. Fees charged by a health care facility for copies of records requested by a patient under s. 25, Art. X of the State Constitution may not exceed the reasonable and actual cost of complying with the request, including a reasonable charge for the staff time necessary to search for records and prevent the disclosure of the identity of any patient involved in the adverse medical incident through redaction or other means as required by the Health Insurance Portability and Accountability Act of 1996 or its implementing regulations. The health care facility may require payment, in full or in part, before acting on the records request.

2. Fees charged by a health care provider for copies of

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records requested by a patient under s. 25, Art. X of the State
Constitution may not exceed the amount established under s.
456.057(18) ~~s. 456.057(17)~~, which may include a reasonable
charge for the staff time necessary to prevent the disclosure of
the identity of any patient involved in the adverse medical
incident through redaction or other means as required by the
Health Insurance Portability and Accountability Act of 1996 or
its implementing regulations. The health care provider may
require payment, in full or in part, before acting on the
records request.

Section 6. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 176

INTRODUCER: Appropriations Committee on Pre-K - 12 Education and Senator Polsky

SUBJECT: Public Postsecondary Education Safety Policies and Procedures

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>HE</u>	Favorable
2. <u>Gray</u>	<u>Elwell</u>	<u>AHE</u>	Fav/CS
3. <u>Brick</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 176 requires each state university and Florida College System (FCS) institution to adopt and implement written safety policies and procedures applicable to campus facilities, classrooms, and other institutional settings to prevent, report, and respond to both an act of violence or attempted violence against a person and a credible threat, as defined in s. 784.048(1)(c), F.S.¹ The bill requires each state university and FCS institution's policies and procedures to include certain provisions specified in the bill.

The bill requires each state university and FCS institution to annually review and update its policies and procedures to incorporate best practices in threat assessment, campus security, and safety.

The bill authorizes the Board of Governors to adopt regulations, and the State Board of Education to adopt rules, to administer the provisions of the bill.

This bill does not have a fiscal impact on state revenues and expenditures. **See Section V., Fiscal Impact Statement.**

¹ "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. Section 784.048(1)(c), F.S.

The bill takes effect July 1, 2026.

II. Present Situation:

Governance and Institutional Authority for Campus Safety Policy

The Board of Governors (BOG) has constitutional authority to regulate the State University System (SUS), and each local constituent university is administered by a 13-member board of trustees.² The BOG may adopt a regulation development procedure for the BOG and university boards of trustees to use in implementing their constitutional duties and responsibilities.³ Florida College System (FCS) institution boards of trustees have statutory authority to provide for risk management, safety, security, and law enforcement operations at the institution, including emergency response.⁴

Campus Emergency Response Information; Public Records and Open Meetings Exemptions

Current law defines “campus emergency response” to include plans and training for responding to an act of terrorism or other public safety crisis or emergency, and it specifies categories of included information. Campus emergency response information includes, in part:

- Threat assessments conducted by any agency or private entity.
- Threat response plans.
- Emergency evacuation plans.
- Manuals for security personnel, emergency equipment, or security training.
- Security systems or plans.
- Identification of staff involved in emergency preparedness, response, and recovery activities.
- Individual identification of affected or at-risk students, faculty, and staff and related record-transfer and family-inquiry response methods.

Any portion of a campus emergency response held by a public postsecondary educational institution is exempt from the public records requirement.

Any portion of a campus emergency response held by specified governmental entities, including the BOG, the Department of Education, and state or local law enforcement and emergency management agencies, is also exempt from the public records requirement.

That portion of a public meeting that would reveal information related to a campus emergency response is exempt from open meetings requirements.⁵

² Art. IX, s. 7(c), Fla. Const.

³ Art. IX, s. 7(d), Fla. Const.; and s. 1001.706(2), F.S.

⁴ Section 1001.64(23), F.S.

⁵ Section 1004.0962, F.S.

State University System Emergency Management Planning

BOG regulation requires each SUS university to develop and maintain a comprehensive emergency management program and maintain a comprehensive emergency management plan and continuity of operations plan.⁶

The regulation also references state emergency management law that applies to state agencies and specified facilities, including requirements related to emergency coordination and disaster preparedness planning.⁷

Federal Campus Security Disclosure Requirements

The U.S. Department of Education describes the federal campus security framework as advancing goals of keeping students, parents, and employees informed about campus security, and it states that ensuring institutional compliance and enforcement is a departmental priority.⁸

Federal regulations implementing the Clery Act framework require participating institutions to prepare and distribute an annual security report and to comply with related policy statement and campus crime statistics disclosure requirements.⁹

Federal regulations also address timely warnings and require institutions to include emergency response and evacuation procedures in the annual security report.¹⁰

State University System Campus Safety Summit

A Florida Board of Governors report titled “SUS Safety Summit” states that, on October 8, 2025, the SUS hosted a safety summit for university leadership and FCS leaders and discussed key safety issues, including building hardening, threat assessment, and communications.¹¹

The report describes facility lock review efforts following April 17, 2025, events at Florida State University and discusses facility and physical security measures such as reinforced access points, electronic door control systems, and modernized locking technologies.

The report discusses threat assessment as a proactive measure and describes multidisciplinary threat assessment teams drawing on expertise such as law enforcement, counseling, student affairs, and human resources.¹²

⁶ Florida Board of Governors Regulation 3.001.

⁷ Section 252.365, F.S.; see also Fla. Bd. of Governors Reg. 3.001 (referencing s. 252.365, F.S.).

⁸ U.S. Department of Educ., Campus Security, <https://www.ed.gov/teaching-and-administration/safe-learning-environments/school-safety-and-security/campus-security>, (last visited Jan. 20, 2026).

⁹ 34 C.F.R. s. 668.46(a)-(b) (annual security report requirement).

¹⁰ 34 C.F.R. s. 668.46(e) (timely warning); 34 C.F.R. s. 668.46(g) (emergency response and evacuation procedures).

¹¹ Florida Board of Governors, SUS Safety Summit (Nov. 2025) at 2, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf> (last visited Jan. 20, 2026).

¹² *Id.*

The report discusses emergency communications practices such as establishing communication hierarchies and distributing verified updates through multiple channels.¹³

III. Effect of Proposed Changes:

The bill creates s. 1004.0983, F.S., to require each state university and Florida College System (FCS) institution to adopt and implement written safety policies and procedures applicable to campus facilities, classrooms, and other institutional settings to prevent, report, and respond to both an act of violence or attempted violence against a person and a credible threat, as defined in s. 784.048(1)(c), F.S.¹⁴

The bill requires each state university and FCS institution's policies and procedures to include, at a minimum, provisions that:

- Identify a responsible person who coordinates the institution's response to covered threats or conduct and implements the policies and procedures, including all safety measures.
- Establish clear internal and external reporting protocols, including notification of campus security or a local law enforcement agency when appropriate.
- Outline protective measures available to affected persons, which may include work or class relocation, security escorts, and restricting access to certain areas by a person engaged in covered conduct.
- Provide timely updates to an affected person regarding the status of an incident and any action taken.
- Ensure the policies and procedures are prominently posted on the institution's website and available to students, faculty, staff, and visitors upon request.

The bill requires each state university and FCS institution to annually review and update its policies and procedures to incorporate best practices in threat assessment, campus security, and safety.

The bill authorizes the Board of Governors to adopt regulations, and the State Board of Education to adopt rules, to administer the provisions of the bill.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹³ Florida Board of Governors, SUS Safety Summit (Nov. 2025) at 3, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf> (last visited Jan. 20, 2026).

¹⁴ "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. Section 784.048(1)(c), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:**V. None. 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. State universities and Florida College System institutions may incur costs to develop, implement, post, and annually update required safety policies and procedures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1004.0983 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes**

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

CS by Appropriations Committee on Pre-K - 12 Education on January 28, 2026:

The committee substitute revises the scope of the required institutional safety policies and procedures by replacing the bill's current "physical threats" and "other conduct or

language” standard with a narrower framework focused on violence against a person and on credible threats, as defined in s. 784.048(1)(c), F.S. It also clarifies that the required policies and procedures apply to campus facilities, classrooms, and other institutional settings and must address prevention, reporting, and response.

B. Amendments:

None.

By the Appropriations Committee on Higher Education; and Senator Polsky

608-02301-26

2026176c1

A bill to be entitled
An act relating to public postsecondary education
safety policies and procedures; creating s. 1004.0983,
F.S.; requiring state universities and Florida College
System institutions to adopt and implement specified
policies and procedures relating to safety; providing
requirements for such policies and procedures;
requiring state universities and Florida College
System institutions to annually review and update the
policies and procedures; authorizing the Board of
Governors and the State Board of Education to adopt
regulations and rules, respectively; providing an
effective date.

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

Section 1. Section 1004.0983, Florida Statutes, is created
to read:

1004.0983 Public postsecondary safety policies and
procedures.—

(1) Each state university and Florida College System
institution shall adopt and implement written safety policies
and procedures applicable to campus facilities, classrooms, and
other institutional settings to prevent, report, and respond to:

(a) An act of violence or attempted violence against a
person.

(b) A credible threat as defined in s. 784.048(1)(c).

(2) The policies and procedures must:

(a) Identify a person responsible for:

608-02301-26

2026176c1

30 1. Coordinating the state university or Florida College
31 System institution's response to actions listed in paragraphs
32 (1) (a) and (b).

33 2. Implementing such policies and procedures, including all
34 safety measures.

35 (b) Establish clear internal and external reporting
36 protocols, including notification of campus security or a local
37 law enforcement agency when appropriate.

38 (c) Outline the protective measures available to affected
39 persons, which may include work or class relocation, security
40 escorts, and restricting access to certain areas by a person
41 engaged in an activity listed in paragraph (1) (a) or paragraph
42 (1) (b).

43 (d) Provide timely updates to an affected person regarding
44 the status of an incident and any action taken.

45 (e) Ensure the policies and procedures are prominently
46 posted on the state university's or Florida College System
47 institution's website and available to students, faculty, staff,
48 and visitors upon request.

49 (3) Each state university and Florida College System
50 institution shall annually review and update the policies and
51 procedures to incorporate the best practices in threat
52 assessment, campus security, and safety.

53 (4) The Board of Governors may adopt regulations and the
54 State Board of Education may adopt rules to administer this
55 section.

56 Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/CS/SB 178

INTRODUCER: Judiciary Committee; Education Pre-K - 12 Committee; and Senator Jones

SUBJECT: Athletics in Public K-12 Schools

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Palazesi</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	<u>Fav/CS</u>
3. <u>Palazesi</u>	<u>Kruse</u>	<u>RC</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 178 requires the Florida High School Athletic Association (FHSAA) to adopt bylaws allowing head coaches of athletics teams to support the welfare of the students they coach using personal funds. Coaches may, in good faith, provide assistance in the form of food, transportation, and recovery services. The maximum amount of personal funds a coach may use per athletic team per year is \$15,000. The bill also authorizes any other organization governing interscholastic athletic competition in Florida to adopt similar bylaws.

The bill takes effect July 1, 2026.

II. Present Situation:

The Florida High School Athletic Association (FHSAA)

The Florida High School Athletic Association (FHSAA) is the governing nonprofit organization of athletics in Florida public schools. Any public or private high school or middle school in this state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA; however, membership in the FHSAA is not mandatory for any school.¹

The FHSAA must adopt bylaws that:

¹ Section 1006.20(1), F.S.

- Establish eligibility requirements.
- Prohibit recruiting.
- Require all students to pass a medical evaluation each year.
- Regulate people who conduct investigations on behalf of the FHSAA.
- Establish sanctions for coaches who have committed major violations of the FHSAA bylaws.
- Establish the process and standards by which FHSAA determines eligibility.
- Adopt guidelines to educate athletic coaches, officials, administrators, and student athletes and their parents about the risk of concussion and head injury.
- Adopt bylaws that require each student athlete who is suspected of sustaining a concussion or head injury in a practice or competition to be immediately removed from the activity.
- Adopt bylaws for the establishment and duties of a sports medicine advisory committee.²

Each year, the FHSAA sponsors over 3,500 championship series games, through which 144 teams and 294 individuals are crowned state champions in 32 sports. Over 800,000 students annually participate in these athletic programs.³

Florida High School Athletic Association Impermissible Benefits

According to the FHSAA's bylaws, "[n]o school employee, athletic department staff member, representative of the school's athletic interests or third parties, such as an independent person, business, or organization, may be involved, directly or indirectly, in giving an impermissible benefit to any student or any member of his [or] her family for the purpose of participating in interscholastic athletics, or to any student-athlete who already attends a school."⁴

Specifically prohibited arrangements, assistance, or benefits include the following:

- School-based financial assistance of any kind that exceeds the amount for which a student has been approved by an independent financial needs assessment company or is otherwise in excess of any supplemental assistance provided by a school to each and every student who qualifies for financial assistance.
- Cash or like items, such as credit cards, debit cards, gift cards, gift certificates, coupons, or vouchers.
- Gifts of clothing, equipment, merchandise, or other tangible items.
- Loans or assistance in securing a loan of any kind.
- Payment for any work or service that is not performed or that is in excess of the amount normally paid for such work or service.
- Free or reduced-cost transportation.
- Living on a full- or part-time basis, regardless of whether rent is paid, with any school employee, athletic department staff member, or representative of the school's athletic interests, unless legal guardianship appointed by a court has been obtained.
- Free or reduced-cost rent for housing, vehicles, or other items.

² Section 1006.20(2), F.S.

³ Florida High School Athletic Association, *About FHSAA*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Jan. 28, 2026).

⁴ Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc.*, 97 (Bylaw 36.4.1) (2025-26 Ed.), available at https://fhsaa.com/documents/2025/11/21/2526_handbook_revised_10925.pdf?id=7098.

- Full or partial payment of moving expenses or assistance of any kind with an actual physical move.
- Employment or assistance in securing employment or contractual arrangement of any kind for which compensation may be paid.
- Free or reduced costs to attend a sport or skills camp.
- Allowing a student who has not started the enrollment process to participate prior to being fully enrolled.
- Any other form of arrangement, assistance, discount, or benefit that is not generally available to other students in the school or their families or that is based in any way on athletic ability.⁵

Incidents with Impermissible Benefits

In July 2025, Teddy Bridgewater, who was head football coach of Miami Northwestern Senior High School at the time, posted on social media asking for donations to assist his team. In the same post, Coach Bridgewater explained that he was providing Uber rides and meals to members of the football team.⁶

Soon after the social media post, Miami Northwestern self-reported the impermissible benefits provided to members of the football team. After investigating, the FHSAA determined that FHSAA bylaws 36.4.1 and 36.4.2.6 had been violated. As part of the corrective action, Miami Northwestern deemed Coach Bridgewater ineligible to coach for the 2025-2026 school year and Miami Northwestern was fined \$2,500, but \$2,250 of the fine amount is being held in abeyance provided there are no other violations of FHSAA Policy 36 during the 2025-2026 school year.⁷

III. Effect of Proposed Changes:

CS/CS/SB 178 amends s. 1006.20, F.S., which governs athletics in public K-12 schools, to require the Florida High School Athletic Association (FHSAA) to adopt bylaws authorizing head coaches of athletics teams to support the welfare of the students they coach using personal funds. Coaches may, in good faith, provide assistance in the form of food, transportation, and recovery services.

The bill requires coaches who provide assistance using personal funds to report it to the FHSAA in a manner provided by FHSAA bylaw. If a coach uses personal funds, it is presumed not to be an impermissible benefit unless the use of personal funds is:

- Not reported;
- Reported and deemed not to be in good faith by the FHSAA; or
- Used for recruiting purposes.

The maximum amount of personal funds a coach may use per athletic team per year is \$15,000.

⁵ *Id.* (Bylaw 36.4.2).

⁶ Doug Samuels, *Teddy Bridgewater is seeking donations to help cover unconventional expenses for his Florida state champion program*, Footballscoop, Jul. 9, 2025, <https://footballscoop.com/2025/07/09/teddy-bridgewater-florida-high-school-football-miami-northwestern-state-champions-donations-uber-rides-recovery-trucks-unconventional>.

⁷ Email from Ashton Moseley to Kedler Pouca regarding “Miami Northwestern – Self Report – Football – Bridgewater – 07-14-25,” Sept. 12, 2025 (on file with the Senate Committee on Judiciary).

The bill also authorizes any other organization governing interscholastic athletic competition in Florida to adopt similar bylaws.

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.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.20, 768.135, 1002.20, 1006.165, and 1012.468.

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 Judiciary on February 3, 2026:

The committee substitute revises the bill to clarify that it applies to head coaches of athletics teams only, not all coaches, and that the amount of personal funds a head coach may use per athletic team per year is a maximum of \$15,000. It also provides that other organizations governing interscholastic athletic competition in Florida, not just the FHSAA, may adopt bylaws similar to those required by the bill.

CS by Education Pre-K - 12 on January 20, 2026:

The committee substitute amends s. 1006.20, F.S., to limit the amount of personal funds a coach may use to provide assistance such as food, transportation, and recovery services, to \$15,000 per athletic team per year.

B. Amendments:

None.

By the Committees on Judiciary; and Education Pre-K - 12; and
Senator Jones

590-02456-26

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A bill to be entitled
An act relating to athletics in public K-12 schools;
amending s. 1006.20, F.S.; requiring the Florida High
School Athletic Association to adopt bylaws
authorizing a head coach to support the welfare of a
student by using personal funds to provide certain
effects to the student; requiring the head coach to
report such use of personal funds to the association;
providing that such use of personal funds is presumed
not to be an impermissible benefit; providing
exceptions; providing a limitation on the annual
amount of personal funds a head coach may use per
athletic team; authorizing other athletic associations
to adopt similar bylaws; amending ss. 768.135,
1002.20, 1006.165, and 1012.468, F.S.; conforming
cross-references; providing an effective date.

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

Section 1. Present paragraphs (c) through (n) of subsection
(2) of section 1006.20, Florida Statutes, are redesignated as
paragraphs (d) through (o), respectively, and a new paragraph
(c) is added to that subsection, to read:

1006.20 Athletics in public K-12 schools.—

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(c) The FHSA shall adopt bylaws that authorize the head
coach of an athletic team to support the welfare of a student he
or she coaches only by using personal funds to provide, in good
faith, effects such as food, transportation, and recovery

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30 services.

31 1. A head coach who uses personal funds to provide such
32 effects must report such use to the FHSAA in a manner provided
33 by FHSAA bylaw.

34 2. Such use of personal funds is presumed not to be an
35 impermissible benefit, unless such use of personal funds is:

36 a. Not reported;

37 b. Reported and deemed not to be in good faith by the
38 FHSAA; or

39 c. Used for recruiting purposes.

40 3. The maximum amount of personal funds a head coach may
41 use per athletic team per year is \$15,000.

42
43 Any other organization governing interscholastic athletic
44 competition in this state may adopt bylaws similar to those
45 required by this paragraph.

46 Section 2. Subsection (3) of section 768.135, Florida
47 Statutes, is amended to read:

48 768.135 Volunteer team physicians; immunity.—

49 (3) A practitioner licensed under chapter 458, chapter 459,
50 chapter 460, or s. 464.012 or registered under s. 464.0123 who
51 gratuitously and in good faith conducts an evaluation pursuant
52 to s. 1006.20(2)(d) ~~s. 1006.20(2)(e)~~ is not liable for any civil
53 damages arising from that evaluation unless the evaluation was
54 conducted in a wrongful manner.

55 Section 3. Paragraph (b) of subsection (17) of section
56 1002.20, Florida Statutes, is amended to read:

57 1002.20 K-12 student and parent rights.—Parents of public
58 school students must receive accurate and timely information

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regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(b) *Medical evaluation and electrocardiogram.*—Before participating in athletics, students must:

1. Satisfactorily pass a medical evaluation each year, unless the parent objects in writing based on religious tenets or practices, in accordance with s. 1006.20(2)(e) ~~s. 1006.20(2)(d)~~; and

2. As applicable under s. 1006.20, receive an electrocardiogram, unless the parent objects in writing based on religious tenets or practices or secures a certificate of medical exception in accordance with s. 1006.20(2)(e) ~~s. 1006.20(2)(d)~~ or the school district is unable to obtain a public or private partnership for the provision of an electrocardiogram pursuant to s. 1006.165.

Section 4. Subsection (3) of section 1006.165, Florida Statutes, is amended to read:

1006.165 Well-being of students participating in extracurricular activities; training.—

(3) Each school district must pursue public and private partnerships to provide low-cost electrocardiograms to the student. A student athlete is exempt from the requirement in s. 1006.20(2)(d) 4. ~~s. 1006.20(2)(e) 4.~~ if he or she resides in a school district that is unable to obtain a public or private partnership to provide an electrocardiogram at a rate of less than \$50 per student.

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88 Section 5. Paragraph (g) of subsection (2) of section
89 1012.468, Florida Statutes, is amended to read:

90 1012.468 Exceptions to certain fingerprinting and criminal
91 history checks.—

92 (2) A district school board shall exempt from the screening
93 requirements set forth in ss. 1012.465 and 1012.467 the
94 following noninstructional contractors:

95 (g) An investigator for the Florida High School Athletic
96 Association (FHSAA) who meets the requirements under s.
97 1006.20(2)(f) ~~s. 1006.20(2)(e)~~.

98 Section 6. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 198

INTRODUCER: Banking and Insurance Committee and Senators Rouson and Arrington

SUBJECT: Virtual Currency Kiosks

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Moody</u>	<u>Knudson</u>	<u>BI</u>	Fav/CS
2. <u>Renner</u>	<u>McKay</u>	<u>CM</u>	Favorable
3. <u>Moody</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 198 establishes a regulatory framework for virtual currency kiosks and protects users of kiosks by:

- Requiring a virtual currency kiosk business (except licensed money transmitters) to comply with registration requirements.
- Requiring that virtual currency kiosks must:
 - Ask each customer the amount of any of the customer's other virtual currency transactions conducted the same calendar day; and
 - Provide a notice to customers that fraud that begins with contact from strangers lying about their identity.
- Restricting the total dollar amount of all transactions per customer each calendar day to \$2,000 for new customers and \$10,000 for existing customers.
- Requiring a customer to be provided with an electronic receipt.
- Requiring a full refund in specified circumstances.

The bill has an indeterminate fiscal impact on state government expenditures. *See* Section V. Fiscal Impact Statement.

The bill is effective January 1, 2027.

II. Present Situation:

A virtual currency kiosk, also known as a cryptocurrency kiosk or a Bitcoin automatic teller machine (ATM), is a physical machine that enables customers to exchange virtual currencies for fiat currency or other virtual currencies.¹ As of January 2026, there are over 30,000 virtual currency kiosks in the United States.² Consumers are typically charged fees between 9 percent and 12 percent of the value of the transaction, but such fees may range from four percent to greater than 20 percent of the value of a transaction.³

A virtual currency kiosk may be unidirectional, allowing only the sale of virtual currency, or bidirectional, allowing both the sale and purchase of virtual currency.⁴ To purchase virtual currency from a kiosk, a consumer may store the purchased virtual currency in their own wallet or send the currency to a third party's wallet if the purchaser has a quick response (QR) code to that person's wallet.⁵ To sell virtual currency from a kiosk, a user deposits it into the machine's wallet, usually via a QR code displayed on the kiosk's screen, and the kiosk dispenses cash when the transaction is completed.⁶

Federal Regulation

The Financial Crimes Enforcement Network ("FinCEN"), a bureau of the United States Department of Treasury,⁷ is responsible for safeguarding the financial system from illegal use, combatting money laundering and related crimes, and promoting national security.⁸ Unless an exception applies, a money services business⁹ (MSB) must register with FinCEN.¹⁰ An MSB registration period is two calendar years.¹¹ Any person who fails to comply with the registration requirements is liable for a civil penalty of \$5,000 for each violation.¹² An MSB must develop, implement, and maintain an anti-money laundering program that includes, among other things, verifying customer identification.¹³ An MSB must also comply with anti-money laundering reporting requirements, such as reporting certain payment transactions by, through, or to the MSB that involve a transaction of more than \$10,000.¹⁴

¹ National Association of Attorneys General, *Your Bitcoin on Every Block: An Introduction to Cryptocurrency Kiosks*, May 4, 2022, available at [Your Bitcoin on Every Block: An Introduction to Cryptocurrency Kiosks \(naag.org\)](https://naag.org/your-bitcoin-on-every-block-an-introduction-to-cryptocurrency-kiosks) (last visited Feb. 3, 2026) (hereinafter cited as "Attorneys General Article on Cryptocurrency Kiosks").

² Coin ATM Radar, *Bitcoin ATM Installations Growth (United States)*, available at [Bitcoin ATM Installation Growth in United States](https://coinatmradar.com/bitcoin-atm-installation-growth-in-united-states/) (last visited Feb. 3, 2026).

³ Attorneys General Article on Cryptocurrency Kiosks.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ 31 C.F.R. s. 1010.100(s).

⁸ The U.S. Treasury Financial Crimes Enforcement Network, *Financial Crimes Enforcement Network: Mission*, available at [Mission | FinCEN.gov](https://finccen.gov/mission) (last visited Feb. 3, 2026).

⁹ "Money services business" is defined as a person wherever located doing business, whether or not on a regular basis or as an organized or licensed business concern, wholly or in substantial part within the United States, in one or more of the capacities specified under federal law. 31 C.F.R. s. 1010.100(ff).

¹⁰ 31 C.F.R. s. 1022.380(a).

¹¹ 31 C.F.R. s. 1022.380(b).

¹² 31 C.F.R. s. 1022.380(e) (providing that each day a violation continues constitutes a separate violation).

¹³ 31 C.F.R. s. 1022.210.

¹⁴ 31 C.F.R. s. 1010.311.

FinCEN has issued guidance that, unless an exception applies, an administrator¹⁵ or exchanger¹⁶ that: (a) accepts or transmits, or (b) buys or sells, virtual currency¹⁷ is a money transmitter that are subject to money services business registration, reporting, and recordkeeping requirements.¹⁸ Therefore, FinCEN treats virtual currency kiosk operators as MSBs, subject to registration regulations.¹⁹ Notwithstanding this requirement, the United States Government Accountability Office (“GAO”) reports that only 164 of the estimated 297 kiosk operators in the United States were registered in 2020, which has contributed to federal agencies, such as FinCEN, facing challenges in identifying virtual currency kiosk locations.²⁰

Florida Regulation of Money Services Businesses

The Florida Office of Financial Regulation (OFR) is responsible for all activities of the Financial Services Commission (Commission) relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.²¹

Money Services Businesses

As part of the OFR’s responsibilities, the OFR oversees MSBs. As of January 2025, there were 663 MSBs licensed by the OFR, with an additional 42,846 authorized locations and branches.²² An MSB includes any person located or doing business in Florida who acts as, amongst other

¹⁵ “Administrator” is defined as “a person engaged as a business in issuing (putting into circulation) a virtual currency, and who has the authority to redeem (to withdraw from circulation) such virtual currency.” The U. S. Treasury FinCEN, *Application of FinCEN’s Regulations to Persons Administering, Exchanging, or Using Virtual Currencies*, Mar. 18, 2013, available at [Application of FinCEN’s Regulations to Persons Administering, Exchanging, or Using Virtual Currencies | FinCEN.gov](https://www.fincen.gov/application-of-fincen-s-regulations-to-persons-administering-exchanging-or-using-virtual-currencies) (last visited Feb. 3, 2026) (hereinafter cited as “FinCEN Guidance on Persons Administering, Exchanging, or Using Virtual Currency”).

¹⁶ “Exchanger” is defined as “a person engaged as a business in the exchange of virtual currency for real currency, funds, or other virtual currency.” *Id.*

¹⁷ “Virtual Currency” is defined as “a medium of exchange that operates like a currency in some environments, but does not have all of the attributes of real currency.” “Convertible” virtual currency has an equivalent value in real currency or acts as a substitute for real currency. *Id.*

¹⁸ FinCEN Guidance on Persons Administering, Exchanging, or Using Virtual Currency. “Money transmitter” is defined as “a person who provides money transmitter services, which means the acceptance of currency, funds, or other value that substitutes for currency from one person and the transmission of currency, funds, or other value that substitutes for currency to another location or person by any means.” “Any means” includes, but is not limited to, “a financial agency or institution, a Federal Reserve Bank, an electronic funds transfer network, or an informal value transfer system.”

31 C.F.R. s. 1010.100(ff)(5)(A).

¹⁹ *Id.*; See also Article on US GAO Urges New Virtual Currency Regulations.

²⁰ The GAO, *Virtual Currencies Additional Information Could Improve Federal Agency Efforts to Counter Human and Drug Trafficking [Reissued with Revisions Feb. 7, 2022]*, GAO-22-105462, Published: Dec. 8, 2021, Publicly Released: Jan. 10, 2022, available at <https://www.gao.gov/products/gao-22-105462> (last visited Feb. 3, 2026).

²¹ Section 20.121(3)(a)2., F.S.

²² Email from Jason Holloway, Director of Fintech Policy, OFR to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Re: SB 292 – Virtual Currency Kiosk*, (Mar. 18, 2025) (on file with the Senate Committee on Banking and Insurance).

things, a money transmitter.^{23,24} Money transmitters reported \$591,129,248,691 in transmissions during the Fiscal Year 2024-2025.²⁵

Licenses issued to MSBs are valid until April 30 of the second year following the date of issuance and are valid for two years.²⁶ An MSB that does not renew its license by April 30 of its expiration year is deemed inactive, and if the license is not reactivated within 60 days, it will permanently expire.²⁷ An MSB must submit any application required by rule and pay the renewal or reactivation fee online via the Regulatory Enforcement and Licensing (REAL) System to renew or reactivate a license.²⁸

Once licensed, an MSB is required to report any change in control persons.^{29,30} If any person, directly or indirectly, or acting by or through one or more persons, proposes to purchase or acquire a controlling interest in an MSB, such person or group must submit a new application for licensure at least 30 days before such purchase or acquisition.³¹ Such a change of control application is not required if the person or group of persons has previously complied with applicable licensing provisions, provided that they are currently affiliated with the MSB, or if the person or group of persons is currently licensed with the OFR as an MSB.³² A change of control

²³ Section 560.103(24), F.S. defines “money transmitter” as corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in Florida which receives currency, monetary value, a payment instrument, or virtual currency²³ for the purpose of acting as an intermediary to transmit currency, monetary value, a payment instrument, or virtual currency from one person to another location or person by means, including transmission by wire, facsimile, electronic transfer, courier, the Internet, or through bill payment services or other businesses that facilitate such transfer within this country, or to or from this country. The term includes only an intermediary that can unilaterally execute or indefinitely prevent a transaction.

²⁴ Section 560.103(23), F.S.

²⁵ Email from Jason Holloway, Director of Fintech Policy, OFR to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Re: SB 198 – Virtual Currency*, (Jan. 15, 2026) (on file with the Senate Committee on Banking and Insurance) (hereinafter cited as “OFR Email Re: SB 198”).

²⁶ Section 560.141(2), F.S.

²⁷ Section 560.142(4), F.S.

²⁸ Section 560.142(1), F.S.

²⁹ Section 560.103(10), F.S., defines “Control person,” with respect to a money services business, as any of the following: (a) A person who holds the title of president, treasurer, chief executive officer, chief financial officer, chief operations officer, chief legal officer, or compliance officer for a money services business; (b) A person who holds any of the officer, general partner, manager, or managing member positions named in the money services business’s governing documents. As used in this paragraph, the term “governing documents” includes bylaws, articles of incorporation or organization, partnership agreements, shareholder agreements, and management or operating agreements; (c) A director of the money services business’s board of directors; (d) A shareholder in whose name shares are registered in the records of a corporation for profit, whether incorporated under the laws of this state or organized under the laws of any other jurisdiction and existing in that legal form, who owns 25 percent or more of a class of the company’s equity securities; (e) A general partner or a limited partner, as those terms are defined in s. 620.1102, F.S., who has a 25 percent or more transferable interest, as defined in s. 620.1102, F.S., of a limited partnership, limited liability limited partnership, foreign limited partnership, or foreign limited liability limited partnership, as those terms are defined in s. 620.1102, F.S. (f) A member, who is a person that owns a membership interest in a limited liability company or a foreign limited liability company, as those terms are defined in s. 605.0102(36) and (26), F.S., respectively, that holds a 25 percent or more membership interest in such company. As used in this subsection, the term “membership interest” means a member’s right to receive distributions or other rights, such as voting rights or management rights, under the articles of organization; (g) A natural person who indirectly owns 25 percent or more of the shares or stock interest, transferable interest as defined in s. 620.1102, F.S., or membership interest as defined in paragraph (f), of any legal entities referred to in paragraphs (d)-(f).

³⁰ Section 560.126(3), F.S.

³¹ Section 560.126(3)(a), F.S.; r. 69v-560.201(4), F.A.C.

³² Section 560.126(3)(c), F.S.; r. 69v-560.201(6), F.A.C.

application must be accompanied by the payment of an initial licensing fee³³ and a fee per branch or authorized vendor,³⁴ up to a maximum of \$20,000.³⁵

The OFR has enforcement authority against MSBs for violating any state law relating to the detection and prevention of money laundering.³⁶

Virtual Currency Kiosk Businesses

The OFR reports that there are currently 39 known operators and 3,178 known kiosks in Florida.³⁷ Under current Florida law, an operator of a virtual currency kiosk that falls within the definition of a money transmitter is required to be licensed as an MSB. Florida does not have a separate regulatory regime for virtual currency businesses or virtual currency kiosk businesses.

The OFR reports that the Federal Bureau of Investigation (FBI) and the Federal Trade Commission (FTC) have received complaints from Florida of alleged victim losses related to virtual currency kiosks totaling about \$33 million³⁸ to approximately 1,739 Florida victims from January 2020 to March 2025.³⁹ Since January 2024, the OFR has opened approximately 75 investigations regarding approximately \$1.8 million in losses related to virtual currency kiosks.⁴⁰

Other States' Laws

More than 10 states have passed laws regulating virtual currency kiosks.⁴¹ All of the states that regulate kiosks have requirements for operators of the kiosks to be licensed or registered,⁴²

³³ Fees are determined by whether the MSB is licensed under Part II or Part III of Chapter 560. Initial licensing fees under Part II licenses require a \$375 license application fee per s. 560.143(1)(a), F.S. Part III licenses require a \$188 license application fee per s. 560.143(b), F.S.

³⁴ Section 560.143(1)(c) and (d), F.S., provides that both the per branch fee and the authorized vendor fee are \$38.

³⁵ Section 560.143(1)(g), F.S.

³⁶ Section 560.123, F.S.

³⁷ OFR Email Re: SB 198 (citing Coin ATM Radar, *Bitcoin ATMs in Florida*, available at: [Bitcoin ATM Florida, FL United States](#) (last visited Feb. 3, 2026)).

³⁸ OFR Email Re: SB 198.

³⁹ Email from Jason Holloway, Director of Fintech Policy, OFR, to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Virtual Currency Kiosk Businesses*, (Mar. 18, 2025) (on file with Senate Committee on Banking and Insurance) (forwarding email from Alex B Toledo, Chief, Bureau of Financial Investigations, OFR to Jason Holloway, Director of Fintech Policy, OFR, *Re: [EXT] HB 319 Virtual Currency Kiosk Businesses*, (Mar. 10, 2025) (on file with the Senate Committee on Banking and Insurance)).

⁴⁰ *Id.*

⁴¹ Arizona (A.R.S. s. 6-1236), Arkansas (A.C.A. s. 23-55-1008), California (CA Fin. Code ss. 3901 – 3907), Colorado (SB 25-079), Connecticut (Conn. Gen. Stat. 36a-595 to 36a-612), Illinois (30 ILCS 105/5.1030), Iowa (Iowa Code s. 533C.1004), Louisiana (La. Act No. 369 (HB 483) (2025)), Maryland (Md. Code, Financial Institutions, s. 12-1201 et seq.), Missouri (RSMo s. 361.1100), Nebraska (Neb. Rev. Stat. ss. 8-3032 – 8-3042), North Dakota (HB 1447 (2025)), Oklahoma (Okla. Stat. tit. 6, s. 1520), Rhode Island (R.I. Gen. Law ss. 19-14.3-3.9 to 3.13), Vermont (8 V.S.A. s. 2577), Maine (32 M.R.S. s. 6169).

⁴² California does not require a license for operators of kiosks unless, on or after July 1, 2026, the operator engages in digital financial asset business activity via kiosks. Cal. Fin. Code s. 3907.

except Colorado and Iowa.⁴³ All of them have consisted of all or some⁴⁴ of the following provisions that require:

- Specified disclosures before a customer can initiate a transaction;
- An electronic receipt to be provided to the customer upon completion of a transaction;
- A refund to be issued to certain customers in specified circumstances; and
- An owner or operator to limit the daily transaction amount per customer.

Some state laws contain additional protections; for instance, several states provide for anti-fraud regulation⁴⁵ and fee caps.⁴⁶

III. Effect of Proposed Changes:

CS/SB 198 establishes the regulatory framework for virtual currency kiosks, including registration and disclosure requirements, daily transaction limits, and requirements to provide an electronic receipt for each transaction and refunds if certain conditions are met.

Section 1 amends s. 560.103, F.S., revising the definition of “money services businesses” to include virtual currency kiosk businesses as a type of money service business. The bill also defines the following terms:

- “Virtual currency kiosk” means an electronic terminal that acts as a mechanical agent of the kiosk business, enabling the kiosk business to facilitate the exchange of virtual currency for fiat currency or other virtual currency for a customer.
- “Virtual currency kiosk business” or “kiosk business” means a corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in this state which offers virtual currency kiosk services to a customer in this state.
- “Virtual currency kiosk transaction” means the process in which a customer uses a virtual currency kiosk to exchange virtual currency for fiat currency or other virtual currency. A transaction begins at the point at which the customer is able to initiate a transaction after the customer is given the option to select the type of transaction or account and does not include any of the screens that display the required terms and conditions, disclaimers, or attestations.

Section 2 amends s. 560.105, F.S., authorizing the Financial Services Commission to adopt rules to regulate virtual currency kiosk businesses.

Section 3 creates part V of ch. 560, F.S., entitled “Virtual Currency Kiosk Businesses,” in which the provisions regulating virtual currency kiosk businesses are contained.

Section 4 creates s. 560.501, F.S., defining the following terms:

⁴³ Colorado SB 25-079 (2025); Iowa Code s. 533C.1004.

⁴⁴ California law does not require a refund in specified circumstances. *See* Cal. Fin. Code s. 3901-3907. Louisiana law does not provide for receipt requirements. *See* La. Act No. 369 (HB 483) (2025)). Missouri law does not provide daily transaction limits. *See* Mo. Rev. Stat. s. 361.1100. Vermont law does not provide for specific disclosure requirements or receipt requirements. *See* 8 V.S.A. s. 2577.

⁴⁵ Examples include Louisiana, Nebraska, North Dakota, and Vermont.

⁴⁶ Examples include California, Illinois, Iowa, Maryland, Oklahoma, Rhode Island, and Maine have fee caps. Connecticut authorizes the Banking Commissioner to establish a schedule of maximum fees for specific kiosk services.

- “Blockchain” means a mathematically secured, chronological, decentralized, distributed, and digital ledger or database that consists of records of transactions that cannot be altered retroactively.
- “Blockchain analytics” means the process of examining, monitoring, and gathering insights from the data and transaction patterns on a blockchain network. The primary aims of blockchain analytics are to understand and monitor the network’s health, track transaction flows, and identify potential security threats, including illicit activity, in order to extract actionable insights.
- “Daily transaction limit” means a new customer transaction of no more than \$2,000 per calendar day, or an existing customer transaction of no more than \$10,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks.
- “Existing customer” means a customer who has transacted with the owner or operator of a virtual currency kiosk for 7 or more days.
- “New customer” means a customer who has transacted with the owner or operator of a virtual currency kiosk for fewer than 7 days.
- “Registrant” means a corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in this state which offers virtual currency kiosk services and receives notice from the OFR that the agency has granted an application for registration.
- “Transaction hash” means a unique identifier consisting of a string of characters which provides a verifiable record that a transaction has been confirmed and added to the blockchain.
- “Wallet” means hardware or software that enables a customer to store, use, send, receive, and spend virtual currency or store virtual currency private keys or passcodes enabling the same.

Section 5 creates s. 560.502, F.S., prohibiting a virtual currency kiosk business from operating in the state without first registering, or renewing its registration. The OFR must give written notice to each applicant that the OFR has granted or denied the application for registration. A money transmitter that is licensed as a money services business is exempt from registration as a virtual currency kiosk business but is subject to ss. 560.504 through 560.507, F.S. An entity may not operate as an intermediary with the ability to unilaterally execute or indefinitely prevent a virtual currency kiosk transaction, or otherwise act as a money transmitter, without being licensed as a money services business. A virtual currency kiosk business registration is not transferable or assignable.

Section 6 creates s. 560.503, F.S., providing the information an applicant must submit to apply to register as a virtual currency kiosk business. Such information must include:

- A completed registration application on the form with the following information:
 - The legal name and the physical and mailing addresses of the applicant.
 - The date of the applicant’s formation and any state in which the applicant was formed.
 - The name, social security number, alien identification or taxpayer identification number, business and residence addresses, and employment history for the past 5 years for each control person.

- A description of the organizational structure of the applicant and the disclosure of whether any parent or subsidiary is publicly traded.
 - The name and mailing address of the registered agent.
 - The physical address of each virtual currency kiosk through which the applicant proposes to conduct or is conducting business in this state.
 - An attestation that the applicant has developed clearly documented policies, processes, and procedures regarding the use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity, including specified information.
 - Any other information required ch. 560, F.S., or commission rule.
- Any information needed to resolve any deficiencies found in the application within a time period prescribed by rule.

A virtual currency kiosk business operating in this state on or before January 1, 2027, must submit a registration application to the OFR within 30 days after that date. A registrant must report, on a form prescribed by rule of the commission, any change to the information contained in an application form within 30 days after the change is effective.

A registrant must renew its registration annually on or before December 31 of the year preceding the expiration date of the registration. To renew such registration, the registrant must submit a renewal application that provides:

- Any changes in the required information contained in an initial registration application, or an affidavit signed by the registrant that the information remains the same as the prior year's information.
- Upon request by the OFR, evidence that the registrant has been operating in compliance with ss. 560.504 through 560.507, F.S., which may be prescribed by rule and may include:
 - Current disclosures presented to customers during the transaction process.
 - Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.

A registration that is not renewed by December 31 of the year preceding expiration will be made inactive for 60 days. A registrant is not allowed to conduct business while its registration is inactive. To renew an inactive registration, a registrant must submit, within 60 days after the registration becomes inactive, all of the following:

- Any changes in the required information contained in an initial registration application, or an affidavit signed by the registrant that the information remains the same as the prior year's information.
- Evidence that the registrant has been operating in compliance with ss. 560.504 through 560.507, F.S., as prescribed by commission rule, may include:
 - Current disclosures presented to customers during the transaction process.
 - Reports that confirm compliance with daily transaction limits.
 - Copies of receipts provided to customers.
 - Records showing refunds provided to customers in required circumstances.
 - Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.

Any renewal registration made under this provision becomes effective on the date the OFR approves the application for registration. The OFR must approve the application for renewal registration within a timeframe prescribed by rule. Unless an exception applies for a licensed money transmitter, a registration will expire if a virtual currency kiosk fails to submit an application to renew a registration within 60 days after the registration becomes inactive. If the registration expires, a new application to register the virtual currency kiosk business must be submitted to the OFR, and the OFR must issue a registration certificate before the virtual currency kiosk business may operate.

The OFR may deny a prospective registrant's initial registration application or the registrant's renewal application if a control person of a registrant or prospective registrant has engaged in any unlawful business practice, or been convicted or found guilty of, or pled guilty or nolo contendere to, regardless of adjudication, a crime involving dishonest dealing, fraud, acts of moral turpitude, or other acts that reflect an inability to engage lawfully in the business of a registered virtual currency kiosk business. The OFR must deny an application to renew a virtual currency kiosk business registration that fails to provide any requested or required evidence of compliance. Any false statement made by a virtual currency kiosk business in an application for registration renders the registration void. A void registration may not be construed as creating a defense to any prosecution for violation of chapter 560, F.S.

Section 7 creates s. 560.504, F.S., providing that before a customer initiates a virtual currency kiosk transaction, the virtual currency kiosk business must ensure that the virtual currency kiosk:

- Requires a customer to confirm whether the customer has conducted any transactions at another kiosk on the same calendar day and any amount of such transaction to determine how much a customer may transact at the kiosk before reaching the daily transaction limit.
- Clearly and consciously display the following disclosure to the customer:

WARNING: FRAUD OFTEN STARTS WITH CONTACT FROM A STRANGER. IF YOU HAVE BEEN DIRECTED TO THIS MACHINE BY SOMEONE CLAIMING TO BE A GOVERNMENT AGENT, BILL COLLECTOR, LAW ENFORCEMENT OFFICER, OR ANYONE YOU DO NOT KNOW PERSONALLY, STOP THIS TRANSACTION IMMEDIATELY AND CONTACT YOUR FINANCIAL ADVISOR OR LOCAL LAW ENFORCEMENT.

Section 8 creates s. 560.505, F.S., prohibiting a kiosk business from allowing a new customer or an existing customer to transact more than \$2,000 or \$10,000 per calendar day, respectively, through a single or multiple transactions.

Section 9 creates s. 560.506, F.S., providing that once the transaction is completed, the kiosk business must provide the customer with an electronic receipt that includes the following information:

- The name and contact information of the kiosk business, including an email address and a toll-free telephone number for such business.
- The date, time, amount of the transaction in United States dollars, and type of transaction.
- The transaction hash and each wallet used.
- The total fee charged for the transaction.

- The exchange rate, if applicable.
- A statement of the kiosk business's liability, if any, for nondelivery or delayed delivery of the currency.
- The refund policy of the kiosk business.

Section 10 creates s. 560.507, F.S., requiring a kiosk business to issue a full refund within 72 hours to a customer for their first virtual currency transaction if:

- The customer transferred virtual currency to a wallet or exchange located outside the United States;
- Within 60 days, the customer notifies both the kiosk business and a law enforcement or governmental agency regarding the fraudulent nature of the transaction; and
- The customer provides proof of the alleged fraud to the kiosk business, such as a police report or a notarized affidavit.

Section 11 provides that, except as otherwise expressly provided in this act, the bill is effective January 1, 2027.

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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The OFR reports the bill has an indeterminate fiscal impact on state government expenditures because “[i]t is unknown whether this bill will apply to licensed money transmitters.”⁴⁷

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 560.103 and 560.105.

This bill creates the following sections of the Florida Statutes: 560.501, 560.502, 560.503, 560.504, 560.505, 560.506, and 560.507.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Banking and Insurance on January 28, 2026:

- Amends the definition of “money services businesses” to include kiosk businesses as a type of money services businesses.
- Creates part V of ch. 560, F.S., relating to Virtual Currency Kiosk Businesses.
- Effective March 1, 2027, provides a kiosk business may not operate in the state without first registering with the OFR, except licensed money transmitters.
- Prohibits an entity from acting as an intermediary without being licensed as a money transmitter.
- Prohibits a kiosk business registration from being transferred or assigned.
- Requires a kiosk business to comply with certain registration requirements.
- Requires the OFR to deny a kiosk business registration application in certain circumstances.
- Voids a kiosk business registration if false information is provided in an application for registration.
- Requires a kiosk to confirm whether the customer has conducted any transactions at another virtual currency kiosk on the same calendar day and any amount of such transaction.

⁴⁷ The OFR, *2026 Agency Legislative Bill Analysis, Florida Office of Financial Regulation for SB 198*, p. 3, Dec. 30, 2025 (on file with the Senate Committee on Banking and Insurance).

- Clarifies the maximum amount a customer may transact per virtual currency kiosk each calendar day.
- Clarifies the information a kiosk business must include in an electronic receipt that is provided to a customer who completes a virtual currency kiosk transaction.
- Clarifies that a customer must provide proof of the “alleged” fraud to a kiosk business to receive a refund.
- Defines terms relating to virtual currency kiosks, blockchain technology, and transaction limits.
- Makes conforming changes.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 100 - 349
and insert:

Section 3. Paragraph (w) of subsection (1) of section
560.114, Florida Statutes, is amended to read:

560.114 Disciplinary actions; penalties.—

(1) The following actions by a money services business,
authorized vendor, or affiliated party constitute grounds for
the issuance of a cease and desist order; the issuance of a
removal order; the denial, suspension, or revocation of a



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license; or taking any other action within the authority of the office pursuant to this chapter:

(w) Engaging or advertising engagement in the business of a money services business or deferred presentment provider without a license or registration, unless exempted from licensure or registration.

Section 4. Section 560.125, Florida Statutes, is amended to read:

560.125 Unlicensed or unregistered activity; penalties.—

(1) A person may not engage in the business of a money services business or deferred presentment provider in this state unless the person is licensed or registered, or exempted from licensure or registration under this chapter. A deferred presentment transaction conducted by a person not authorized to conduct such transaction under this chapter is void, and the unauthorized person has no right to collect, receive, or retain any principal, interest, or charges relating to such transaction.

(2) Only a money services business licensed under part II of this chapter may appoint an authorized vendor. Any person acting as a vendor for an unlicensed money transmitter or payment instrument issuer becomes the principal thereof, and no longer merely acts as a vendor, and is liable to the holder or remitter as a principal money transmitter or payment instrument seller.

(3) Any person whose substantial interests are affected by a proceeding brought by the office pursuant to this chapter may, pursuant to s. 560.113, petition any court of competent jurisdiction to enjoin the person or activity that is the



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subject of the proceeding from violating any of the provisions of this section. For the purpose of this subsection, any money services business licensed under this chapter, any person residing in this state, and any person whose principal place of business is in this state are presumed to be substantially affected. In addition, the interests of a trade organization or association are deemed substantially affected if the interests of any of its members are affected.

(4) The office may issue and serve upon any person who violates any of the provisions of this section a complaint seeking a cease and desist order or impose an administrative fine as provided in s. 560.114.

(5) A person who violates this section, if the violation involves:

(a) Currency, monetary value, payment instruments, or virtual currency of a value exceeding \$300 but less than \$20,000 in any 12-month period, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Currency, monetary value, payment instruments, or virtual currency of a value totaling or exceeding \$20,000 but less than \$100,000 in any 12-month period, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Currency, monetary value, payment instruments, or virtual currency of a value totaling or exceeding \$100,000 in any 12-month period, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(6) In addition to the penalties authorized by s. 775.082, s. 775.083, or s. 775.084, a person who has been convicted of,



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or entered a plea of guilty or nolo contendere to, having violated this section may be sentenced to pay a fine of up to the greater of \$250,000 or twice the value of the currency, monetary value, payment instruments, or virtual currency, except that on a second or subsequent violation of this section the fine may be up to the greater of \$500,000 or quintuple the value of the currency, monetary value, payment instruments, or virtual currency.

(7) A person who violates this section is also liable for a civil penalty of up to the greater of the value of the currency, monetary value, payment instruments, or virtual currency involved or \$25,000.

(8) In any prosecution brought pursuant to this section, the common law corpus delicti rule does not apply. The defendant's confession or admission is admissible during trial without the state having to prove the corpus delicti if the court finds in a hearing conducted outside the presence of the jury that the defendant's confession or admission is trustworthy. Before the court admits the defendant's confession or admission, the state must prove by a preponderance of the evidence that there is sufficient corroborating evidence that tends to establish the trustworthiness of the statement by the defendant. Hearsay evidence is admissible during the presentation of evidence at the hearing. In making its determination, the court may consider all relevant corroborating evidence, including the defendant's statements.

Section 5. Part V of chapter 560, Florida Statutes, consisting of ss. 560.501-560.507, Florida Statutes, is created and entitled "Virtual Currency Kiosk Businesses."



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Section 6. Section 560.501, Florida Statutes, is created to read:

560.501 Definitions.—For purposes of this part, the term:

(1) "Blockchain" means a mathematically secured, chronological, decentralized, distributed, and digital ledger or database that consists of records of transactions that cannot be altered retroactively.

(2) "Blockchain analytics" means the process of examining, monitoring, and gathering insights from the data and transaction patterns on a blockchain network. The primary aims of blockchain analytics are to understand and monitor the network's health, track transaction flows, and identify potential security threats, including illicit activity, in order to extract actionable insights.

(3) "Daily transaction limit" means a new customer being limited to no more than \$2,000 in transactions per calendar day, or an existing customer being limited to no more than \$10,000 in transactions per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks.

(4) "Existing customer" means a customer who has transacted with a kiosk business on its virtual currency kiosk for 7 or more days.

(5) "New customer" means a customer who has transacted with a kiosk business on its virtual currency kiosk for fewer than 7 days.

(6) "Registrant" means a corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in this state which offers virtual



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currency kiosk services and receives notice from the office that the agency has granted an application for registration pursuant to the provisions of this part.

(7) "Transaction hash" means a unique identifier consisting of a string of characters which provides a verifiable record that a transaction has been confirmed and added to the blockchain.

(8) "Wallet" means hardware or software that enables a customer to store, use, send, receive, and spend virtual currency or store virtual currency private keys or passcodes enabling the same.

Section 7. Effective March 1, 2027, section 560.502, Florida Statutes, is created to read:

560.502 Registration required; exemptions; penalties.—

(1) Except as provided in subsection (2), a virtual currency kiosk business may not operate in this state without first registering, or renewing its registration, in accordance with s. 560.503. The office shall give written notice to each applicant that the office has granted or denied the application for registration.

(2) A money transmitter that is licensed as a money services business pursuant to s. 560.141 and offers virtual currency kiosk services is exempt from registration as a virtual currency kiosk business but is subject to ss. 560.504, 560.505, 560.506, and 560.507.

(3) An entity, in the course of its business, may not act as an intermediary with the ability to unilaterally execute or indefinitely prevent a virtual currency kiosk transaction, or otherwise meet the definition of a money transmitter as defined



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in s. 560.103, without being licensed as a money services
business pursuant to s. 560.141.

(4) A virtual currency kiosk business registration issued
under this part is not transferable or assignable.

Section 8. Section 560.503, Florida Statutes, is created to
read:

560.503 Registration applications.—

(1) To apply to be registered as a virtual currency kiosk
business under this part, the applicant must submit all of the
following information to the office:

(a) A completed registration application on forms
prescribed by rule of the commission. The application must
include the following information:

1. The legal name, including any fictitious or trade names
used by the applicant in the conduct of its business, and the
physical and mailing addresses of the applicant.

2. The date of the applicant's formation and the state in
which the applicant was formed, if applicable.

3. The name, social security number, alien identification
or taxpayer identification number, business and residence
addresses, and employment history for the past 5 years for each
control person as defined in s. 560.103.

4. A description of the organizational structure of the
applicant, including the identity of any parent or subsidiary of
the applicant, and the disclosure of whether any parent or
subsidiary is publicly traded.

5. The name and mailing address of the registered agent in
this state for service of process.

6. The physical address of the location of each virtual



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currency kiosk through which the applicant proposes to conduct or is conducting business in this state.

7. An attestation that the applicant has developed clearly documented policies, processes, and procedures regarding the use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity, including the manner in which such blockchain analytics activity will integrate into its compliance controls, and that the applicant will maintain and comply with such blockchain analytics policies, processes, and procedures.

8. Any other information as required by this chapter or commission rule.

(b) Any information needed to resolve any deficiencies found in the application within a time period prescribed by rule.

(2) A virtual currency kiosk business operating in this state on or before January 1, 2027, must submit a registration application to the office within 30 days after that date.

(3) A registrant shall report, on a form prescribed by rule of the commission, any change in the information contained in an initial application form or an amendment thereto within 30 days after the change is effective.

(4) A registrant must renew its registration annually on or before December 31 of the year preceding the expiration date of the registration. To renew such registration, the registrant must submit a renewal application that provides:

(a) The information required in paragraph (1)(a) if there are changes in the application information, or an affidavit signed by the registrant that the information remains the same



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as the prior year's information.

(b) Upon request by the office, evidence that the registrant has been operating in compliance with ss. 560.504, 560.505, 560.506, and 560.507. Such evidence may be prescribed by rule by the commission and may include, but need not be limited to, all of the following:

1. Current disclosures presented to customers during the transaction process.

2. Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.

(5) A registrant that does not renew its registration by December 31 of the year preceding expiration shall be made inactive for 60 days. A registrant may not conduct business while its registration is inactive.

(6) To renew an inactive registration, a registrant must, within 60 days after the registration becomes inactive, submit all of the following:

(a) The information required in paragraph (1)(a) if there are changes in the application information, or an affidavit signed by the registrant that the information remains the same as the prior year's information.

(b) Evidence that the registrant was operating in compliance with ss. 560.504, 560.505, 560.506, and 560.507. Such evidence may be prescribed by rule by the commission and may include, but need not be limited to, all of the following:

1. Current disclosures presented to customers during the transaction process.

2. Reports that confirm compliance with daily transaction limits.



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3. Copies of receipts provided to customers.

4. Records showing refunds provided to customers in
required circumstances.

5. Current use of blockchain analytics to prevent transfers
to wallet addresses linked to known criminal activity.

Any renewal registration made pursuant to this subsection
becomes effective upon the date the office approves the
application for registration. The office shall approve the
application for renewal registration within a timeframe
prescribed by rule.

(7) Except as provided in s. 560.502(2), failure to submit
an application to renew a virtual currency kiosk business's
registration within 60 days after the registration becomes
inactive shall result in the registration becoming expired. If
the registration is expired, a new application to register the
virtual currency kiosk business pursuant to subsection (1) must
be submitted to the office and a certification of registration
must be issued by the office before the virtual currency kiosk
business may conduct business in this state.

(8) If a control person of a registrant or prospective
registrant has engaged in any unlawful business practice, or
been convicted or found guilty of, or pled guilty or nolo
contendere to, regardless of adjudication, a crime involving
dishonest dealing, fraud, acts of moral turpitude, or other acts
that reflect an inability to engage lawfully in the business of
a registered virtual currency kiosk business, the office may
deny the prospective registrant's initial registration
application or the registrant's renewal application.



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(9) The office shall deny the application of a virtual currency kiosk business that submits a renewal application and fails to provide evidence of compliance upon request pursuant to paragraph (4)(b) or as required in paragraph (6)(b).

(10) Any false statement made by a virtual currency kiosk business in an application for registration under this section renders the registration void. A void registration may not be construed as creating a defense to any prosecution for violation of this chapter.

Section 9. Section 560.504, Florida Statutes, is created to read:

560.504 Disclosures.—Before a customer initiates a virtual currency kiosk transaction, the virtual currency kiosk business must ensure that the virtual currency kiosk:

(1) Requires the customer to confirm whether the customer has conducted any transactions at another virtual currency kiosk on the same calendar day and any amount of such transactions to determine how much, if any, the customer may transact at the virtual currency kiosk before reaching the daily transaction limit.

(2) Clearly and conspicuously display the following disclosure to the customer on the screen:

WARNING: FRAUD OFTEN STARTS WITH CONTACT FROM A STRANGER. IF YOU HAVE BEEN DIRECTED TO THIS MACHINE BY SOMEONE CLAIMING TO BE A GOVERNMENT AGENT, BILL COLLECTOR, LAW ENFORCEMENT OFFICER, OR ANYONE YOU DO NOT KNOW PERSONALLY, STOP THIS TRANSACTION IMMEDIATELY AND CONTACT YOUR FINANCIAL ADVISOR OR LOCAL LAW



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ENFORCEMENT.

Section 10. Section 560.505, Florida Statutes, is created to read:

560.505 Transaction limits.—A virtual currency kiosk business may not permit a new customer to transact more than \$2,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks. A virtual currency kiosk business may not permit an existing customer to transact more than \$10,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks.

Section 11. Section 560.506, Florida Statutes, is created to read:

560.506 Mandatory receipt.—Upon completion of a virtual currency transaction, the virtual currency kiosk business must provide the customer with a choice of a physical or electronic receipt that includes all of the following:

(1) The name and contact information of the virtual currency kiosk business, including an e-mail address and a toll-free telephone number for such business.

(2) The date, time, amount of the transaction in United States dollars, and type of the transaction.

(3) The transaction hash and each wallet used.

(4) The total fee charged for the transaction.

(5) The exchange rate, if applicable.

(6) A statement of the virtual currency kiosk's liability, if any, for nondelivery or delayed delivery of the virtual



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currency.

(7) The refund policy of the virtual currency kiosk business.

Section 12. Section 560.507, Florida Statutes, is created to read:

560.507 Mandatory refund.—A virtual currency kiosk business must issue a full refund within 72 hours to a customer for the customer's first virtual currency transaction if all of the following conditions are met:

(1) Within 60 days, the customer notifies the virtual currency kiosk business and a law enforcement or governmental agency regarding the fraudulent nature of the transaction.

(2) The customer provides proof of the alleged fraud to the

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

And the title is amended as follows:

Delete lines 7 - 55

and insert:

amending s. 560.114, F.S.; revising the actions by money services businesses, authorized vendors, or affiliated parties which constitute grounds for disciplinary action; amending s. 560.125, F.S.; prohibiting persons from engaging in certain business unless they are registered or exempt from registration; creating part V of ch. 560, F.S., entitled "Virtual Currency Kiosk Businesses"; creating s. 560.501, F.S.; defining terms; creating s. 560.502, F.S.; prohibiting a virtual currency kiosk business from operating in this state without registering or



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renewing its registration; requiring the Office of
Financial Regulation to give a specified notice to
applicants; specifying that certain money transmitters
are exempt from registration as a virtual currency
kiosk business but are subject to certain provisions;
prohibiting certain entities from performing certain
actions without being licensed as a money services
business; specifying that virtual currency kiosk
business registrations are not transferable or
assignable; creating s. 560.503, F.S.; requiring
applicants to submit certain information to the office
to be registered as a virtual currency kiosk business;
requiring certain virtual currency kiosk businesses to
submit a registration application to the office by a
specified date; requiring registrants to report a
change in the information within a specified
timeframe; requiring registrants to renew their
registration annually; specifying requirements for a
renewal application; requiring registrants to be made
inactive for a specified timeframe under certain
circumstances; prohibiting registrants from conducting
business while registration is inactive; specifying
requirements for registrants to renew an inactive
registration; providing that a renewal registration
becomes effective on a specified date; requiring the
office to approve applications for renewal
registration within a specified timeframe; providing
that a registration expires under certain
circumstances; providing requirements if a



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registration expires; authorizing the office to deny
certain applications under certain circumstances;
providing that certain false statements made by a
virtual currency kiosk business render its
registration void; providing construction; creating s.
560.504, F.S.; requiring a virtual currency kiosk
business to ensure that the virtual currency kiosk
requires certain attestations from the customer and
displays a certain disclosure; creating s. 560.505,
F.S.; prohibiting a virtual currency kiosk business
from permitting new or existing customers from
transacting more than specified dollar amounts per
calendar day; creating s. 560.506, F.S.; requiring a
virtual currency kiosk business to provide a customer
with a specified physical or electronic receipt upon
completion of

By the Committee on Banking and Insurance; and Senator Rouson

597-02288-26

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A bill to be entitled

An act relating to virtual currency kiosks; amending s. 560.103, F.S.; revising the definition of the term "money services business"; defining terms; amending s. 560.105, F.S.; revising the requirements for certain rules adopted by the Financial Services Commission; creating part V of ch. 560, F.S., entitled "Virtual Currency Kiosk Businesses"; creating s. 560.501, F.S.; defining terms; creating s. 560.502, F.S.; prohibiting a virtual currency kiosk business from operating in this state without registering or renewing its registration; requiring the Office of Financial Regulation to give a specified notice to applicants; specifying that certain money transmitters are exempt from registration as a virtual currency kiosk business but are subject to certain provisions; prohibiting certain entities from performing certain actions without being licensed as a money services business; specifying that virtual currency kiosk business registrations are not transferable or assignable; creating s. 560.503, F.S.; requiring applicants to submit certain information to the office to be registered as a virtual currency kiosk business; requiring certain virtual currency kiosk businesses to submit a registration application to the office by a specified date; requiring registrants to report a change in the information within a specified timeframe; requiring registrants to renew their registration annually; specifying requirements for a

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renewal application; requiring registrants to be made inactive for a specified timeframe under certain circumstances; prohibiting registrants from conducting business while registration is inactive; specifying requirements for registrants to renew an inactive registration; providing that a renewal registration becomes effective on a specified date; requiring the office to approve applications for renewal registration within a specified timeframe; providing that a registration expires under certain circumstances; providing requirements if a registration expires; authorizing the office to deny certain applications under certain circumstances; providing that certain false statements made by a virtual currency kiosk business render its registration void; providing construction; creating s. 560.504, F.S.; requiring a virtual currency kiosk business to ensure that the virtual currency kiosk requires certain attestations from the customer and displays a certain disclosure; creating s. 560.505, F.S.; prohibiting a virtual currency kiosk business from permitting new or existing customers from transacting more than specified dollar amounts per calendar day; creating s. 560.506, F.S.; requiring a virtual currency kiosk business to provide a customer with a specified electronic receipt upon completion of a virtual currency transaction; creating s. 560.507, F.S.; requiring a virtual currency kiosk business to issue a full refund under certain circumstances;

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59 providing effective dates.

60
61 Be It Enacted by the Legislature of the State of Florida:

62
63 Section 1. Subsection (23) of section 560.103, Florida
64 Statutes, is amended, and subsections (37) through (39) are
65 added to that section, to read:

66 560.103 Definitions.—As used in this chapter, the term:

67 (23) "Money services business" means any person located in
68 or doing business in this state, from this state, or into this
69 state from locations outside this state or country who acts as a
70 payment instrument seller, foreign currency exchanger, check
71 cashier, ~~or~~ money transmitter, or virtual currency kiosk
72 business.

73 (37) "Virtual currency kiosk" means an electronic terminal
74 that acts as a mechanical agent of the kiosk business, enabling
75 the kiosk business to facilitate the exchange of virtual
76 currency for fiat currency or other virtual currency for a
77 customer.

78 (38) "Virtual currency kiosk business" or "kiosk business"
79 means a corporation, limited liability company, limited
80 liability partnership, or foreign entity qualified to do
81 business in this state which offers virtual currency kiosk
82 services to a customer in this state.

83 (39) "Virtual currency kiosk transaction" means the process
84 in which a customer uses a virtual currency kiosk to exchange
85 virtual currency for fiat currency or other virtual currency. A
86 transaction begins at the point at which the customer is able to
87 initiate a transaction after the customer is given the option to

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88 select the type of transaction or account and does not include
89 any of the screens that display the required terms and
90 conditions, disclaimers, or attestations.

91 Section 2. Paragraph (b) of subsection (2) of section
92 560.105, Florida Statutes, is amended to read:

93 560.105 Supervisory powers; rulemaking.—

94 (2) The commission may adopt rules pursuant to ss.
95 120.536(1) and 120.54 to administer this chapter.

96 (b) Rules adopted to regulate money services businesses,
97 including deferred presentment providers and virtual currency
98 kiosk businesses, must be responsive to changes in economic
99 conditions, technology, and industry practices.

100 Section 3. Part V of chapter 560, Florida Statutes,
101 consisting of ss. 560.501-560.507, Florida Statutes, is created
102 and entitled "Virtual Currency Kiosk Businesses."

103 Section 4. Section 560.501, Florida Statutes, is created to
104 read:

105 560.501 Definitions.—For purposes of this part, the term:

106 (1) "Blockchain" means a mathematically secured,
107 chronological, decentralized, distributed, and digital ledger or
108 database that consists of records of transactions that cannot be
109 altered retroactively.

110 (2) "Blockchain analytics" means the process of examining,
111 monitoring, and gathering insights from the data and transaction
112 patterns on a blockchain network. The primary aims of blockchain
113 analytics are to understand and monitor the network's health,
114 track transaction flows, and identify potential security
115 threats, including illicit activity, in order to extract
116 actionable insights.

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117 (3) "Daily transaction limit" means a new customer
118 transaction of no more than \$2,000 per calendar day, or an
119 existing customer transaction of no more than \$10,000 per
120 calendar day, whether through a single transaction or multiple
121 transactions or whether through one or more virtual currency
122 kiosks.

123 (4) "Existing customer" means a customer who has transacted
124 with a kiosk business on its virtual currency kiosk for 7 or
125 more days.

126 (5) "New customer" means a customer who has transacted with
127 a kiosk business on its virtual currency kiosk for fewer than 7
128 days.

129 (6) "Registrant" means a corporation, limited liability
130 company, limited liability partnership, or foreign entity
131 qualified to do business in this state which offers virtual
132 currency kiosk services and receives notice from the office that
133 the agency has granted an application for registration pursuant
134 to the provisions of this part.

135 (7) "Transaction hash" means a unique identifier consisting
136 of a string of characters which provides a verifiable record
137 that a transaction has been confirmed and added to the
138 blockchain.

139 (8) "Wallet" means hardware or software that enables a
140 customer to store, use, send, receive, and spend virtual
141 currency or store virtual currency private keys or passcodes
142 enabling the same.

143 Section 5. Effective March 1, 2027, section 560.502,
144 Florida Statutes, is created to read:

145 560.502 Registration required; exemptions; penalties.—

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146 (1) Except as provided in subsection (2), a virtual
147 currency kiosk business may not operate in this state without
148 first registering, or renewing its registration, in accordance
149 with s. 560.503. The office shall give written notice to each
150 applicant that the office has granted or denied the application
151 for registration.

152 (2) A money transmitter that is licensed as a money
153 services business pursuant to s. 560.141 and offers virtual
154 currency kiosk services is exempt from registration as a virtual
155 currency kiosk business but is subject to ss. 560.504, 560.505,
156 560.506, and 560.507.

157 (3) An entity, in the course of its business, may not act
158 as an intermediary with the ability to unilaterally execute or
159 indefinitely prevent a virtual currency kiosk transaction, or
160 otherwise meet the definition of a money transmitter as defined
161 in s. 560.103, without being licensed as a money services
162 business pursuant to s. 560.141.

163 (4) A virtual currency kiosk business registration issued
164 under this part is not transferable or assignable.

165 Section 6. Section 560.503, Florida Statutes, is created to
166 read:

167 560.503 Registration applications.—

168 (1) To apply to be registered as a virtual currency kiosk
169 business under this part, the applicant must submit all of the
170 following information to the office:

171 (a) A completed registration application on forms
172 prescribed by rule of the commission. The application must
173 include the following information:

174 1. The legal name, including any fictitious or trade names

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175 used by the applicant in the conduct of its business, and the
176 physical and mailing addresses of the applicant.

177 2. The date of the applicant's formation and the state in
178 which the applicant was formed, if applicable.

179 3. The name, social security number, alien identification
180 or taxpayer identification number, business and residence
181 addresses, and employment history for the past 5 years for each
182 control person as defined in s. 560.103.

183 4. A description of the organizational structure of the
184 applicant, including the identity of any parent or subsidiary of
185 the applicant, and the disclosure of whether any parent or
186 subsidiary is publicly traded.

187 5. The name and mailing address of the registered agent in
188 this state for service of process.

189 6. The physical address of the location of each virtual
190 currency kiosk through which the applicant proposes to conduct
191 or is conducting business in this state.

192 7. An attestation that the applicant has developed clearly
193 documented policies, processes, and procedures regarding the use
194 of blockchain analytics to prevent transfers to wallet addresses
195 linked to known criminal activity, including the manner in which
196 such blockchain analytics activity will integrate into its
197 compliance controls, and that the applicant will maintain and
198 comply with such blockchain analytics policies, processes, and
199 procedures.

200 8. Any other information as required by this chapter or
201 commission rule.

202 (b) Any information needed to resolve any deficiencies
203 found in the application within a time period prescribed by

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rule.

(2) A virtual currency kiosk business operating in this state on or before January 1, 2027, must submit a registration application to the office within 30 days after that date.

(3) A registrant shall report, on a form prescribed by rule of the commission, any change in the information contained in an initial application form or an amendment thereto within 30 days after the change is effective.

(4) A registrant must renew its registration annually on or before December 31 of the year preceding the expiration date of the registration. To renew such registration, the registrant must submit a renewal application that provides:

(a) The information required in paragraph (1)(a) if there are changes in the application information, or an affidavit signed by the registrant that the information remains the same as the prior year's information.

(b) Upon request by the office, evidence that the registrant has been operating in compliance with ss. 560.504, 560.505, 560.506, and 560.507. Such evidence may be prescribed by rule by the commission and may include, but need not be limited to, all of the following:

1. Current disclosures presented to customers during the transaction process.

2. Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.

(5) A registrant that does not renew its registration by December 31 of the year preceding expiration shall be made inactive for 60 days. A registrant may not conduct business while its registration is inactive.

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233 (6) To renew an inactive registration, a registrant must,
234 within 60 days after the registration becomes inactive, submit
235 all of the following:

236 (a) The information required in paragraph (1)(a) if there
237 are changes in the application information, or an affidavit
238 signed by the registrant that the information remains the same
239 as the prior year's information.

240 (b) Evidence that the registrant was operating in
241 compliance with ss. 560.504, 560.505, 560.506, and 560.507. Such
242 evidence may be prescribed by rule by the commission and may
243 include, but need not be limited to, all of the following:

244 1. Current disclosures presented to customers during the
245 transaction process.

246 2. Reports that confirm compliance with daily transaction
247 limits.

248 3. Copies of receipts provided to customers.

249 4. Records showing refunds provided to customers in
250 required circumstances.

251 5. Current use of blockchain analytics to prevent transfers
252 to wallet addresses linked to known criminal activity.

253
254 Any renewal registration made pursuant to this subsection
255 becomes effective upon the date the office approves the
256 application for registration. The office shall approve the
257 application for renewal registration within a timeframe
258 prescribed by rule.

259 (7) Except as provided in s. 560.502(2), failure to submit
260 an application to renew a virtual currency kiosk business's
261 registration within 60 days after the registration becomes

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inactive shall result in the registration becoming expired. If the registration is expired, a new application to register the virtual currency kiosk business pursuant to subsection (1) must be submitted to the office and a certification of registration must be issued by the office before the virtual currency kiosk business may conduct business in this state.

(8) If a control person of a registrant or prospective registrant has engaged in any unlawful business practice, or been convicted or found guilty of, or pled guilty or nolo contendere to, regardless of adjudication, a crime involving dishonest dealing, fraud, acts of moral turpitude, or other acts that reflect an inability to engage lawfully in the business of a registered virtual currency kiosk business, the office may deny the prospective registrant's initial registration application or the registrant's renewal application.

(9) The office shall deny the application of a virtual currency kiosk business that submits a renewal application and fails to provide evidence of compliance upon request pursuant to paragraph (4)(b) or as required in paragraph (6)(b).

(10) Any false statement made by a virtual currency kiosk business in an application for registration under this section renders the registration void. A void registration may not be construed as creating a defense to any prosecution for violation of this chapter.

Section 7. Section 560.504, Florida Statutes, is created to read:

560.504 Disclosures.—Before a customer initiates a virtual currency kiosk transaction, the virtual currency kiosk business must ensure that the virtual currency kiosk:

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(1) Requires the customer to confirm whether the customer has conducted any transactions at another virtual currency kiosk on the same calendar day and any amount of such transactions to determine how much, if any, the customer may transact at the virtual currency kiosk before reaching the daily transaction limit.

(2) Clearly and conspicuously display the following disclosure to the customer on the screen:

WARNING: FRAUD OFTEN STARTS WITH CONTACT FROM A STRANGER. IF YOU HAVE BEEN DIRECTED TO THIS MACHINE BY SOMEONE CLAIMING TO BE A GOVERNMENT AGENT, BILL COLLECTOR, LAW ENFORCEMENT OFFICER, OR ANYONE YOU DO NOT KNOW PERSONALLY, STOP THIS TRANSACTION IMMEDIATELY AND CONTACT YOUR FINANCIAL ADVISOR OR LOCAL LAW ENFORCEMENT.

Section 8. Section 560.505, Florida Statutes, is created to read:

560.505 Transaction limits.—A virtual currency kiosk business may not permit a new customer to transact more than \$2,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks. A virtual currency kiosk business may not permit an existing customer to transact more than \$10,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks.

Section 9. Section 560.506, Florida Statutes, is created to

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read:

560.506 Mandatory receipt.—Upon completion of a virtual currency transaction, the virtual currency kiosk business must provide the customer with an electronic receipt that includes all of the following:

(1) The name and contact information of the virtual currency kiosk business, including an e-mail address and a toll-free telephone number for such business.

(2) The date, time, amount of the transaction in United States dollars, and type of the transaction.

(3) The transaction hash and each wallet used.

(4) The total fee charged for the transaction.

(5) The exchange rate, if applicable.

(6) A statement of the virtual currency kiosk's liability, if any, for nondelivery or delayed delivery of the virtual currency.

(7) The refund policy of the virtual currency kiosk business.

Section 10. Section 560.507, Florida Statutes, is created to read:

560.507 Mandatory refund.—A virtual currency kiosk business must issue a full refund within 72 hours to a customer for the customer's first virtual currency transaction if all of the following conditions are met:

(1) The customer transferred virtual currency to a wallet or exchange located outside the United States.

(2) Within 60 days, the customer notifies the virtual currency kiosk business and a law enforcement or governmental agency regarding the fraudulent nature of the transaction.

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349 (3) The customer provides proof of the alleged fraud to the
350 virtual currency kiosk business, such as a police report or a
351 notarized affidavit.

352 Section 11. Except as otherwise expressly provided in this
353 act, this act shall take effect January 1, 2027.

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 Rules

BILL: CS/CS/SB 290

INTRODUCER: Fiscal Policy Committee; Agriculture Committee and Senator Truenow

SUBJECT: Department of Agriculture and Consumer Services

DATE: January 26, 2026

REVISED: _____

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

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 conservation 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 fairgrounds 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. Private treatment facilities may incur significant costs to convert to Class AA biosolids treatment. Private entities may also incur significant costs due to needing to find alternative disposal methods for waste products before sufficient capacity for conversion to Class AA biosolids has been achieved within the required timeframe.

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 significant negative fiscal impact to local governments to meet the requirements of the new provisions relating to biosolids. Public treatment facilities may incur significant costs to convert to Class AA biosolids treatment. Public entities may also incur significant costs due to needing to find alternative disposal methods for waste products before sufficient capacity for conversion to Class AA biosolids has been achieved within the required timeframe. 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: WD	.	
01/27/2026	.	
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The Committee on Rules (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 810 - 825
and insert:

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

403.0855 Biosolids management.—

(2) The department shall adopt rules for biosolids



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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 2022, except for permits issued by local governments which do not authorize the transportation of biosolids outside its boundaries for land application. Such permits must comply with the requirements of paragraph (3)(a) by July 1, 2030. This subsection may not be construed to prohibit the transportation of Class B biosolids by a local government outside of its boundaries to a Class AA treatment facility or waste-to-energy facility in another local government.

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

And the title is amended as follows:

Delete line 80

and insert:

specified provisions; providing an exception;
requiring certain permits issued by local governments
to comply with specified provisions by a specified
date; providing construction; amending s. 482.071,
F.S.;



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Trumbull) recommended the following:

Senate Amendment (with title amendment)

Delete lines 892 - 908

and insert:

489.1295 Prohibition against nonpayment.—

(1) A licensed contractor must compensate a subcontractor or supplier, unless there is a bona fide dispute regarding the amount due, if any, for services, labor, or materials:

(a) Within 45 days after receiving payment for the services performed or materials supplied by the subcontractor or supplier; or



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12 (b) In accordance with the terms of the contract for such
13 services, labor, or materials.

14 (2) A licensed contractor who knowingly or willfully
15 violates this section is subject to disciplinary proceedings as
16 provided in s. 489.129.

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

19 And the title is amended as follows:

20 Delete lines 90 - 95

21 and insert:

22 489.1295, F.S.; requiring licensed contractors to
23 compensate subcontractors or suppliers for services,
24 labor, or materials within a specified timeframe after
25 receiving payment or in accordance with the terms of
26 the contract for services, labor, or materials;
27 providing an exception; providing disciplinary
28 measures; amending s. 500.04,



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1039 - 1075

and insert:

570.846 Florida Food Animal and Equine 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 and equine
animals, there is established the Florida Food Animal and Equine



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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 or equine veterinary medicine.

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

(a) "Equine" means a species of animal belonging to the taxonomic family *equidae*, which includes horses and donkeys.

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

(c) "Food animal and equine veterinary medicine" means a veterinary medical practice that encompasses medical care, disease prevention, and consultation on the feeding, housing, and overall flock, herd, or equine health management.

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

(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 or equine animal veterinarian in this state.

(4) FUNDING.—Subject to legislative appropriation, the department may make loan principal repayments of up to \$25,000



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per eligible candidate per year. Loan principal repayments may
be made on behalf of each eligible candidate each year for up to
5 years. The department may select up to three new eligible
candidates each year. All repayments are contingent upon
continued proof of employment in this state as a practicing food
animal or equine veterinarian.

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

And the title is amended as follows:

 Delete line 124

and insert:

 establishing the Florida Food Animal and Equine
 Veterinary



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
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The Committee on Rules (Truenow) recommended the following:

Senate Amendment

Delete lines 1072 - 1073
and insert:
department may make loan principal repayments of up to \$25,000
per eligible candidate per year. Loan principal repayments may
be made on behalf of each eligible candidate each year for up to
5 years. The department may select up to three new eligible
candidates each year. All



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1109 - 1397
and insert:

Section 32. Subsection (7) of section 573.112, Florida
Statutes, is amended to read:

573.112 Advisory council.—

(7) Notwithstanding any provision of this section, the
Citrus Research and Field Trial Development Foundation, Inc., a
direct-support organization of the Department of Agriculture and
Consumer Services ~~University of Florida~~ established pursuant to



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s. 570.691 ~~s. 1004.28~~, shall serve as the advisory council for a citrus research marketing order, provide the department with advice on administering the order, and, in accordance with the order, conduct citrus research and perform other duties assigned by the department. Notwithstanding s. 570.691 ~~s. 1004.28(3)~~ or any provision of this section, the foundation's board of directors shall be composed of the Florida State Plant Health Inspection Service Director and, appointed by the Commissioner of Agriculture, 7 members who are ~~13 members, including 10 citrus growers, 2 representatives of the university's Institute of Food and Agricultural Sciences,~~ and 1 member who is a Florida citrus nursery representative. Members of the board of directors shall serve without compensation but ~~appointed by the Commissioner of Agriculture,~~ who are each entitled to reimbursement from the foundation for per diem and travel expenses as provided in s. 112.061.

Section 33. Subsection (32) of section 581.031, Florida Statutes, is amended to read:

581.031 Department; powers and duties.—The department has the following powers and duties:

(32) To conduct or cause to be conducted research projects, including, but not limited to, citrus canker and citrus greening, which are recommended by the Citrus Research and Field Trial Development ~~Foundation~~, Inc., within the limits of appropriations made specifically for such purpose.

Section 34. 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:



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

46 Section 35. Section 590.02, Florida Statutes, is amended to
47 read:

48 590.02 Florida Forest Service; powers, authority, and
49 duties; liability; building structures; Withlacoochee and Welaka
50 Training Centers ~~Center~~.—

51 (1) The Florida Forest Service has the following powers,
52 authority, and duties to:

53 (a) Enforce the provisions of this chapter;

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

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

61 (d) Appoint center managers, forest area supervisors,
62 forestry program administrators, a forest protection bureau
63 chief, a forest protection assistant bureau chief, a field
64 operations bureau chief, deputy chiefs of field operations,
65 district managers, forest operations administrators, senior
66 forest rangers, investigators, forest rangers, firefighter
67 rotorcraft pilots, and other employees who may, at the Florida
68 Forest Service's discretion, be certified as forestry
69 firefighters pursuant to s. 633.408(8). Other law



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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 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



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99 suppressing wildfires and investigating smoke complaints or open
100 burning not in compliance with authorization and to enforce the
101 provisions of this chapter.

102 (3) Employees of the Florida Forest Service and of federal,
103 state, and local agencies, and all other persons and entities
104 that are under contract or agreement with the Florida Forest
105 Service to assist in firefighting operations as well as those
106 entities, called upon by the Florida Forest Service to assist in
107 firefighting may, in the performance of their duties, set
108 counterfires, remove fences and other obstacles, dig trenches,
109 cut firelines, use water from public and private sources, and
110 carry on all other customary activities in the fighting of
111 wildfires without incurring liability to any person or entity.
112 The manner in which the Florida Forest Service monitors a
113 smoldering wildfire or smoldering prescribed fire or fights any
114 wildfire are planning level activities for which sovereign
115 immunity applies and is not waived.

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

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

125 (5) The Florida Forest Service shall organize its
126 operational units to most effectively prevent, detect, and
127 suppress wildfires, and to that end, may employ the necessary



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personnel to manage its activities in each unit. The Florida Forest Service may construct lookout towers, roads, bridges, firelines, and other facilities and may purchase or fabricate tools, supplies, and equipment for firefighting. The Florida Forest Service may reimburse the public and private entities that it engages to assist in the suppression of wildfires for their personnel and equipment, including aircraft.

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



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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 their ~~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 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



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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 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



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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 36. 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 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



423906

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 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 37. 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



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



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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~~ 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 39. 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 40. Subsection (3) of section 601.13, Florida Statutes, is amended to read:

601.13 Citrus research; administration by Department of Citrus; appropriation.—

(3) An entity that solicits research proposals and awards



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funding for those proposals expending funds received from the State Treasury on citrus production research conducted pursuant to chapter 573, as recommended by the Citrus Research and Field Trial Development Foundation, Inc., or conducted through contract with the department shall deliver a report that includes all of the following information to the commission biannually and at the request of the commission:

- (a) Project plans selected for funding.
- (b) The financial status of the projects.
- (c) Current findings of the funded research.
- (d) Availability of citrus products or application of growers' practices found through funded research.
- (e) The status of the commercialization process of such products or practices.

Section 41. (1) The Citrus Research and Development Foundation, Inc., the nonprofit corporation established in s. 573.112(7), Florida Statutes, is merged into the Citrus Research and Field Trial Foundation, Inc.

(2) The Citrus Research and Development Foundation, Inc., must enter into a plan with the Citrus Research and Field Trial Foundation, Inc., for the merger. Such merger must be completed by October 1, 2026. The merger is subject to chapter 617, Florida Statutes, related to the merger of nonprofit corporations.

(3) Any funds held in trust which were donated to or earned by the Citrus Research and Development Foundation, Inc., shall be transferred to the Citrus Research and Field Trial Foundation, Inc., and shall be used for the original purposes of the funds.



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(4) The transfer of any program, activity, duty, or function under this act includes the transfer of any records and unexpected balances of appropriations, allocations, or other funds related to such program, activity, duty, or function. Except as otherwise provided by law, the Citrus Research and Field Trial Foundation, Inc., shall become the custodian of any property of the Citrus Research and Development Foundation, Inc., on the date specified in the plan of merger or October 1, 2026, whichever occurs first.

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

And the title is amended as follows:

Delete lines 138 - 169

and insert:

s. 573.112, F.S.; renaming the Citrus Research and Development Foundation, Inc., as the Citrus Research and Field Trial Foundation, Inc.; establishing the Citrus Research and Field Trial Foundation, Inc., as a direct-support organization of the Department of Agriculture and Consumer Services; revising provisions relating to the membership; amending s. 581.031, F.S.; conforming a provision to changes made by the act; amending s. 583.01, F.S.; revising the definition of the term "dealer"; amending s. 590.02, F.S.; revising the Florida Forest Service's powers, authority, and duties; authorizing the Florida Forest Service to manage the Welaka Training Center; conforming provisions to changes made by the act; authorizing the Withlacoochee and Welaka Training Centers to assess



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certain fees as determined by the Florida Forest Service, regardless of where certain training occurs; renaming the Bonifay Forestry Station as the John Michael Mathis Forestry Station to honor the late John Michael Mathis; creating s. 595.421, F.S.; establishing the Farmers Feeding Florida Program for specified purposes; requiring Feeding Florida to take certain actions to implement the program; prohibiting the foods purchased by Feeding Florida through such program from reentering the wholesale, retail, or secondary market; prohibiting Feeding Florida from allowing a candidate for elective office to host a food distribution event during a specified timeframe; providing applicability; amending s. 597.004, F.S.; making a technical change; prohibiting the Department of Agriculture and Consumer Services from renewing a certificate of registration for a noncompliant facility unless certain documentation is provided with the renewal application; prohibiting entities whose certificate of registration has been revoked from reapplying for a specified period of time; amending s. 597.010, F.S.; authorizing, rather than requiring, the periodic adjustment of the annual rental fee charged for certain leases; amending s. 599.012, F.S.; making technical changes; amending s. 601.13, F.S.; renaming the Citrus Research and Development Foundation, Inc., as the Citrus Research and Field Trial Foundation, Inc.; providing for the merger and transfer of the Citrus Research and Development Foundation, Inc., to



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418 the Citrus Research and Field Trial Foundation, Inc.;

419 requiring the completion of the merger by a specified

420 date; providing that the merger is subject to

421 specified provisions; providing for the transfer of

422 funds; providing for the transfer of any program,

423 activity, duty, or function; establishing the Citrus

424 Research and Field Trial Foundation, Inc., as the

425 custodian of any property of the Citrus Research and

426 Development Foundation, Inc.; amending s. 616.001,

427 F.S.; revising



203322

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1743 - 1747

and insert:

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;; Family, Career and Community Leaders of America
~~Future Homemakers of America~~ activities;; poultry and egg
exhibits;; and community exhibits. The premium list, which



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

13 And the title is amended as follows:

14 Delete line 213

15 and insert:

16 making technical changes; deleting obsolete

17 provisions; amending s. 616.251, F.S.;



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Truenow) recommended the following:

Senate Amendment (with title amendment)

Between lines 1825 and 1826
insert:

Section 47. Paragraph (b) of subsection (2) of section
624.4032, Florida Statutes, is amended to read:

624.4032 Nonprofit agricultural organization medical
benefit plans.—

(2) For purposes of this section, the term “nonprofit
agricultural organization” means an organization that meets all
of the following criteria:



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(b) Is exempt from federal income tax under s. 501(c)(5) ~~s.~~
~~501(c)(3)~~ of the Internal Revenue Code.

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

And the title is amended as follows:

Delete line 215

and insert:

specified provisions; amending s. 624.4032, F.S.;

revising the definition of the term "nonprofit

agricultural organization"; amending s. 843.085, F.S.;



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1856 - 1894

and insert:

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

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

(1) The Legislature finds, determines, and declares that the production of real agricultural food products constitutes an important and significant portion of the state economy and that



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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 real ~~perishable~~ agricultural product.

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

(a) "Disparagement" means the willful or malicious dissemination to the public in any manner of any false information that a real ~~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.

~~(c)-(b)~~ "Real Perishable Agricultural food product" has the same meaning as the definition of the term "agricultural commodity" in 7 U.S.C. s. 7412(1). For the purposes of this section, the term applies only to those products marketed by the United States Department of Agriculture for human or livestock consumption, except that it does not apply to a hemp or hemp extract product, as defined in s. 581.217, or a product derived from a scheduled substance, pursuant to the provisions of s. 893.03 ~~means any agricultural or aquacultural food product or commodity grown or produced within the state of Florida which is sold or distributed in a form that will perish or decay within a reasonable period of time.~~

~~(b)-(e)~~ "Producer" means the person who actually grows or produces real ~~perishable~~ agricultural food products.

(3) Any producer or any association representing producers of real ~~perishable~~ agricultural food products which suffers damages as a result of another person's disparagement of any



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such real ~~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.

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

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

And the title is amended as follows:

Delete lines 220 - 221

and insert:

authorized to wear or display such item; amending s.
865.065, F.S.; revising legislative findings; revising
and providing definitions; revising the cause of
action for disparagement of agricultural food
products;

By the Committees on Fiscal Policy; and Agriculture; and Senator Truenow

594-01929-26

2026290c2

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 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.

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212.055, F.S.; conforming a cross-reference; making a technical change; amending s. 253.0341, F.S.; requiring the Acquisition and Restoration Council to determine whether certain surplus lands are suitable for bona fide agricultural purposes; prohibiting a local governmental entity from transferring future development rights for surplus lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, to determine whether certain state-owned conservation lands are suitable for bona fide agricultural purposes; authorizing the Department of Environmental Protection to surplus certain state-owned lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection to retain a rural-lands-protection easement for such surplus lands; requiring that all proceeds from the sale of such surplus lands be deposited in the Department of Agriculture and Consumer Services' Incidental Trust Fund for less than fee simple; requiring the Department of Environmental Protection to annually provide a report of such surplus lands to the Board of Trustees of the Internal Improvement Trust Fund; prohibiting certain lands from being surplus; amending s. 259.1053, F.S.; deleting provisions relating to the Babcock Ranch Advisory Group; amending s. 287.1351, F.S.; revising circumstances under which

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a vendor is prohibited from submitting a bid,
proposal, or reply to an agency or from entering into
or renewing any contract to provide goods or services
to an agency; amending s. 322.12, F.S.; providing
penalties for an applicant for a commercial driver
license who receives unauthorized assistance on
certain portions of the examination; amending s.
322.36, F.S.; prohibiting a person from knowingly or
willfully providing unauthorized assistance to an
applicant for the examination required to hold a
commercial driver license; repealing ss. 377.71,
377.711, and 377.712, F.S., relating to definitions
and the Southern States Energy Compact, Florida as
party to the Southern States Energy Compact, and
Florida's participation in the Southern States Energy
Board, respectively; amending s. 403.0855, F.S.;
deleting a provision relating to legislative approval
of certain rules adopted by the Department of
Environmental Protection; revising requirements for
permittees of biosolids land application sites;
revising the date by which permits must comply with
specified provisions; amending s. 482.071, F.S.;
requiring certain persons applying for a pest control
business license or renewal to provide the department
with a certificate of insurance; specifying
requirements for such certificate of insurance;
amending s. 482.161, F.S.; revising the severity of an
administrative fine for violations of certain
provisions; amending s. 482.165, F.S.; revising civil

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penalties; amending s. 489.105, F.S.; defining the terms "subcontractor" and "supplier"; creating s. 489.1295, F.S.; prohibiting licensed contractors or persons holding themselves out as such from failing to pay their subcontractor or supplier within a specified timeframe without reasonable cause after receiving payment for the services the subcontractor or supplier performed; providing penalties; amending s. 500.04, F.S.; revising the list of prohibited acts related to the prevention of fraud, harm, adulteration, misbranding, or false advertising in the preparation, production, manufacture, storage, or sale of food; repealing s. 500.81, F.S., relating to the Healthy Food Financing Initiative; amending s. 500.93, F.S.; making a technical change; amending s. 501.013, F.S.; authorizing the Department of Agriculture and Consumer Services to provide an exemption from certain health studio regulations; creating s. 501.062, F.S.; providing legislative intent; defining the terms "commercial solicitation" and "dwelling"; prohibiting a person from engaging in commercial solicitation under certain circumstances; specifying requirements for certain signage to be displayed on a property; providing penalties; amending s. 570.07, F.S.; authorizing the Department of Agriculture and Consumer Services to reorganize departmental units upon the approval of the Commissioner of Agriculture; amending s. 570.822, F.S.; providing additional eligibility requirements for the Agriculture and Aquaculture

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Producers Emergency Recovery Loan Program; creating s. 570.832, F.S.; requiring the Florida Wildflower Foundation, in coordination with the Department of Agriculture and Consumer Services, to establish the Florida Native Seed Research and Marketing Program, subject to legislative appropriation; providing the purpose of the program; creating s. 570.846, F.S.; establishing the Florida Food Animal Veterinary Medicine Loan Repayment Program; providing the purpose of the program; defining terms; providing eligibility requirements for the program; authorizing the Department of Agriculture and Consumer Services to make loan principal repayments on behalf of eligible candidates up to a certain amount for a specified timeframe, subject to legislative appropriation; providing construction; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 570.85, F.S.; prohibiting a local government from requiring a property owner to obtain a rural event venue permit or license; amending s. 570.86, F.S.; defining "rural event venue"; amending s. 583.01, F.S.; revising the definition of the term "dealer"; amending s. 590.02, F.S.; revising the Florida Forest Service's powers, authority, and duties; authorizing the Florida Forest Service to manage the Welaka Training Center; conforming provisions to changes made by the act; authorizing the Withlacoochee and Welaka Training Centers to assess certain fees as determined by the Florida Forest

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Service, regardless of where certain training occurs;
renaming the Bonifay Forestry Station as the John
Michael Mathis Forestry Station to honor the late John
Michael Mathis; creating s. 595.421, F.S.;
establishing the Farmers Feeding Florida Program for
specified purposes; requiring Feeding Florida to take
certain actions to implement the program; prohibiting
the food purchased by Feeding Florida through such
program from reentering the wholesale, retail, or
secondary market; prohibiting a candidate for elective
office from hosting a food distribution event under
certain circumstances; providing applicability;
amending s. 597.004, F.S.; making a technical change;
prohibiting the Department of Agriculture and Consumer
Services from renewing a certificate of registration
for a noncompliant facility unless certain
documentation is provided with the renewal
application; prohibiting entities whose certificate of
registration have been revoked from reapplying for a
specified period of time; amending s. 597.010, F.S.;
authorizing rather than requiring the periodic
adjustment of the annual rental fee charged for
certain leases; amending s. 599.012, F.S.; making
technical changes; amending s. 616.001, F.S.; revising
and deleting definitions relating to public fairs and
expositions; amending s. 616.01, F.S.; revising
application requirements for a proposed charter for an
association to conduct a public fair or exposition;
requiring the Department of Agriculture and Consumer

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Services to provide an applicant for a proposed charter with specified information upon the denial of a proposed charter; revising requirements for information that must be included in the proposed charter; amending s. 616.02, F.S.; limiting the number of incorporated state fair associations per county; providing construction; authorizing the Department of Agriculture and Consumer Services to waive certain requirements at the discretion of the commissioner; authorizing fair associations incorporated before a certain date to conduct their affairs; deleting provisions relating to requirements for a proposed charter; amending s. 616.03, F.S.; revising requirements for the approval and recordation of the charter; amending s. 616.05, F.S.; revising the process by which a proposed charter amendment is incorporated into the original charter; amending s. 616.051, F.S.; revising the circumstances under which a circuit judge is authorized to dissolve an association and order the distribution of its remaining assets; requiring that such assets be distributed to certain counties; amending s. 616.07, F.S.; deleting provisions relating to distribution of public funds after the dissolution of an association; amending s. 616.101, F.S.; specifying the basis for annual public fair attendance records; requiring a fair association to review its charter every 5 years and submit an updated copy of the charter to the Department of Agriculture and Consumer Services;

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requiring a designated member of the association to make an attestation; amending s. 616.15, F.S.; making a technical change; revising the information that an applicant must submit to the Department of Agriculture and Consumer Services for the department to issue a permit for an association to conduct a fair; revising the timeframe within which the Department of Agriculture and Consumer Services is required to issue the permit upon the receipt of specified information; making technical changes; amending s. 616.251, F.S.; exempting the Florida State Fair Authority from specified provisions; amending s. 843.085, F.S.; prohibiting a person from wearing or displaying an item that displays the words "concealed weapon permit" or "concealed weapon permit holder" with the intent to mislead another to believe that the person is authorized to wear or display such item; reordering and amending s. 865.065, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 934.02, F.S.; defining the term, "signal jamming device"; creating s. 934.51, F.S.; prohibiting the possession, manufacture, sale, importation, distribution, or use of a signal jamming device; providing exceptions; providing criminal penalties; amending s. 288.1175, F.S.; conforming cross-references; reenacting ss. 287.056(4) and 287.138(5), F.S., relating to disqualification for state term contract eligibility, and contracting with entities of foreign countries of concern prohibited, respectively,

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to incorporate the amendment made to s. 287.1351,
F.S., in references thereto; reenacting s. 500.177(1),
F.S., relating to penalties for dissemination of a
false advertisement, to incorporate the amendment made
to s. 500.04, F.S., in a reference thereto; reenacting
s. 212.08(13), F.S., relating to taxation and
specified exemptions, to incorporate the amendment
made to s. 616.07, F.S., in a reference thereto;
reenacting s. 616.185, F.S., relating to trespass upon
grounds or facilities of a public fair, to incorporate
the amendment made to s. 616.15, F.S., in a reference
thereto; providing an effective date.

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

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
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,

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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 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,

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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.

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

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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 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;

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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 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

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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.

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.

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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 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

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

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

457 3. Notwithstanding any other provision of this subsection,
458 a local government infrastructure surtax imposed or extended
459 after July 1, 1998, may allocate up to 15 percent of the surtax
460 proceeds for deposit into a trust fund within the county's
461 accounts created for the purpose of funding economic development
462 projects having a general public purpose of improving local
463 economies, including the funding of operational costs and
464 incentives related to economic development. The ballot statement

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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 determine whether any lands surplused 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 surplused lands determined to be suitable for bona fide agricultural purposes on or after January 1, 2024.

(20) The Department of Environmental Protection, in

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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 conservation lands surplus pursuant to this subsection to the Board of Trustees of the Internal Improvement Trust Fund.

(d) Designated state forest lands, state park lands, or wildlife management areas may not be surplus 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

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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 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

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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 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

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581 implementation of agricultural practices authorized by the
582 agricultural land use designations established in the local
583 comprehensive plans of either Charlotte County or Lee County as
584 those plans apply to the Babcock Ranch Preserve.

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

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

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

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

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

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

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

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~~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 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~~

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639 ranch upon the termination or expiration of the management
640 agreement attached as Exhibit "E" to that certain agreement for
641 sale and purchase approved by the Board of Trustees of the
642 Internal Improvement Trust Fund on November 22, 2005, and by Lee
643 County on November 20, 2005.

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

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

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

658 3. Establish procedures for entering into lease agreements
659 and other agreements for the use and occupancy of the facilities
660 of the preserve. The procedures shall ensure reasonable
661 competition and set guidelines for determining reasonable fees,
662 terms, and conditions for such agreements.

663 4. Assess reasonable fees for admission to, use of, and
664 occupancy of the preserve to offset costs of operating the
665 preserve as a working ranch. These fees are independent of fees
666 assessed by the commission for the privilege of hunting,
667 fishing, or pursuing outdoor recreational activities within the

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668 preserve, and shall be deposited into the Incidental Trust Fund
669 of the Florida Forest Service, subject to appropriation by the
670 Legislature.

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

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

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

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

693 1. Negotiate directly with and enter into such agreements,
694 leases, contracts, and other arrangements with any person, firm,
695 association, organization, corporation, or governmental entity,
696 including entities of federal, state, and local governments, as

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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 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

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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 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

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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 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

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784 unlawful blood-alcohol level, and driving while intoxicated,
785 commits a misdemeanor of the second degree, punishable as
786 provided in s. 775.082 or s. 775.083.

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

789 322.36 Permitting unauthorized operator to drive.—

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

795 (2) A person may not knowingly or willfully provide
796 unauthorized assistance to an applicant for the examination
797 required to hold a commercial driver license pursuant to s.
798 322.12(4).

799 (3) A ~~Any~~ person who violates this section commits a
800 misdemeanor of the second degree, punishable as provided in s.
801 775.082 or s. 775.083. If a person violates this section by
802 knowingly loaning a vehicle to a person whose driver license is
803 suspended and if that vehicle is involved in an accident
804 resulting in bodily injury or death, the driver license of the
805 person violating this section must ~~shall~~ be suspended for 1
806 year.

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

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

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

810 Section 14. Present paragraphs (a) and (b) of subsection
811 (3) of section 403.0855, Florida Statutes, are redesignated as
812 paragraphs (b) and (c), respectively, a new paragraph (a) is

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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 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

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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 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

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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:

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

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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.—

(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).~~

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

931 501.013 Health studios; exemptions.—

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

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

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

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

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

948 (e)~~(5)~~ A country club that has as its primary function the
949 provision of a social life and recreational amenities to its
950 members, and for which a program of physical exercise is merely
951 incidental to membership. As used in this paragraph subsection,
952 the term "country club" means a facility that offers its members
953 a variety of services that may include, but need not be limited
954 to, social activities; dining, banquet, catering, and lounge
955 facilities; swimming; yachting; golf; tennis; card games such as
956 bridge and canasta; and special programs for members' children.
957 Upon the filing of an affidavit with the department establishing

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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 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,

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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.

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

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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.

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

570.846 Florida 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

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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 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

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1074 repayments are contingent upon continued proof of employment in
1075 this state as a practicing food animal veterinarian.

1076 (5) DUPLICATION OF FINANCIAL ASSISTANCE.—An eligible
1077 candidate receiving financial assistance from the federal
1078 veterinary medicine loan repayment program as established in 7
1079 U.S.C. part 3151a is ineligible to receive financial assistance
1080 from the program under this section.

1081 (6) RULEMAKING.—The department may adopt any rule necessary
1082 for the administration of the program.

1083 Section 29. Subsection (1) of section 570.85, Florida
1084 Statutes, is amended to read:

1085 570.85 Agritourism.—

1086 (1) It is the intent of the Legislature to promote
1087 agritourism as a way to support bona fide agricultural
1088 production by providing a stream of revenue and by educating the
1089 general public about the agricultural industry. It is also the
1090 intent of the Legislature to eliminate duplication of regulatory
1091 authority over agritourism as expressed in this section. Except
1092 as otherwise provided for in this section, and notwithstanding
1093 any other law, a local government may not adopt or enforce a
1094 local ordinance, regulation, rule, or policy that prohibits,
1095 restricts, regulates, or otherwise limits an agritourism
1096 activity on land classified as agricultural land under s.
1097 193.461, and may not require a property owner to obtain a rural
1098 event venue permit or license. This subsection does not limit
1099 the powers and duties of a local government to address
1100 substantial offsite impacts of agritourism activities or an
1101 emergency as provided in chapter 252.

1102 Section 30. Subsection (6) is added to section 570.86,

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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, 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

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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 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

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1161 agencies operating aircraft in the vicinity of an ongoing
1162 wildfire to operate in compliance with the applicable state
1163 Wildfire Aviation Plan;

1164 (i) Authorize broadcast burning, prescribed burning, pile
1165 burning, and land clearing debris burning to carry out the
1166 duties of this chapter and the rules adopted thereunder; and

1167 (j) Make rules to accomplish the purposes of this chapter.

1168 (2) The Florida Forest Service's employees, and the
1169 firefighting crews under their control and direction, may enter
1170 upon any lands for the purpose of preventing, detecting, and
1171 suppressing wildfires and investigating smoke complaints or open
1172 burning not in compliance with authorization and to enforce the
1173 provisions of this chapter.

1174 (3) Employees of the Florida Forest Service and of federal,
1175 state, and local agencies, and all other persons and entities
1176 that are under contract or agreement with the Florida Forest
1177 Service to assist in firefighting operations as well as those
1178 entities, called upon by the Florida Forest Service to assist in
1179 firefighting may, in the performance of their duties, set
1180 counterfires, remove fences and other obstacles, dig trenches,
1181 cut firelines, use water from public and private sources, and
1182 carry on all other customary activities in the fighting of
1183 wildfires without incurring liability to any person or entity.
1184 The manner in which the Florida Forest Service monitors a
1185 smoldering wildfire or smoldering prescribed fire or fights any
1186 wildfire are planning level activities for which sovereign
1187 immunity applies and is not waived.

1188 (4) (a) The department may build structures, notwithstanding
1189 chapters 216 and 255, not to exceed a cost of \$50,000 per

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structure from existing resources on forest lands, federal excess property, and unneeded existing structures. These structures must meet all applicable building codes.

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

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

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

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1219 federal, state, and local entities; hire appropriate personnel;
1220 and engage others by contract or agreement with or without
1221 compensation to assist in carrying out the training and
1222 operations of the centers ~~center~~.

1223 (b) ~~The center~~ Shall provide wildfire suppression training
1224 opportunities for rural fire departments, volunteer fire
1225 departments, and other local fire response units.

1226 (c) ~~The center~~ Shall focus on curriculum related to, but
1227 not limited to, fuel reduction, an incident management system,
1228 prescribed burning certification, multiple-use land management,
1229 water quality, forest health, environmental education, and
1230 wildfire suppression training for structural firefighters.

1231 (d) ~~The center~~ May assess appropriate fees for food,
1232 lodging, travel, course materials, and supplies in order to meet
1233 their ~~its~~ operational costs and may grant free meals, room, and
1234 scholarships to persons and other entities as determined by the
1235 Florida Forest Service, regardless of whether training occurs at
1236 the Withlacoochee Training Center or Welaka Training Center or
1237 at another location ~~in exchange for instructional assistance.~~

1238 (8) (a) The Cross City Work Center shall be named the L.
1239 Earl Peterson Forestry Station. This is to honor Mr. L. Earl
1240 Peterson, Florida's sixth state forester, whose distinguished
1241 career in state government has spanned 44 years, and who is a
1242 native of Dixie County.

1243 (b) The Madison Forestry Station shall be named the Harvey
1244 Greene Sr. Forestry Station. This is to honor Mr. Harvey Greene
1245 Sr., a World War I veteran and pioneer in forestry in Madison
1246 County. In 1947, Mr. Harvey Greene Sr. offered to give the land
1247 on which the forestry station is located to the state; however,

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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 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

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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 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

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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 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.

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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 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

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1364 registration for a facility that is not compliant with this
1365 section unless documentation of corrective action is provided
1366 with the renewal application.

1367 (d)(e) A ~~Any~~ person whose certificate of registration has
1368 been revoked or suspended must reapply to the department for
1369 certification. A person, a company, or an entity, or a principal
1370 of a company or an entity whose certificate of registration has
1371 been revoked, may not reapply for a period of 3 years.

1372 Section 35. Paragraph (a) of subsection (5) of section
1373 597.010, Florida Statutes, is amended to read:

1374 597.010 Shellfish regulation; leases.—

1375 (5) LEASES IN PERPETUITY; RENT.—

1376 (a) All leases issued previously under ~~the provisions of s.~~
1377 379.2525 shall be enforced under the authority of this chapter,
1378 notwithstanding any other law to the contrary, and shall
1379 continue in perpetuity under such restrictions as stated in the
1380 lease agreement. The annual rental fee charged for all leases
1381 shall consist of the minimum rate of \$15 per acre, or any
1382 fraction of an acre, per year and may ~~shall~~ be adjusted on
1383 January 1, 1995, and every 5 years thereafter, based on the 5-
1384 year average change in the Consumer Price Index. Rent must ~~shall~~
1385 be paid in advance of January 1 of each year or, in the case of
1386 a new lease, at the time of signing, regardless of who holds the
1387 lease.

1388 Section 36. Paragraphs (b) and (c) of subsection (1) of
1389 section 599.012, Florida Statutes, are amended to read:

1390 599.012 Florida Wine Trust Fund; creation.—

1391 (1) There is established the Florida Wine Trust Fund within
1392 the Department of Agriculture and Consumer Services. The

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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 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~~

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~~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 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

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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 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

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1480 serves the entire state. ~~Exhibits must comply with s. 616.17,~~
1481 ~~and cash premiums or awards may be given to exhibitors.~~

1482 Section 38. Section 616.01, Florida Statutes, is amended to
1483 read:

1484 616.01 Requirements for ~~Number of persons required;~~
1485 ~~requisites of~~ proposed charter. ~~Twenty-five or more persons who~~
1486 ~~are~~ Residents and qualified electors of the county in which the
1487 annual public fair is to be located, who wish to form an
1488 association not for profit for the purpose of conducting and
1489 operating public fairs or expositions, may become incorporated
1490 in the following manner. The applicant must ~~subscribers shall~~
1491 submit the proposed charter to the department for review and
1492 approval or denial. If the proposed charter is denied, the
1493 department must provide the applicant with a letter sent to the
1494 mailing address provided on the proposed charter and include a
1495 complete listing of all deficiencies, if any, which must be
1496 remedied before resubmittal of the proposed charter for
1497 approval. If the proposed charter is approved, the applicant
1498 must ~~subscribers shall~~ sign and present a notarized copy of the
1499 proposed charter to the judge of the circuit court for the
1500 county in which the principal office of the association will be
1501 located. The proposed charter must specify:

1502 (1) The name of the association and the place where the
1503 principal office is to be located. The name of the association
1504 must ~~shall~~ include the word, "Inc."

1505 (2) The general nature of the objectives and powers of the
1506 association, including a provision that the association is
1507 incorporated for the sole purpose of conducting and operating
1508 public fairs or expositions.

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(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.

(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

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1538 the association.

1539 (c) That the association will operate in good faith to
1540 carry out the purposes and objectives set forth in the charter.

1541 Section 39. Section 616.02, Florida Statutes, is amended to
1542 read:

1543 616.02 Fair associations per county ~~Acknowledgment of~~
1544 ~~charter.~~—

1545 (1) Beginning July 1, 2026, there may be only one
1546 incorporated fair association per county in this state,
1547 excluding the state fair, which may be incorporated and
1548 conducted in any county. The department may not approve a
1549 proposed charter incorporating a fair association within the
1550 same county in which a fair association currently exists. The
1551 department may waive this requirement at the discretion of the
1552 Commissioner of Agriculture.

1553 (2) Any fair association incorporated before July 1, 2026,
1554 may conduct public fairs or expositions and exercise the
1555 authority provided to them pursuant to this chapter ~~The proposed~~
1556 ~~charter of a fair association shall be acknowledged by at least~~
1557 ~~three of its subscribers before an officer authorized to make~~
1558 ~~acknowledgment of deeds. Subscribers shall also make and take an~~
1559 ~~oath, which must be attached to the proposed charter, stating~~
1560 ~~that the primary objective of the association is public service~~
1561 ~~and holding, conducting, and promoting public fairs or~~
1562 ~~expositions; that money and other available assets in value~~
1563 ~~exceeding \$5,000 have been provided for the purposes of the~~
1564 ~~association; and that the association will operate in good faith~~
1565 ~~to carry out the purposes and objectives set forth in its~~
1566 ~~charter.~~

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1567 Section 40. Section 616.03, Florida Statutes, is amended to
1568 read:

1569 616.03 ~~Notice of application;~~ Approval and record of
1570 charter.Upon approval by the department, ~~A notice of intention~~
1571 ~~to apply to the circuit court for the charter of a fair~~
1572 ~~association must specify the date that application will be made,~~
1573 ~~shall be sent to the department for approval, and shall be~~
1574 ~~published in a newspaper in the county where the principal~~
1575 ~~office of the association will be located once each week for 4~~
1576 ~~consecutive weeks. The notice must briefly summarize the charter~~
1577 ~~and objectives of the proposed association. the proposed charter~~
1578 must ~~shall~~ be submitted to and approved by the board of county
1579 commissioners of the county in which the principal office of the
1580 association will be located. After approval by the ~~department~~
1581 ~~and the~~ board of county commissioners, the proposed charter and
1582 proof of approval must ~~and publication shall~~ be submitted to the
1583 circuit judge ~~on the date specified in the notice.~~ If no cause
1584 is shown to the contrary and the judge finds that the proposed
1585 charter is in proper form and will serve the primary objective
1586 of public service, the judge must ~~shall~~ approve the charter and
1587 issue an order incorporating the applicant ~~subscribers~~ under the
1588 charter for the objectives and purposes specified in the
1589 charter. The charter and order of incorporation must ~~shall~~ be
1590 recorded in the office of the clerk of the circuit court in the
1591 county where the principal office of the association will be
1592 located and provided to the department. After the order is
1593 recorded, the applicant ~~subscribers~~ and any ~~their~~ associates are
1594 incorporated with the objectives and powers established in the
1595 charter and under the name given in the charter. ~~During the~~

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publication period, the proposed charter shall be on file in the office of the clerk of the circuit court. This section does not preclude a fair association from also filing its duly approved charter with the Department of State pursuant to chapter 617 for notice purposes.

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

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

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

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

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

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

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

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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, 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

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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, 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,

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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 45. 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. 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

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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 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

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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 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

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1770 financial statement pursuant to s. 616.101.

1771 (c) A list of all current members of the board of directors
1772 of the association and their contact information, including
1773 mailing addresses.

1774 (3)~~(2)~~ The department shall administer and enforce ~~the~~
1775 ~~provisions of~~ this chapter except as to the regulation of games,
1776 which shall be regulated by local law enforcement agencies. The
1777 department shall adopt rules to administer this chapter,
1778 including rules governing the form and contents of the
1779 application for the permit and any reports that it deems ~~may~~
1780 ~~deem~~ necessary in enforcing the provisions of this chapter.

1781 (4)~~(3)~~ Notwithstanding any fair association meeting the
1782 requirements set forth in subsection (1), the department may
1783 order a full investigation to determine if the fair association
1784 meets the requirements of this part ~~s. 616.01~~, and may withhold
1785 a permit from, deny a permit to, or withdraw a permit once
1786 issued to the association. The department shall also consider
1787 whether any proposed annual public fair, as set forth in an
1788 application for a permit, will compete with another annual
1789 public fair within 50 miles of the proposed annual public fair
1790 with respect to name, dates of operation, or market. The
1791 department may deny, withhold, or withdraw a permit from a fair
1792 association if the department determines that such fair
1793 association will compete with another association. The
1794 department shall give preference to existing fair associations
1795 with established dates, locations, and names. The determination
1796 by the department is final.

1797 Section 46. Section 616.251, Florida Statutes, is amended
1798 to read:

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1799 616.251 Florida State Fair Authority; creation;
1800 responsibility for staging annual state fair; exemptions.—

1801 (1) There is created and constituted the "Florida State
1802 Fair Authority," a public body corporate and politic, for the
1803 purposes and with the powers set forth in this part. Such
1804 instrumentality, hereinafter referred to as "the authority,"
1805 shall have perpetual succession. For the purposes of
1806 implementing the intent of this part, the authority shall be
1807 considered an instrumentality of the state, subject to the
1808 jurisdiction of the state. Any conflict with respect to that
1809 jurisdiction will be resolved by the authority and respective
1810 state agencies.

1811 (2) The authority shall operate under the supervision of
1812 the Commissioner of Agriculture, which supervision may include,
1813 but is not limited to, assisting, advising, and making
1814 recommendations regarding the financing and operation of the
1815 authority. In assisting and advising the authority, the
1816 Commissioner of Agriculture may make appropriate staff of the
1817 department available to the authority.

1818 (3) The authority is charged with the responsibility of
1819 staging an annual fair to serve the entire state. Cash premiums
1820 or awards may be given to exhibitors.

1821 (4) The authority shall be exempt from the requirements of
1822 part I of this chapter.

1823 (5)~~(4)~~ The principal offices of the authority shall be in
1824 such place or places in or near the City of Tampa as the
1825 authority may from time to time designate.

1826 Section 47. Subsection (1) of section 843.085, Florida
1827 Statutes, is amended, and subsection (5) of that section is

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1828 republished, to read:

1829 843.085 Unlawful use of badges or other indicia of
1830 authority.—

1831 (1) It is unlawful for any person, unless appointed by the
1832 Governor pursuant to chapter 354, authorized by the appropriate
1833 agency, or displayed in a closed or mounted case as a collection
1834 or exhibit, to wear or display any authorized indicia of
1835 authority, including any badge, insignia, emblem, identification
1836 card, or uniform, or any colorable imitation thereof, of any
1837 federal, state, county, or municipal law enforcement agency, or
1838 other criminal justice agency as defined in s. 943.045, with the
1839 intent to mislead or cause another person to believe that he or
1840 she is a member of that agency or is authorized to display or
1841 wear such item, or to wear or display any item that displays in
1842 any manner or combination the word or words "police,"
1843 "patrolman," "patrolwoman," "agent," "sheriff," "deputy,"
1844 "trooper," "highway patrol," "commission officer," "Wildlife
1845 Officer," "Department of Environmental Protection officer,"
1846 "Marine Patrol Officer," "state attorney," "public defender,"
1847 "marshal," "constable," "bailiff," ~~or~~ "fire department,"
1848 "concealed weapon permit," or "concealed weapon permitholder"
1849 with the intent to mislead or cause another person to believe
1850 that he or she is a member of that agency, if applicable, or is
1851 authorized to wear or display such item.

1852 (5) A violation of this section is a misdemeanor of the
1853 first degree, punishable as provided in s. 775.082 or s.
1854 775.083. This section is cumulative to any law now in force in
1855 the state.

1856 Section 48. Section 865.065, Florida Statutes, is reordered

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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 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

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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;
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

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1915 Communications Commission.

1916 (3) PENALTIES.—A person who violates this section commits a
1917 misdemeanor of the first degree, punishable as provided in s.
1918 775.082 or s. 775.083.

1919 Section 51. Paragraph (a) of subsection (4) and subsection
1920 (6) of section 288.1175, Florida Statutes, are amended to read:

1921 288.1175 Agriculture education and promotion facility.—

1922 (4) The Department of Agriculture and Consumer Services
1923 shall certify a facility as an agriculture education and
1924 promotion facility if the Department of Agriculture and Consumer
1925 Services determines that:

1926 (a) The applicant is a unit of local government as defined
1927 in s. 218.369, or a fair association as defined in s. 616.001(8)
1928 ~~s. 616.001(11)~~, which is responsible for the planning, design,
1929 permitting, construction, renovation, management, and operation
1930 of the agriculture education and promotion facility or holds
1931 title to the property on which such facility is to be developed
1932 and located.

1933 (6) Funds may not be expended to develop or subsidize
1934 privately owned facilities, except for facilities owned by fair
1935 associations as defined in s. 616.001(8) ~~s. 616.001(11)~~.

1936 Section 52. For the purpose of incorporating the amendment
1937 made by this act to section 287.1351, Florida Statutes, in a
1938 reference thereto, subsection (4) of section 287.056, Florida
1939 Statutes, is reenacted to read:

1940 287.056 Purchases from purchasing agreements and state term
1941 contracts; vendor disqualification.—

1942 (4) A firm or individual placed on the suspended vendor
1943 list pursuant to s. 287.1351 or placed on a disqualified vendor

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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. 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

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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 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,

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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 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,

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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.

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 Rules

BILL: CS/SB 420

INTRODUCER: Appropriations Committee on Pre-K - 12 Education and Senators Burgess and Yarborough

SUBJECT: Patriotic Displays at Public Schools

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Favorable</u>
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	<u>Fav/CS</u>
3.	<u>Sabitsch</u>	<u>Kruse</u>	<u>RC</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 420 requires each school district to adopt rules to require the display of portraits of George Washington and Abraham Lincoln be placed in a conspicuous place in each public school in the district.

The bill requires the Department of Education to select the portraits and make them available to each school district.

This bill could have a significant fiscal impact on state expenditures; however, implementation is subject to legislative appropriation. **See Section V., Fiscal Impact Statement.**

The bill takes effect on July 1, 2026

II. Present Situation:

Patriotic Programs

Florida law addresses patriotic programs in schools by allowing school districts to adopt rules to require programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag. The same law addresses behavior when the national anthem is played and requires that the pledge of allegiance be recited at the beginning of

the day in all public elementary, middle and high schools in the state. A student's parent may request in writing that the student be excused from reciting the pledge.¹

Each district school board may allow any teacher or administrator to read, or to post in a public school building or classroom or at any school-related event, any excerpt or portion of the following historic materials, subject to limitations specified in law:

- The national motto;
- The national anthem;
- The pledge of allegiance;
- The Constitution of the State of Florida, including the Preamble;
- The Constitution of the United States, including the Preamble;
- The Bill of Rights;
- The Declaration of Independence;
- The Mayflower Compact;
- The Emancipation Proclamation;
- The writings, speeches, documents, and proclamations of the presidents of the United States, the signers of the Constitution of the United States and the Declaration of Independence, and civil rights leaders; and
- The decisions of the United States Supreme Court.²

Florida law encourages all public schools within the state to coordinate, at all grade levels, instruction related to the nation's founding fathers during "American Founders' Month"³ which is designated as the month of September each year.⁴

Florida law requires the Department of Education (DOE) to assist stakeholders in preparing students to be civically responsible and knowledgeable adults in the following ways:

- Develop or approve an integrated civic education curriculum that school districts and charter schools are required to incorporate as part of regular schoolwork in kindergarten through grade 12. The curriculum must assist students in developing:
 - An understanding of their shared rights and responsibilities as residents of the state and of the founding principles of the United States.
 - A sense of civic pride and desire to participate regularly with government at the local, state, and federal levels.
 - An understanding of the process for effectively advocating before government bodies and officials.
 - An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.
- Curate oral history resources to be used along with the civic education curriculum which provide portraits in patriotism based on the personal stories of diverse individuals who

¹ Section 1003.44(1), F.S.

² Section 1003.44(2), F.S.

³ Section 1003.44(3), F.S.

⁴ Section 683.1455, F.S.

demonstrate civic-minded qualities. These resources constitute the Portraits in Patriotism Act.

- Approve integrated civic education curricula submitted by school districts and charter schools.⁵

School and Classroom Displays

Each school district is required to adopt rules to require that all schools and buildings used by the school district display the state motto of “In God We Trust” in a conspicuous location.⁶

Additionally, each public K-20 educational institution in Florida must display daily in each classroom the flag of the United States. The flag must be made in the United States, must be at least 2 feet by 3 feet, and must be properly displayed in accordance with applicable federal law. The principal, director, or president of each educational institution must attempt to acquire the flags through donations or fundraising for 1 year prior to securing other funding sources or allocating funds for the purchase of flags.⁷

George Washington and Abraham Lincoln

George Washington and Abraham Lincoln are both iconic figures in American history that shaped the History of the United States of America.

George Washington

George Washington was an American general and commander in chief of the colonial armies during the American revolution and subsequently the first president of the United States of America, and is commonly referred to as the father of the nation.⁸ He was born on February 22, 1732, in Westmoreland county, Virginia, and died on December 14, 1799, at his home in Mount Vernon, Virginia, at the age of 67.

Abraham Lincoln

Abraham Lincoln was the 16th president of the United States who preserved the Union during the American Civil War and brought about the emancipation of enslaved people in the United States of America earning him the nickname “The Great Emancipator.” He was born in 1809 in a one-room cabin near Hodgenville, Kentucky where his youth was marked by the struggles of frontier life and almost no formal education. Later in life he was self-educated and became a lawyer and public figure. Lincoln was assassinated at the Ford Theatre in Washington D.C. in 1865 at 56 years of age.⁹

⁵ Section 1003.44(6), F.S.

⁶ Section 1003.44(4), F.S.

⁷ Section 1000.06(2), F.S.

⁸ Britannica, *George Washington*, <https://www.britannica.com/biography/George-Washington> (last visited Jan. 15, 2026).

⁹ Britannica, *Abraham Lincoln*, <https://www.britannica.com/biography/Abraham-Lincoln> (last visited Jan. 15, 2026).

III. Effect of Proposed Changes:

The bill amends s. 1003.44, F.S., to require, subject to appropriation, portraits of George Washington and Abraham Lincoln be displayed in a conspicuous place in each public school in the district.¹⁰

The bill requires the Department of Education (DOE) to select the portraits and make them available to each school district. The bill does not specify the method or format by which the DOE must make these portraits available.

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.

¹⁰ This requirement likely does not apply to charter schools. Charter schools are exempt from most statutes, except those specified in s. 1002.33(16), F.S. Section 1003.44, F.S., which contains the requirements of this bill, is not listed as a statute charter schools must follow; this section of law does contain a charter school requirement, but it is limited to adoption of and submission to the DOE an integrated civic education curriculum, which would not appear to include a display of portraits.

C. Government Sector Impact:

The bill is likely to have a significant negative fiscal impact on the DOE. The exact cost depends on the method by which the portraits are made available for each specified classroom and which portraits the DOE selects. The implementation of this bill is contingent upon appropriation of funding.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.44 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Appropriations Committee on Pre-K - 12 Education;

The committee substitute:

- Modifies the bill by amending the title of the bill to relate to schools rather than classrooms.
- Requires the display of portraits of George Washington and Abraham Lincoln in all schools rather than specific classrooms.
- Specifies, the provisions of this bill are subject to legislative appropriation.

B. Amendments:

None.

By the Appropriations Committee on Pre-K - 12 Education; and
Senators Burgess, Yarborough, and Gaetz

602-02300-26

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A bill to be entitled
An act relating to patriotic displays at public
schools; amending s. 1003.44, F.S.; requiring, subject
to legislative appropriation, each district school
board to adopt rules to require the display of
portraits of George Washington and Abraham Lincoln at
each public school in the district; requiring the
Department of Education to select the portraits and
make them available to each school district; providing
an effective date.

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

Section 1. Subsection (4) of section 1003.44, Florida
Statutes, is amended to read:

1003.44 Patriotic programs; rules.—

(4) Each district school board shall adopt rules to
require, ~~in all of the schools of the district and in each
building used by the district school board.~~

(a) The display of the state motto, "In God We Trust,"
designated under s. 15.0301, in a conspicuous place at each
public school in the district and in each building used by the
district school board.

(b) Subject to legislative appropriation, the display of
portraits of George Washington and Abraham Lincoln in a
conspicuous place at each public school in the district. The
Department of Education shall select the portraits and make them
available to each school district.

Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 502

INTRODUCER: Judiciary Committee and Senator Wright

SUBJECT: Concurrent Legislative Jurisdiction over United States Military Installations

DATE: February 9, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
2.	<u>Proctor</u>	<u>Proctor</u>	<u>MS</u>	Favorable
3.	<u>Collazo</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 502 accepts, and under certain conditions requires, the state to exercise concurrent legislative jurisdiction over delinquency matters on U.S. military installations in the state.

The bill establishes a procedure in statute for the federal government to relinquish exclusive legislative jurisdiction over U.S. military installations within the state and instead provide for concurrent (both federal and state) legislative jurisdiction over delinquency matters. If exclusive legislative jurisdiction is relinquished as provided in the bill, the state will have concurrent legislative jurisdiction over delinquency matters with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

Without concurrent legislative jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system. However, the federal court system lacks suitable services for juveniles and often tries them as adults. Concurrent legislative jurisdiction would give juveniles living on military installations access to the state juvenile justice system and its resources, which may provide better prospects for their rehabilitation.

The bill takes effect July 1, 2026.

II. Present Situation:

Federal Jurisdiction

The Federal Government is the single largest holder of real estate in the U.S.¹ Federal jurisdiction over properties owned by the Federal Government does not arise by virtue of ownership but is instead defined by the jurisdictional status of the property.² Federal properties can be categorized in one of three ways for purposes of federal jurisdiction:

- Exclusive jurisdiction.
- Concurrent jurisdiction.
- Proprietary jurisdiction.

Exclusive legislative jurisdiction applies to land areas where the Federal Government possesses all of the authority of a state and where the state has not reserved the right to exercise its authority concurrently with the U.S., except the right to serve civil or criminal process in the area outside of the Federal Government's exclusive authority.³ Historically, the Federal Government either acquired exclusive legislative jurisdiction over territory through an agreement with the owning state or maintained it when a new state was formed.⁴ As military installations grew to accommodate more civilians, maintaining complete federal control became challenging.

Concurrent legislative jurisdiction provides a shared authority between state and federal governments, permitting authority to be shared and allowing for the enforcement of both federal and state laws, as well as the provision of both federal and state services.⁵

Concurrent jurisdiction may require one or two levels of effort from the host state, where the state:

- Establishes a new policy accepting concurrent jurisdiction to allow state authorities to intercede.
- Creates memorandums of understanding between the state and federal installations to dictate how and when the state will intercede.

Concurrent Juvenile Jurisdiction

Military installations subject to exclusive federal jurisdiction frequently address juvenile offenses through the federal court system, which lacks a juvenile justice system.⁶ Starting with the John S. McCain National Defense Authorization Act for Fiscal Year 2019, the Department of War (formerly known as the Department of Defense) has sought to establish concurrent jurisdiction

¹ U.S. Dept. of Justice, *Archives: Criminal Resource Manual*, "1630. Protection of Government Property – Real Property – 18 U.S.C. 7," <https://www.justice.gov/archives/jm/criminal-resource-manual-1630-protection-government-property-real-property-18-usc-7> (last visited Jan. 27, 2026).

² See *id.* (citing *Adams v. United States*, 319 U.S. 312 (1943)).

³ General Services Administration, *Federal Facilities Jurisdictional Status* (Aug. 28, 2007), available at <https://disposal.gsa.gov/resource/1531922197000/FederalFacilitiesJurisdictionalStatus> (last visited Jan. 27, 2026).

⁴ U.S. Dept. of Defense, *Best Practices: Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, available at <https://download.militaryonesource.mil/StatePolicy/pdfs/2022/bestpractices-concurrentjurisdiction.pdf> (last visited Jan. 27, 2026).

⁵ *Id.*

⁶ *Id.*

with state governments to address juvenile justice issues.⁷ This policy intends to open the door to the state juvenile justice systems and resources, providing better prospects for rehabilitation tailored to juveniles. Without concurrent jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system, which lacks suitable services for juveniles and often tries children as adults.⁸

III. Effect of Proposed Changes:

The bill establishes a procedure in statute⁹ for the federal government to relinquish exclusive legislative jurisdiction over U.S. military installations within the state and instead provide for concurrent (both federal and state) legislative jurisdiction over delinquency matters. If exclusive legislative jurisdiction is relinquished as provided in the bill, the state will have concurrent legislative jurisdiction over delinquency matters with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

Under the bill, the state accepts and must exercise concurrent legislative jurisdiction with the U.S. over matters involving a child who has allegedly violated a federal law on a U.S. military installation, but only if:

- The military installation is located within the boundaries of the state.
- The U.S. Attorney or the U.S. District Court for the applicable district in the state has waived exclusive jurisdiction.
- The violation of federal law is also a crime under state law.

If concurrent legislative jurisdiction has been established pursuant to the bill, the circuit court has exclusive original jurisdiction over the matter in accordance with chapter 985, F.S.¹⁰

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the

⁷ U.S. Dept. of Defense, Military State Policy Source, *Concurrent Juvenile Jurisdiction*, <https://statepolicy.militaryonesource.mil/priorities/concurrent-juvenile-jurisdiction> (last visited Jan. 27, 2026).

⁸ *Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, *supra* note 4.

⁹ The bill creates s. 250.0311, F.S., entitled “United States military installations; concurrent legislative jurisdiction.”

¹⁰ Chapter 985, F.S., governs juvenile justice in the state. Section 985.0301, F.S., grants the circuit court exclusive original jurisdiction over proceedings involving a child who is alleged to have committed either a delinquent act or violation of law or a noncriminal violation that has been assigned to juvenile court by law.

public records disclosure requirements. The bill does not create or expand an exemption. Thus, the bill does not require an extraordinary vote for enactment.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

None identified.

C. Government Sector Impact:

The bill may have an indeterminate negative impact on state expenditures to the extent adjudications are handled in the state court system instead of the federal court system. However, it is anticipated that the additional case load would be small and absorbed into the state court system's existing budget.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill creates section 250.0311 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.)

CS by Judiciary on January 20, 2026:

The committee substitute replaces the original bill with one that authorizes the state to accept and exercise concurrent legislative jurisdiction over delinquency matters only using a much simpler process not involving the Governor.

B. Amendments:

None.

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

By the Committee on Judiciary; and Senator Wright

590-02024-26

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A bill to be entitled
An act relating to concurrent legislative jurisdiction
over United States military installations; creating s.
250.0311, F.S.; accepting concurrent legislative
jurisdiction with the United States over delinquency
matters on United States military installations if
such matters meet certain criteria; establishing
circuit court jurisdiction over such matters;
providing an effective date.

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

Section 1. Section 250.0311, Florida Statutes, is created
to read:

250.0311 United States military installations; concurrent
legislative jurisdiction over delinquency matters.—

(1) This state accepts and shall exercise concurrent
legislative jurisdiction with the United States over matters
involving a child who has allegedly violated a federal law on a
United States military installation, but only if:

(a) The military installation is located within the
boundaries of this state.

(b) The United States Attorney or the United States
District Court for the applicable district in this state has
waived exclusive jurisdiction.

(c) The violation of federal law is also a crime under
state law.

(2) If concurrent legislative jurisdiction has been
established pursuant to subsection (1), the circuit court shall

590-02024-26

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30 have exclusive original jurisdiction over the matter in
31 accordance with chapter 985.

32 Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/CS/SB 538

INTRODUCER: Judiciary Committee; Education Pre-K-12 Committee; and Senator Simon

SUBJECT: Extracurricular Activities

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Palazesi</u>	<u>Bouck</u>	<u>ED</u>	Fav/CS
2. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
3. <u>Palazesi</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 538 revises student eligibility and participation requirements for interscholastic and intrascholastic extracurricular activities, including athletics, by defining key terms and establishing an “eligible student” framework for home education, charter, private, Florida Virtual School, alternative, and traditional public-school students.

Among other things, the bill:

- Authorizes public schools to assess an activity fee on homeschool students who wish to participate in interscholastic or intrascholastic extracurricular activities at the public school.
- Restricts participation in the same sport at different schools within the same school year unless the student meets specified criteria.
- Creates timelines for the appeals process for eligibility determinations.
- Requires annual participation in the Presidential Youth Fitness Program as part of school districts’ physical education curriculum.
- Authorizes school districts, in their sole discretion, to determine and approve compensation for athletic coaches, assistant coaches, athletic program supervisors, and activity sponsors of extracurricular activities.

The bill takes effect July 1, 2026.

II. Present Situation:

The present situation corresponding to each relevant portion of the bill is provided in Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:**Interscholastic and Intrасcholastic Extracurricular Activities*****Present Situation*****Student Eligibility**

Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. Florida law defines the term “extracurricular” as meaning any school-authorized or education-related activity occurring during or outside the regular instructional school day.¹

To be eligible to participate in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests, a student must:

- Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in certain courses.
- Execute and fulfill the requirements of an academic performance contract if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in certain courses.
- Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in certain courses during his or her junior or senior year.
- Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies. Student participation after a felony conviction is contingent upon established and published district school board policy.²

¹ Section 1006.15(2), F.S.

² Section 1006.15(3)(a), F.S.

Where Student Participation Can Occur

The table below provides an overview of where students may participate based on their school choice:³

Educational Setting	Where they can participate
Home Education Student	A home education student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the home education student may participate at the student's zoned school, or the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district. The home education student may also develop an agreement to participate at a private school, or at a home education cooperative.
Personalized Education Program (PEP) Student	A PEP student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the PEP student may participate at the student's zoned school, or the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district. The PEP student may also develop an agreement to participate at a private school, or at a home education cooperative.
Charter School Student	A charter school student may participate at his/her home-zoned public school, the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including another charter or lab school). The charter school student may also develop an agreement to participate at a private school.
Special or Alternative School Student	A special or alternative school student may participate at another school only if his/her special or alternative school is operated by the school district and offers NO athletic program. The special or alternative school must also be authorized by the district superintendent each year.
Private School Student	A private school student may participate at another school only if his/her private school is not a member of the FHSAA or does NOT offer the sport in which he/she wishes to participate.
Virtual School Student	A virtual school student may participate at any public school in the school district in which he/she resides, the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district. A virtual school student may also develop an agreement to participate at a private school.
Traditional Public-School Student	A traditional public-school student may participate at another school in the district (or at a private school) only if his/her public school does NOT offer the sport in which he/she wishes to participate.

³ Section 1006.15, F.S.; *see also* Florida High School Athletic Association, *Non-Traditional Students*, https://fhsaa.com/sports/2020/3/11/Nontraditional_Students.aspx (last visited Jan. 28, 2026).

The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester in the 9th grade. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students.⁴

A home education student must be covered by any insurance provided by the district school board for extracurricular activity participants. If an additional premium is required for such coverage, the participating home education student must pay the premium.⁵

Several school districts in Florida require public school students to pay to participate in their sports clubs. For example, in the Pasco County School District, students in middle school are required to pay \$80.00 for the first sport and \$50.00 for the second sport, with an individual student being capped at \$130.00. Students are not charged a fee to tryout for a sport.⁶

School Responsibilities

The athletic director for each participating FHSAA member school must maintain the student records necessary for eligibility, compliance, and participation in the program. Any private school that has a student who wishes to participate in this program must make all student records including academic, financial, disciplinary, and attendance records available upon request to the FHSAA.⁷

Student Transfers

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.⁸

A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- Dependent children of active-duty military personnel whose move resulted from military orders.
- Children who have been relocated due to a foster care placement in a different school zone.
- Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- Authorized for good cause in district or charter school policy.⁹

⁴ Section 1006.15(4), F.S.

⁵ Section 1006.15(7), F.S.

⁶ Pasco County Schools Athletics, *Athletic Fees 2025-26*, available at https://www.pasco.k12.fl.us/library/athletics/Athletic_Fees_2025-26.pdf (last visited Jan. 28, 2026).

⁷ Section 1006.15(8)(d)(e), F.S.

⁸ Section 1006.15(9)(a), F.S.

⁹ Section 1006.15(9)(b), F.S.

A student who participates in an interscholastic or intrascholastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at the school for the remainder of the school year if:

- The student continues to meet the standard eligibility requirements in statute.
- The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for the enrollment requirements at the school at which the student participates.
- The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.¹⁰

Effects of Proposed Changes

The bill makes substantial changes to high school and middle school athletics in Florida regarding student eligibility, transfers, and costs for students to play sports.

Student Eligibility

The bill amends s. 1006.15, F.S., to define the following terms:

- “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public-school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.
- “Governing Organization” means any organization that governs the athletic activities of a school, including, but not limited to, the Florida High School Athletic Association.

The bill revises the eligibility requirements for home education program students by no longer requiring them to satisfy the same residency requirements as other students in the school in which they participate.

Where Student Participation Can Occur

The bill deletes the existing options for where and how a student can participate in extracurricular activities. It also aligns student eligibility for all students, regardless of the educational setting, by specifying that students are eligible to participate in an interscholastic or intrascholastic extracurricular activity at the school in which he or she is enrolled.

An eligible student may participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled if:

- The school in which the student is enrolled does not offer the same interscholastic or intrascholastic extracurricular activity or the student is in a home education program; and
- The school at which the student will participate in the interscholastic or intrascholastic extracurricular activity is located in the school district in which the student resides.

¹⁰ Section 1006.15(10), F.S.

The bill provides that if a public or charter school in the district in which the student resides does not offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student's grade level located outside of his or her school district. The school at which the student participates must be in a school district adjacent to the school district in which the student resides. The student may also petition the executive director of the governing organization to explore additional options.

The bill also provides that any participation by an eligible student at a private school other than the school in which the student is enrolled must be pursuant to an agreement between the private school and the student.

School Responsibilities

The bill requires that all schools, private and public, follow new requirements regarding their athletic programs. The bill expands the school personnel who may maintain necessary student records. It also requires such records be kept for all eligible students from both FHSAA and non-FHSAA schools.

The bill requires students to apply to participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the students are enrolled using one of the following methods:

- Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws.
- If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process that complies with state law¹¹ and State Board of Education rules.

The bill provides that public schools in which a personalized education program student wishes to participate may assess an activity fee to an eligible student, provided the fee is uniformly applied within the school or district for the activity and does not exceed the prorated per-student cost to the school or district for the activity.

The term "prorated per-student cost to the school or district for the activity" is defined in the bill to mean the school's or the district's direct costs that are necessary to provide the specific interscholastic or intrascholastic extracurricular activity within the school or district, divided by the number of students participating in that activity in the school or district.

The bill requires schools or districts to adopt a written policy for calculating these costs and publish the activity fee schedule and supporting calculations for each activity online. Additionally, the public school in which a homeschool student wishes to participate may assess an eligible homeschool student only the out-of-pocket costs paid by the public school student for the interscholastic or intrascholastic extracurricular activity.

¹¹ Sections 1002.31 and 1002.41, F.S.

The bill also requires the parents of the student participating in the activity to provide for the transportation of the student to and from the school at which the student participates. The school in which the student is enrolled, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during transportation.

Student Transfers

The bill prohibits a student from participating in interscholastic activities at two different schools during the same school year unless the student:

- Is a dependent child of active duty military personnel whose move resulted from military orders;
- Has been relocated due to a foster care placement in a different school zone;
- Has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; or
- Has been granted approval by the applicable governing organization's executive director.

The bill requires the governing organization to provide a determination of eligibility to the requesting student within 14 days after the request is made, and to adopt bylaws establishing criteria for determining the eligibility of transferring students.

Florida High School Athletic Association

Present Situation

Florida High School Athletic Association

The Florida High School Athletic Association (FHSAA) is a nonprofit organization governing athletics in Florida public schools. Any public or private high school or middle school in this state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA; however, membership in the FHSAA is not mandatory for any school.¹² Each year, the FHSAA sponsors more than 3,500 championship series games, through which 144 teams and 294 individuals are crowned state champions in 32 sports. More than 800,000 students participate in these athletic programs each year.¹³

The FHSAA is required to adopt bylaws that:

- Establish eligibility requirements.
- Prohibit recruiting.
- Require all students to pass a medical evaluation each year.
- Regulate people who conduct investigations on behalf of the FHSAA.
- Establish sanctions for coaches who have committed major violations of FHSAA bylaws.
- Establish the process and standards by which the FHSAA determines eligibility.
- Adopt guidelines to educate athletic coaches, officials, administrators, and student athletes and their parents, of the risks associated with concussions and head injuries.

¹² Section 1006.20(1), F.S.

¹³ Florida High School Athletic Association, *Florida High School Athletic Association*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Jan. 28, 2026).

- Require the parents of students who are participating, or may participate, in interscholastic competition to sign and return an informed consent explaining the nature and risk of concussion and head injury.
- Adopt bylaws that require each student athlete who is suspected of sustaining a concussion or head injury in practice or in a competition to be immediately removed from the activity.
- Adopt bylaws for the establishment and duties of a sports medicine advisory committee.¹⁴

FHSAA Appeals Process

The FHSAA is required to establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling on his or her eligibility to compete. The initial appeal must be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws establish the number, size, and composition of each committee on appeals.¹⁵ The authority and duties of a committee on appeals is to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.¹⁶

A member of the committee on appeals may not be a member of the board of directors. The term is 3 years. He or she is eligible to succeed himself or herself only once, for a maximum of 6 consecutive years.¹⁷

The FHSAA is required to expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.¹⁸ Decisions made by the committee on appeals, the executive director or his or her designee, and the FHSAA board of directors must be posted online in a searchable format.¹⁹

Effects of Proposed Changes

The bill amends s.1006.20, F.S., to provide that a governing organization's bylaws may not establish a timeline for appeals that exceeds 20 days. Additionally, the decisions made by the committee on appeals, the executive director, or his or her designee, and the governing organization board of directors must be posted online in a searchable format, subject to student records protections established in law.

Presidential Youth Fitness Program

Present Situation

The Presidential Youth Fitness Program is a comprehensive school-based program that promotes health and regular physical activity for America's youth. The program is voluntary and offers educators free access to a health-related assessment for youth fitness, professional development for meaningful implementation, and motivational recognition to empower students to adopt and

¹⁴ Section 1006.20(2), F.S.

¹⁵ Section 1006.20(7)(a), F.S.

¹⁶ Section 1006.20(7)(d), F.S.

¹⁷ Section 1006.20(7)(b), (c), F.S.

¹⁸ Section 1006.20(7)(f), F.S.

¹⁹ Section 1006.20(7)(h), F.S.

maintain an active lifestyle. The program emphasizes the value of living a physically active and healthy lifestyle in school and beyond. It minimizes comparisons between children and instead supports students as they pursue personal fitness goals for lifelong health.²⁰

The President's Council on Sports, Fitness & Nutrition (PCSFN) is a federal advisory committee that aims to promote healthy eating and physical activity for all people, regardless of background or ability. President Trump's Executive Order 14327 of July 31, 2025, revitalizes the council and calls for the reestablishment of the Presidential Fitness Test. The council promotes youth sports and the physical, mental, and civic benefits of daily movement, exercise, and good nutrition. It also engages every sector (public and private, civilian and military) in creating a national culture of strength, vitality, and excellence. Since 1966, the council has promoted the Youth Fitness Test. While the fitness test has changed over the years, the current test continues to assess physical fitness using data from the 1985 National School Population Fitness Survey.²¹

The Presidential Youth Fitness Program is administered by the National Fitness Foundation, whose goal is to provide students and schools with access to high quality resources and tools to promote physical activity and support and reward physical health and fitness. Currently, the National Fitness Foundation is actively working with the U.S. Department of Health and Human Services and the President's Council on Sports, Fitness & Nutrition to update the Presidential Youth Fitness Program for today's youth.²²

Effects of Proposed Changes

The bill amends s. 1003.455, F.S., to ensure that students in grades K-12 participate in the Presidential Youth Fitness Program, or its successor program, each year as part of the school district's physical education curriculum. However, since high school students are required to complete only one credit in physical education to earn a standard high school diploma, it is likely that a student who has completed the physical education requirement and is not participating in athletics would not participate in the program every year.

Athletic Coach Compensation

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:

²⁰ U.S. Department of Health and Human Services, Office of Disease Prevention and Human Promotion (U.S. DHHS), *Presidential Youth Fitness Program*, <https://odphp.health.gov/pcsfn/programs-awards/presidential-youth-fitness-program> (last visited Jan. 28, 2026).

²¹ U.S. DHHS, *Presidential Youth Fitness Program*, <https://odphp.health.gov/pcsfn/programs-awards/presidential-youth-fitness-program> (last visited Jan. 28, 2026); U.S. DHHS, *About the President's Council on Sports, Fitness & Nutrition*, <https://odphp.health.gov/pcsfn/about-pcsfn> (last visited Jan. 28, 2026).

²² National Fitness Foundation, *Presidential Youth Fitness Program*, <https://fitness.foundation/presidential-youth-fitness-program-2> (last visited Jan. 28, 2026).

- 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.
- 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.²³

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.²⁴

In addition to salary adjustments, each school district must provide salary supplements for activities that must include, but are not limited to:

- Assignment to a Title I eligible school.
- Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to state law,²⁵ such that the supplement remains in force for at least 1 year following improved performance in that school.
- Certification and teaching in high-demand teacher needs areas, as identified by the State Board of Education or the school district.
- Assignment of additional academic responsibilities.²⁶

Athletic Coaches

In most school districts, athletic coaches are hired as teachers and are provided a salary supplement for performing the duties of a coach. All salary supplements provided to teachers, including supplements for coaches, are negotiated through collective bargaining. Because of the collectively bargained nature of coaches' stipends, there is also variation between school

²³ Section 1012.22(1), F.S.

²⁴ Section 1012.22(3), F.S.

²⁵ See s. 1008.34, F.S., which regulates the school grading system.

²⁶ Section 1012.22(1)(c)5., F.S.

districts. For example, the average stipend for a head football coach in Broward County in 2024-25 was \$3,038, while the average stipend for the same position in Collier County was \$7,000.²⁷

By comparison, head football coaches in neighboring states receive significantly more compensation, with many receiving more than \$100,000 annual salary. There is even one example in Georgia where a coach was receiving \$219,214.65 in annual compensation.²⁸

Effect of Proposed Changes

The bill amends s. 1012.22, F.S., to authorize each district school board, at its sole discretion, to determine and approve the compensation of any person employed as an athletic coach, assistant coach, athletic program supervisor, or activity sponsor of an extracurricular activity, regardless of whether such individual is classified as instructional personnel. Compensation may exceed any salary schedule, supplement, or stipend otherwise prescribed and may be paid in any form or amount deemed appropriate by the district school board, including, but not limited to, salaries, stipends, bonuses, performance-based incentives, and hourly or per-assignment pay. School districts may adopt a policy that authorizes payments by booster clubs or associations to be included in the compensation for an athletic coach and activity sponsor of extracurricular activities. Such compensation is considered part of the individual's total compensation. The bill also clarifies that limitations on supplemental pay applicable to instructional personnel do not apply to compensation provided to in the bill.

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.

²⁷ Andrew Ramjit, Executive Director, Florida Coaches Associations, *Coaches Compensation in Florida* (Nov. 4, 2025), available at <https://flsenate.gov/Committees/DownloadMeetingDocument/7891> (see pg. 30 of Committee Meeting Expanded Agenda).

²⁸ *Id.* (see pgs. 31-32 of Committee Meeting Expanded Agenda).

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. The bill could have an impact on school districts to the extent they must cover the required insurance for students wishing to participate in specified activities and the costs of programs. The bill could also impact school districts if they decide to compensate athletic coaches as described in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.15, 1002.31, 1002.33, 1003.455, 1006.195, 1006.20, and 1012.22.

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 Judiciary on February 3, 2026:

The committee substitute:

- Deletes duplicative language prohibiting students from participating in interscholastic activities at two different schools during the same school year.
- Deletes language that requires charter school students to participate in interscholastic extracurricular activities at their assigned public school or at a private school because, under the bill, they may participate in such activities at any school in the district if their current school does not offer it.
- Reinserts eligibility requirements for home education students to participate in interscholastic or intrascholastic extracurricular activities, which were deleted by the underlying bill, because typical student eligibility requirements such as GPA and regular attendance do not apply to home education students.

- Revises the eligibility requirements for home education program students by no longer requiring them to satisfy the same residency requirements as other students in the school in which they participate.
- Authorizes public schools to assess an activity fee on homeschool students who wish to participate in interscholastic or intrascholastic extracurricular activities at the public school.
- Allows the district school board to determine and approve the extracurricular activity compensation of persons employed as activity sponsors in addition to athletic coaches, assistant coaches, and athletic program supervisors.
- Corrects a cross-reference.

CS by Education Pre-K – 12 on January 20, 2026:

The committee substitute retitles the bill “Extracurricular Activities.”

The committee substitute amends s. 1006.15, F.S., to specify that home education students may participate at any public school within their district and that a student enrolled in a school that does not offer an extracurricular activity may participate in that extracurricular activity at any school within the district. Accordingly, the committee substitute removes the provision in the bill that such students may participate at their local zoned school.

The committee substitute also prohibits a student from participating in interscholastic activities at two different schools during the same school year unless the student:

- Is a dependent child of active duty military personnel whose move resulted from military orders;
- Has been relocated due to a foster care placement in a different school zone; or
- Has been granted approval by the applicable governing organization’s executive director.

The committee substitute deletes the phrase “in which a student is enrolled” relating to the imposition of activity fees, to clarify that the fee prohibition applies to the school where the student seeks to participate, regardless of the student’s enrollment status.

The committee substitute amends s. 1006.20, F.S., to remove the provision in the bill regarding decisions made by the committee on appeals being posted online in a searchable format and in compliance with ss. 1002.22 and 1002.221, F.S., which govern privacy of student educational records. The committee substitute instead amends the current statutory provision regarding the posting of committee decisions on appeals by replacing “FHSAA” with “governing organization.”

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Simon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (i) is added to subsection (2) of
section 1001.43, Florida Statutes, to read:

1001.43 Supplemental powers and duties of district school
board.—The district school board may exercise the following
supplemental powers and duties as authorized by this code or
State Board of Education rule.

(2) FISCAL MANAGEMENT.—The district school board may adopt



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policies providing for fiscal management of the school district with respect to school purchasing, facilities, nonstate revenue sources, budgeting, fundraising, and other activities relating to the fiscal management of district resources, including, but not limited to, the policies governing:

(i) Use of voluntary donations and revenues generated by authorized booster clubs or associations to provide funds to athletic coaches or activity sponsors of an extracurricular activity supported by the booster club or association. Any policy authorizing payment by booster clubs or associations must comply with state and federal law and may not control the provision of funds except that such funds may not be used for severance pay or for compensation as defined in s. 1012.22.

Section 2. Section 1006.15, Florida Statutes, is amended to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(1) SHORT TITLE.—This section may be cited as the “Craig Dickinson Act.”

(2) DETERMINATION.—Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term “extracurricular” means any school-authorized or education-related activity occurring during or outside the regular instructional school day. In the determination of whether a



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school offers an activity or a sport, the activity or sport must meet the designation requirements of s. 1006.205(3)(a).

(3)~~(a)~~ DEFINITIONS.—As used in this section and s. 1006.20, the term:

(a) “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.

(b)1. “Eligible to participate” includes, but is not limited to, a student participating in any of the following:

a. Tryouts.τ

b. Off-season conditioning.τ

c. Summer workouts.τ

d. Preseason conditioning.τ

e. In-season practice.τ

f. ~~or~~ Contests.

2. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:

a.1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

b.2.~~τ~~ Execute and fulfill the requirements of an academic performance contract between the student, the district school



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board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

c.3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

d.4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

3.(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

4. A home education student must meet the requirements of the home education program pursuant to s. 1002.41.

a. During the period of participation at a school, the home education student must demonstrate educational progress as



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99 required in subparagraph 3. in all subjects taken in the home
100 education program by a method of evaluation agreed upon by the
101 parent and the school principal, which evaluation may include
102 review of the student's work by a certified teacher chosen by
103 the parent; grades earned through correspondence; grades earned
104 in courses taken at a Florida College System institution, state
105 university, or district career center; standardized test scores
106 above the 35th percentile; or any other method designated in s.
107 1002.41.

108 b. The home education student must meet the same standards
109 of acceptance, behavior, and performance as required of other
110 students in extracurricular activities.

111 c. A student who transfers from a home education program to
112 a public school before or during the first grading period of the
113 school year is academically eligible to participate in
114 interscholastic extracurricular activities during the first
115 grading period, provided the student has a successful evaluation
116 from the previous school year pursuant to sub-subparagraph a.

117 (c) "Extracurricular" means any school-authorized or
118 education-related activity occurring during or outside the
119 regular instructional school day.

120 (d) "Governing organization" means any organization that
121 governs the interscholastic or intrascholastic extracurricular
122 activity of a school, including, but not limited to, the Florida
123 High School Athletic Association.

124 (4) ELIGIBILITY.—

125 (a)(c)1. A An individual home education student is eligible
126 to participate in an interscholastic or intrascholastic
127 extracurricular activity at the school in which he or she is



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enrolled.

(b) An eligible student may participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled if:

1. The school in which the student is enrolled does not offer the same interscholastic or intrascholastic extracurricular activity or the student is in a home education program; and

2. The school at which the student will participate in the interscholastic or intrascholastic extracurricular activity is located in the school district in which the student resides.

(c) If no public or charter schools in the district in which the student resides offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student's grade level located outside of his or her school district. The school at which the student participates pursuant to this paragraph must be in a school district adjacent to the school district in which the student resides.

(d) If a student has exhausted all options outlined above for participation in an interscholastic or intrascholastic extracurricular activity, the student may petition the executive director of the applicable governing organization to explore options for participation at a school not otherwise covered by this section.

(e) For purposes of this subsection, any participation by



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an eligible student at a private school other than the school in which the student is enrolled must be pursuant to an agreement between the private school and the student ~~at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:~~

a. ~~The home education student must meet the requirements of the home education program pursuant to s. 1002.41.~~

b. ~~During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.~~

c. ~~The home education student must meet the same residency requirements as other students in the school at which he or she participates.~~

d. ~~The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.~~

e. ~~The student must register with the school his or her intent to participate in interscholastic extracurricular~~



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~~activities as a representative of the school before participation. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~f. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to sub-subparagraph b.~~

~~g. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to sub-subparagraph b. to become eligible to participate as a home education student.~~

~~2. An individual home education student is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, provided the student meets the conditions specified in sub-subparagraphs 1.a.-g.~~

~~(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could attend, or may develop an agreement to participate at a private school, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter~~



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~~school, if the following conditions are met:~~

~~1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.~~

~~2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).~~

~~3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.~~

~~4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.~~

~~5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to subparagraph 2.~~

~~7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to~~



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~~participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.~~

~~(c) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, if the student:~~

~~1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).~~

~~2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.~~

~~3. Meets the same residency requirements as other students in the school at which he or she participates.~~

~~4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.~~

~~5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation. A Florida Virtual school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is~~



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~~academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).~~

~~(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).~~

~~(h) A student in a full-time virtual instruction program under s. 1002.45, including the full-time Florida Virtual School program, a full-time school district virtual instruction program, or a full-time virtual charter school, is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, or may develop an agreement to participate at a private school, provided the student:~~

~~1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a);~~

~~2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School, the district school board, or the governing board of the virtual charter school, as applicable;~~

~~3. Meets the same residency requirements as other students in the school at which he or she participates;~~

~~4. Meets the same standards of athletic team acceptance, behavior, and performance which are required of other students~~



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~~in extracurricular activities; and~~

~~5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation.~~

~~(i) An individual traditional public school student who is otherwise eligible to participate in interscholastic extracurricular activities may either participate in any such activity at any public school in the school district in which the student resides or develop an agreement to participate in such activity at a private school, unless the activity is provided by the student's traditional public school. Such student must:~~

~~1. Meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities at the school at which the student wishes to participate.~~

~~2. Before participation, register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school. The student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~(j)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.~~

~~2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following~~



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~~eriteria:~~

~~a. Dependent children of active duty military personnel
whose move resulted from military orders.~~

~~b. Children who have been relocated due to a foster care
placement in a different school zone.~~

~~c. Children who move due to a court-ordered change in
custody due to separation or divorce, or the serious illness or
death of a custodial parent.~~

~~d. Authorized for good cause in district or charter school
policy.~~

~~(5)(4) BEGINNING APPLICABILITY.—The student standards for
participation in interscholastic extracurricular activities must
be applied beginning with the student's first semester of the
9th grade. Each student must meet such other requirements for
participation as may be established by the district school
board; however, a district school board may not establish
requirements for participation in interscholastic
extracurricular activities which make participation in such
activities less accessible to home education students than to
other students. Except as set forth in paragraph (3)(c),
evaluation processes or requirements that are placed on home
education student participants may not go beyond those that
apply under s. 1002.41 to home education students generally.~~

~~(6)(5) GOVERNING ORGANIZATION RESPONSIBILITIES.—All
governing organizations Any organization or entity that
regulates or governs interscholastic extracurricular activities
of public schools:~~

~~(a) Shall permit home education associations to join as
member schools.~~



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(b) ~~May~~ ~~shall~~ not discriminate against any eligible student based on an educational choice of public, private, or home education.

~~(7)(6) PROHIBITED MEMBERSHIPS.~~—Public schools are prohibited from membership in any governing organization that ~~or~~ ~~entity which regulates or governs interscholastic~~ ~~extra~~~~curricular activities and~~ discriminates against eligible students in public, private, or home education.

~~(8)(7) INSURANCE.~~—Any insurance provided by district school boards for participants in extracurricular activities must ~~shall~~ cover any eligible student ~~the participating home education~~ ~~student. If there is an additional premium for such coverage,~~ ~~the participating home education student shall pay the premium.~~

~~(8)(a) The Florida High School Athletic Association (FHSAA)~~ ~~shall, in cooperation with each district school board and its member private schools, facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student's grade level, if:~~

~~1. The private school in which the student is enrolled is not a member of the FHSAA or the private school in which the student is enrolled is a member of the FHSAA and does not offer the sport in which the student wishes to participate.~~

~~2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board or member private school. At a minimum, such guidelines must provide a deadline~~



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~~for each sport by which the private school student's parents must register with the member school in writing their intent for their child to participate at that school in the sport.~~

~~(b) The parents of a private school student participating in a member school sport under this subsection are responsible for transporting their child to and from the member school at which the student participates. The private school the student attends, the member school at which the student participates in a sport, the district school board, and the FHSAA are exempt from civil liability arising from any injury that occurs to the student during such transportation.~~

~~(c) For each academic year, a private school student may only participate at the member school in which the student is first registered under subparagraph (a)2. or makes himself or herself a candidate for an athletic team by engaging in a practice.~~

(9) SCHOOL RESPONSIBILITIES.-

~~(a)(d)~~ The athletic director or other appropriate administrator of each participating FHSAA member school shall maintain the student records necessary for eligibility, compliance, and participation for all eligible students participating in interscholastic or intrascholastic extracurricular activities at the member school in the program.

~~(b)(e)~~ Any private school that has a student who wishes to participate in interscholastic or intrascholastic extracurricular activities at another school this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the governing organization FHSAA.



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(c) The public school may assess an activity fee to a student who is not enrolled but is eligible to participate pursuant to this section, provided that such fee is uniformly applied within the school or district for the activity and does not exceed the prorated per-student cost to the school or district for the activity.

1. For purposes of this paragraph, the term "prorated per-student cost to the school or district for the activity" means the school's or district's direct costs, including any increase in insurance premiums, which are necessary to provide the specific interscholastic or intrascholastic extracurricular activity within the school or district, divided by the number of students participating in that activity in the school or district.

2. A district school board shall adopt a policy, establishing the methodology for calculating such costs. The policy must be adopted at a school board meeting, annually by July 1, for the upcoming school year, and the activity fee schedule and supporting calculations for each activity must be published on the school district's website. The fee schedule must be voted on by the district school board as an action item. Once the fee schedule is approved, it must be submitted to the Department of Education.

3. The public school at which a home education student pursuant to s. 1002.41 wishes to participate may assess the eligible home education student only the out-of-pocket costs paid by public school students for the interscholastic or intrascholastic extracurricular activity.

(d) The parents of the student participating in the



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interscholastic or intrascholastic extracurricular activity must provide for the transportation of the student to and from the school at which the student participates. The school in which the student is enrolled, the school at which the student participates in the extracurricular activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(10) STUDENT TRANSFERS.—

(a) A student may not participate in interscholastic activities at two different schools during the same school year, unless the student:

1. Is a dependent child of active duty military personnel whose move resulted from military orders;

2. Has been relocated due to a foster care placement in a different school zone;

3. Has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; or

4. Has been granted approval by the applicable governing organization's executive director.

(b) The governing organization shall provide a determination of eligibility to the requesting student within 14 days after such a request is made.

(c) The governing organization shall adopt bylaws establishing criteria for determining eligibility of students pursuant to this subsection and an appeals procedure equivalent to the appeals procedure set forth in s. 1006.20.

(11) BYLAWS.—The governing organization may adopt additional bylaws to implement this section



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~~(f) A student must apply to participate in this program through the FHSAA program application process.~~

~~(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.~~

~~(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:~~

~~1. Dependent children of active duty military personnel whose move resulted from military orders.~~

~~2. Children who have been relocated due to a foster care placement in a different school zone.~~

~~3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.~~

~~4. Authorized for good cause in district or charter school policy.~~

~~(10) A student who participates in an interscholastic or intrascholastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the~~



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~~remainder of the school year if:~~

~~(a) During the period of participation in the activity, the student continues to meet the requirements specified in paragraph (3)(a).~~

~~(b) The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.~~

~~(c) The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.~~

Section 3. Subsection (6) of section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; public school parental choice.—

~~(6)(a)~~ A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

~~(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:~~



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~~1. Dependent children of active duty military personnel
whose move resulted from military orders.~~

~~2. Children who have been relocated due to a foster care
placement in a different school zone.~~

~~3. Children who move due to a court-ordered change in
custody due to separation or divorce, or the serious illness or
death of a custodial parent.~~

~~4. Authorized for good cause in district or charter school
policy.~~

Section 4. Subsection (11) of section 1002.33, Florida
Statutes, is amended to read:

1002.33 Charter schools.—

(11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
ACTIVITIES.—A charter school student is eligible to participate
in an interscholastic extracurricular activity ~~at the public
school to which the student would be otherwise assigned to
attend, or may develop an agreement to participate at a private
school,~~ pursuant to s. 1006.15(4) ~~s. 1006.15(3)(d).~~

Section 5. Paragraphs (a) and (b) of subsection (1) of
section 1006.195, Florida Statutes, are amended to read:

1006.195 District school board, charter school authority
and responsibility to establish student eligibility regarding
participation in interscholastic and intrascholastic
extracurricular activities.—Notwithstanding any provision to the
contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student
eligibility to participate in interscholastic and
intrascholastic extracurricular activities:

(1)(a) A district school board shall ~~must~~ establish,
through its code of student conduct, student eligibility



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standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(10) ~~s. 1006.15(3)(j)~~.

3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(4) ~~s. 1006.15(3)(c) (c) and (8)~~, are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

Section 6. Paragraph (h) of subsection (7) of section 1006.20, Florida Statutes, is amended, and paragraph (o) is added to subsection (2) and paragraph (i) is added to subsection (7) of that section, to read:



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1006.20 Athletics in public K-12 schools.—

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(o) The FHSAA shall adopt, maintain, and enforce sport-specific manuals or handbooks that govern interscholastic competition. The manuals or handbooks may include, but are not limited to, timing, scoring, equipment, officiating, and athlete safety. The FHSAA must ensure that athletes may request exemptions or accommodations from real-time scoring requirements not later than 72 hours before a sanctioned event. If a request is made within the prescribed time, the FHSAA must provide access to accommodations for such participants.

(7) APPEALS.—

(h) Decisions made by the committee on appeals, the executive director or his or her designee, and a governing organization's ~~the FHSAA~~ board of directors must be posted online in a searchable format and be in compliance with ss. 1002.22 and 1002.221.

(i) A student denied eligibility may appeal the decision from the governing organization. The governing organization shall adopt bylaws establishing a timeline for appeals which may not exceed 20 days.

Section 7. Paragraph (d) is added to subsection (3) of section 1012.01, Florida Statutes, to read:

1012.01 Definitions.—As used in this chapter, the following terms have the following meanings:

(3) ADMINISTRATIVE PERSONNEL.—“Administrative personnel” includes K-12 personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at



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all levels within the district. Administrative personnel are generally high-level, responsible personnel who have been assigned the responsibilities of systemwide or schoolwide functions, such as district school superintendents, assistant superintendents, deputy superintendents, school principals, assistant principals, career center directors, and others who perform management activities. Broad classifications of K-12 administrative personnel are as follows:

(d) Athletic administrators and activity sponsor directors of extracurricular activities.—Included in this classification is any athletic director or coach or the director of an activity sponsor specified by the district school superintendent. The district school superintendent may negotiate individual compensation in excess of compensation otherwise awardable pursuant to s. 1012.22. Such compensation may not exceed the compensation of the highest paid administrator in the district.

Section 8. This act shall take effect July 1, 2026.

===== 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 extracurricular activities;
amending s. 1001.43, F.S.; authorizing district school boards to adopt policies for the use of certain funds to provide funding to athletic coaches or activity sponsors of extracurricular activities; prohibiting such funds from being used as severance pay or



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compensation; amending s. 1006.15, F.S.; making technical changes; defining terms; revising the definition of the term "eligible to participate"; revising eligibility requirements for a student to participate in an interscholastic or intrascholastic extracurricular activity; providing construction; deleting obsolete provisions; requiring that insurance provided by district school boards for participants in extracurricular activities cover any eligible student; deleting requirements for the Florida High School Athletic Association (FHSAA) to facilitate a program for private school students to participate in an interscholastic or intrascholastic sport; requiring the athletic director or other appropriate administrator to maintain student records for all eligible students participating in interscholastic or intrascholastic extracurricular activities at a member school; revising requirements for a student to apply to participate in an interscholastic or intrascholastic extracurricular activity at certain schools; authorizing a public school to assess an activity fee for certain students; defining the term "prorated per-student cost to the school or district for the activity"; requiring district school boards to adopt a policy for calculating specified costs; requiring that the activity fee schedule and supporting calculations be published on the school district website; providing a limitation on a specified fee assessed by a public school; requiring



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parents to provide for the transportation to and from the school for their student; providing indemnity for a school and district school board under specified circumstances; prohibiting a student from participating in interscholastic or intrascholastic extracurricular activities at two different schools within the same school year unless the student meets specified criteria; requiring the governing organization to provide a certain determination of eligibility within a specified timeframe; requiring the governing organization to adopt specified bylaws; authorizing the governing organization to adopt additional bylaws; deleting provisions providing requirements for certain student transfers; amending s. 1002.31, F.S.; deleting obsolete language; amending s. 1002.33, F.S.; conforming a cross-reference and provisions to changes made by the act; amending s. 1006.195, F.S.; conforming cross-references; amending s. 1006.20, F.S.; requiring the FHSAA to adopt, maintain, and enforce specified manuals or handbooks; requiring the FHSAA to ensure that athletes may request certain exemptions or accommodations; requiring the FHSAA to provided accommodations under certain circumstances; authorizing a student who is denied certain eligibility to appeal a decision made by the governing organization; requiring the governing organization to adopt bylaws to establish a timeline for an appeals process; providing a limitation on such timelines; amending s. 1012.01, F.S.; including



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708 athletic administrators in the broad classification of
709 K-12 administrative personnel; authorizing district
710 school superintendents to negotiate specified
711 compensation; providing requirements for such
712 compensation; providing an effective date.

By the Committees on Judiciary; and Education Pre-K - 12; and
Senator Simon

590-02452-26

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A bill to be entitled

An act relating to extracurricular activities;
amending s. 1006.15, F.S.; making technical changes;
defining terms; revising eligibility requirements for
a student to participate in an interscholastic or
intrascholastic extracurricular activity; providing
construction; deleting obsolete provisions; requiring
that insurance provided by district school boards for
participants in extracurricular activities cover any
eligible student; deleting requirements for the
Florida High School Athletic Association to facilitate
a program for private school students to participate
in an interscholastic or intrascholastic sport;
requiring the athletic director or other appropriate
administrator to maintain student records for all
eligible students participating in interscholastic or
intrascholastic extracurricular activities at a member
school; revising requirements for a student to apply
to participate in an interscholastic or
intrascholastic extracurricular activity at certain
schools; authorizing a public school to assess an
activity fee for certain students; defining the term
"prorated per-student cost to the school or district
for the activity"; requiring the school or district to
adopt a written policy for calculating specified
costs; requiring the school or district to publish
online the activity fee schedule; providing a
limitation on a specified fee assessed by a public
school; requiring parents to provide for the

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30 transportation to and from the school for their
31 student; providing indemnity for a school and district
32 school board under specified circumstances;
33 prohibiting a student from participating in
34 interscholastic or intrascholastic extracurricular
35 activities at two different schools within the same
36 school year unless the student meets specified
37 criteria; requiring the governing organization to
38 provide a certain determination of eligibility within
39 a specified timeframe; requiring the governing
40 organization to adopt specified bylaws; authorizing
41 the governing organization to adopt additional bylaws;
42 deleting provisions providing requirements for certain
43 student transfers; amending s. 1002.31, F.S.; deleting
44 obsolete language; amending s. 1002.33, F.S.;
45 conforming a cross-reference and provisions to changes
46 made by the act; amending s. 1003.455, F.S.; requiring
47 each school district to ensure that students
48 participate in the Presidential Youth Fitness Program;
49 amending s. 1006.195, F.S.; conforming cross-
50 references; amending s. 1006.20, F.S.; authorizing a
51 student who is denied certain eligibility to appeal a
52 decision made by the governing organization; requiring
53 the governing organization to adopt bylaws to
54 establish a timeline for an appeals process; providing
55 a limitation on such timelines; amending s. 1012.22,
56 F.S.; authorizing a district school board to determine
57 and approve the compensation of an athletic coach or
58 sponsor of an extracurricular activity; providing that

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the compensation may exceed any prescribed salary schedule, supplement, or stipend and be paid in any form or amount deemed appropriate by the school board; providing that such compensation is considered part of the athletic coach's or sponsor's total compensation; authorizing district school board policy to include payments by certain entities to be included in compensation; providing that limitations on supplemental pay are not applicable to the compensation of an athletic coach or activity sponsor; providing an effective date.

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

Section 1. Section 1006.15, Florida Statutes, is amended to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(1) SHORT TITLE.—This section may be cited as the "Craig Dickinson Act."

(2) DETERMINATION.—Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term "extracurricular" means any school-authorized or education-related activity occurring during or outside the regular

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instructional school day. In the determination of whether a school offers an activity or a sport, the activity or sport must meet the designation requirements of s. 1006.205(3)(a).

(3)~~(a)~~ DEFINITIONS.—As used in this section and s. 1006.20, the term:

(a) “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.

(b)1. “Eligible to participate” includes, but is not limited to, a student participating in all of the following:

a. Tryouts.~~7~~

b. Off-season conditioning.~~7~~

c. Summer workouts.~~7~~

d. Preseason conditioning.~~7~~

e. In-season practice.~~7~~

f. ~~or~~ Contests.

2. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:

a.1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

b.2.~~7~~ Execute and fulfill the requirements of an academic

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performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

c.3- Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

d.4- Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

3.-(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

4. A home education student must meet the requirements of the home education program pursuant to s. 1002.41.

a. During the period of participation at a school, the home

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education student must demonstrate educational progress as required in subparagraph 3. in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal, which evaluation may include review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, state university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

b. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

c. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period, provided the student has a successful evaluation from the previous school year, pursuant to sub-subparagraph a.

(c) "Extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day.

(d) "Governing organization" means any organization that governs the athletic activities of a school, including, but not limited to, the Florida High School Athletic Association.

(4) ELIGIBILITY.—

(a)(c)1. ~~A~~ An individual home education student is eligible to participate in an interscholastic or intrascholastic extracurricular activity at the school in which he or she is enrolled.

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175 (b) An eligible student may participate in an
176 interscholastic or intrascholastic extracurricular activity at a
177 school other than the school in which the student is enrolled
178 if:

179 1. The school in which the student is enrolled does not
180 offer the same interscholastic or intrascholastic
181 extracurricular activity or the student is in a home education
182 program; and

183 2. The school at which the student will participate in the
184 interscholastic or intrascholastic extracurricular activity is
185 located in the school district in which the student resides.

186 (c) If no public or charter schools in the district in
187 which the student resides offer the interscholastic or
188 intrascholastic extracurricular activity, and an agreement
189 cannot be reached with a private school in the district in which
190 the student resides, the student may participate at a public,
191 charter, or private school that is appropriate for the student's
192 grade level located outside of his or her school district. The
193 school at which the student participates pursuant to this
194 paragraph must be in a school district adjacent to the school
195 district in which the student resides.

196 (d) If a student has exhausted all options outlined above
197 for participation in an interscholastic or intrascholastic
198 extracurricular activity, the student may petition the executive
199 director of the applicable governing organization to explore
200 options for participation at a school not otherwise covered by
201 this section.

202 (e) For purposes of this subsection, any participation by
203 an eligible student at a private school other than the school in

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204 which the student is enrolled must be pursuant to an agreement
205 between the private school and the student ~~at the public school~~
206 ~~to which the student would be assigned according to district~~
207 ~~school board attendance area policies or which the student could~~
208 ~~choose to attend pursuant to s. 1002.31, or may develop an~~
209 ~~agreement to participate at a private school, in the~~
210 ~~interscholastic extracurricular activities of that school,~~
211 ~~provided the following conditions are met:~~

212 a. ~~The home education student must meet the requirements of~~
213 ~~the home education program pursuant to s. 1002.41.~~

214 b. ~~During the period of participation at a school, the home~~
215 ~~education student must demonstrate educational progress as~~
216 ~~required in paragraph (b) in all subjects taken in the home~~
217 ~~education program by a method of evaluation agreed upon by the~~
218 ~~parent and the school principal which may include: review of the~~
219 ~~student's work by a certified teacher chosen by the parent;~~
220 ~~grades earned through correspondence; grades earned in courses~~
221 ~~taken at a Florida College System institution, university, or~~
222 ~~trade school; standardized test scores above the 35th~~
223 ~~percentile; or any other method designated in s. 1002.41.~~

224 e. ~~The home education student must meet the same residency~~
225 ~~requirements as other students in the school at which he or she~~
226 ~~participates.~~

227 d. ~~The home education student must meet the same standards~~
228 ~~of acceptance, behavior, and performance as required of other~~
229 ~~students in extracurricular activities.~~

230 e. ~~The student must register with the school his or her~~
231 ~~intent to participate in interscholastic extracurricular~~
232 ~~activities as a representative of the school before~~

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233 ~~participation. A home education student must be able to~~
234 ~~participate in curricular activities if that is a requirement~~
235 ~~for an extracurricular activity.~~

236 ~~f. A student who transfers from a home education program to~~
237 ~~a public school before or during the first grading period of the~~
238 ~~school year is academically eligible to participate in~~
239 ~~interscholastic extracurricular activities during the first~~
240 ~~grading period provided the student has a successful evaluation~~
241 ~~from the previous school year, pursuant to sub-subparagraph b.~~

242 ~~g. Any public school or private school student who has been~~
243 ~~unable to maintain academic eligibility for participation in~~
244 ~~interscholastic extracurricular activities is ineligible to~~
245 ~~participate in such activities as a home education student until~~
246 ~~the student has successfully completed one grading period in~~
247 ~~home education pursuant to sub-subparagraph b. to become~~
248 ~~eligible to participate as a home education student.~~

249 ~~2. An individual home education student is eligible to~~
250 ~~participate on an interscholastic athletic team at any public~~
251 ~~school in the school district in which the student resides,~~
252 ~~provided the student meets the conditions specified in sub-~~
253 ~~subparagraphs 1.a.-g.~~

254 ~~(d) An individual charter school student pursuant to s.~~
255 ~~1002.33 is eligible to participate at the public school to which~~
256 ~~the student would be assigned according to district school board~~
257 ~~attendance area policies or which the student could attend, or~~
258 ~~may develop an agreement to participate at a private school, in~~
259 ~~any interscholastic extracurricular activity of that school,~~
260 ~~unless such activity is provided by the student's charter~~
261 ~~school, if the following conditions are met:~~

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262 ~~1. The charter school student must meet the requirements of~~
263 ~~the charter school education program as determined by the~~
264 ~~charter school governing board.~~

265 ~~2. During the period of participation at a school, the~~
266 ~~charter school student must demonstrate educational progress as~~
267 ~~required in paragraph (b).~~

268 ~~3. The charter school student must meet the same residency~~
269 ~~requirements as other students in the school at which he or she~~
270 ~~participates.~~

271 ~~4. The charter school student must meet the same standards~~
272 ~~of acceptance, behavior, and performance that are required of~~
273 ~~other students in extracurricular activities.~~

274 ~~5. The charter school student must register with the school~~
275 ~~his or her intent to participate in interscholastic~~
276 ~~extracurricular activities as a representative of the school~~
277 ~~before participation. A charter school student must be able to~~
278 ~~participate in curricular activities if that is a requirement~~
279 ~~for an extracurricular activity.~~

280 ~~6. A student who transfers from a charter school program to~~
281 ~~a traditional public school before or during the first grading~~
282 ~~period of the school year is academically eligible to~~
283 ~~participate in interscholastic extracurricular activities during~~
284 ~~the first grading period if the student has a successful~~
285 ~~evaluation from the previous school year pursuant to~~
286 ~~subparagraph 2.~~

287 ~~7. Any public school or private school student who has been~~
288 ~~unable to maintain academic eligibility for participation in~~
289 ~~interscholastic extracurricular activities is ineligible to~~
290 ~~participate in such activities as a charter school student until~~

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the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(c) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation. A Florida Virtual school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic

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~~extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).~~

~~(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).~~

~~(h) A student in a full-time virtual instruction program under s. 1002.45, including the full-time Florida Virtual School program, a full-time school district virtual instruction program, or a full-time virtual charter school, is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, or may develop an agreement to participate at a private school, provided the student:~~

~~1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a);~~

~~2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School, the district school board, or the governing board of the virtual charter school, as applicable;~~

~~3. Meets the same residency requirements as other students in the school at which he or she participates;~~

~~4. Meets the same standards of athletic team acceptance, behavior, and performance which are required of other students in extracurricular activities; and~~

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349 ~~5. Registers his or her intent to participate in~~
350 ~~interscholastic extracurricular activities with the school~~
351 ~~before participation.~~

352 ~~(i) An individual traditional public school student who is~~
353 ~~otherwise eligible to participate in interscholastic~~
354 ~~extracurricular activities may either participate in any such~~
355 ~~activity at any public school in the school district in which~~
356 ~~the student resides or develop an agreement to participate in~~
357 ~~such activity at a private school, unless the activity is~~
358 ~~provided by the student's traditional public school. Such~~
359 ~~student must:~~

360 ~~1. Meet the same standards of acceptance, behavior, and~~
361 ~~performance that are required of other students in~~
362 ~~extracurricular activities at the school at which the student~~
363 ~~wishes to participate.~~

364 ~~2. Before participation, register with the school his or~~
365 ~~her intent to participate in interscholastic extracurricular~~
366 ~~activities as a representative of the school. The student must~~
367 ~~be able to participate in curricular activities if that is a~~
368 ~~requirement for an extracurricular activity.~~

369 ~~(j)1. A school district or charter school may not delay~~
370 ~~eligibility or otherwise prevent a student participating in~~
371 ~~controlled open enrollment, or a choice program, from being~~
372 ~~immediately eligible to participate in interscholastic and~~
373 ~~intrasccholastic extracurricular activities.~~

374 ~~2. A student may not participate in a sport if the student~~
375 ~~participated in that same sport at another school during that~~
376 ~~school year, unless the student meets one of the following~~
377 ~~criteria:~~

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378 ~~a. Dependent children of active duty military personnel~~
379 ~~whose move resulted from military orders.~~

380 ~~b. Children who have been relocated due to a foster care~~
381 ~~placement in a different school zone.~~

382 ~~c. Children who move due to a court ordered change in~~
383 ~~custody due to separation or divorce, or the serious illness or~~
384 ~~death of a custodial parent.~~

385 ~~d. Authorized for good cause in district or charter school~~
386 ~~policy.~~

387 (5)-(4) BEGINNING APPLICABILITY.—The student standards for
388 participation in interscholastic extracurricular activities must
389 be applied beginning with the student's first semester of the
390 9th grade. Each student must meet such other requirements for
391 participation as may be established by the district school
392 board; however, a district school board may not establish
393 requirements for participation in interscholastic
394 extracurricular activities which make participation in such
395 activities less accessible to home education students than to
396 other students. ~~Except as set forth in paragraph (3)(c),~~
397 ~~evaluation processes or requirements that are placed on home~~
398 ~~education student participants may not go beyond those that~~
399 ~~apply under s. 1002.41 to home education students generally.~~

400 (6)-(5) GOVERNING ORGANIZATION RESPONSIBILITIES.—All
401 governing organizations ~~Any organization or entity that~~
402 ~~regulates or governs interscholastic extracurricular activities~~
403 ~~of public schools:~~

404 (a) Shall permit home education associations to join as
405 member schools.

406 (b) May ~~Shall~~ not discriminate against any eligible student

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based on an educational choice of public, private, or home education.

(7)(6) PROHIBITED MEMBERSHIPS.—Public schools are prohibited from membership in any governing organization that ~~or entity which regulates or governs interscholastic extracurricular activities and~~ discriminates against eligible students in public, private, or home education.

(8)(7) INSURANCE.—Any insurance provided by district school boards for participants in extracurricular activities must ~~shall~~ cover any eligible student ~~the participating home education student. If there is an additional premium for such coverage, the participating home education student shall pay the premium.~~

~~(8)(a) The Florida High School Athletic Association (FHSAA) shall, in cooperation with each district school board and its member private schools, facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student's grade level, if:~~

~~1. The private school in which the student is enrolled is not a member of the FHSAA or the private school in which the student is enrolled is a member of the FHSAA and does not offer the sport in which the student wishes to participate.~~

~~2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board or member private school. At a minimum, such guidelines must provide a deadline for each sport by which the private school student's parents~~

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436 ~~must register with the member school in writing their intent for~~
437 ~~their child to participate at that school in the sport.~~

438 ~~(b) The parents of a private school student participating~~
439 ~~in a member school sport under this subsection are responsible~~
440 ~~for transporting their child to and from the member school at~~
441 ~~which the student participates. The private school the student~~
442 ~~attends, the member school at which the student participates in~~
443 ~~a sport, the district school board, and the FHSAA are exempt~~
444 ~~from civil liability arising from any injury that occurs to the~~
445 ~~student during such transportation.~~

446 ~~(c) For each academic year, a private school student may~~
447 ~~only participate at the member school in which the student is~~
448 ~~first registered under subparagraph (a)2. or makes himself or~~
449 ~~herself a candidate for an athletic team by engaging in a~~
450 ~~practice.~~

451 (9) SCHOOL RESPONSIBILITIES.-

452 (a)(d) The athletic director or other appropriate
453 administrator of each participating FHSAA member school shall
454 maintain the student records necessary for eligibility,
455 compliance, and participation for all eligible students
456 participating in interscholastic or intrascholastic
457 extracurricular activities at the member school in the program.

458 (b)(e) Any private school that has a student who wishes to
459 participate in interscholastic or intrascholastic
460 extracurricular activities at another school this program must
461 make all student records, including, but not limited to,
462 academic, financial, disciplinary, and attendance records,
463 available upon request of the governing organization FHSAA.

464 (c)(f) A student must apply to participate in an

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interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled by either of the following methods:

1. Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws ~~this program through the FHSAA program application process.~~

2. If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process that complies with ss. 1002.31 and 1002.41. The State Board of Education may adopt rules to implement this paragraph.

(d) The public school in which a personalized education program student wishes to participate may assess an activity fee to an eligible student pursuant to this section, provided that such fee is uniformly applied within the school or district for the activity and does not exceed the prorated per-student cost to the school or district for the activity.

1. For purposes of this paragraph, the term "prorated per-student cost to the school or district for the activity" means the school's or district's direct costs that are necessary to provide the specific interscholastic or intrascholastic extracurricular activity within the school or district, divided by the number of students participating in that activity in the school or district.

2. The school or district shall adopt a written policy establishing the methodology for calculating such costs and shall annually publish online the activity fee schedule and supporting calculations for each activity.

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494 3. The public school in which a homeschool student wishes
495 to participate may assess an eligible homeschool student only
496 the out-of-pocket costs paid by the public school student for
497 the interscholastic or intrascholastic extracurricular activity.

498 (e) The parents of the student participating in the
499 interscholastic or intrascholastic extracurricular activity must
500 provide for the transportation of the student to and from the
501 school at which the student participates. The school in which
502 the student is enrolled, the school at which the student
503 participates in the extracurricular activity, and the district
504 school board are exempt from civil liability arising from any
505 injury that occurs to the student during such transportation.

506 (10) STUDENT TRANSFERS.—

507 (a) A student may not participate in interscholastic
508 activities at two different schools during the same school year,
509 unless the student:

510 1. Is a dependent child of active duty military personnel
511 whose move resulted from military orders;

512 2. Has been relocated due to a foster care placement in a
513 different school zone;

514 3. Has moved due to a court-ordered change in custody due
515 to separation or divorce, or the serious illness or death of a
516 custodial parent; or

517 4. Has been granted approval by the applicable governing
518 organization's executive director.

519 (b) The governing organization shall provide a
520 determination of eligibility to the requesting student within 14
521 days after such a request is made.

522 (c) The governing organization shall adopt bylaws

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523 establishing criteria for determining eligibility of students
524 pursuant to this subsection.

525 (11) BYLAWS.—The governing organization may adopt
526 additional bylaws to implement this section

527 ~~(9) (a) A student who transfers to a school during the~~
528 ~~school year may seek to immediately join an existing team if the~~
529 ~~roster for the specific interscholastic or intrascholastic~~
530 ~~extracurricular activity has not reached the activity's~~
531 ~~identified maximum size and if the coach for the activity~~
532 ~~determines that the student has the requisite skill and ability~~
533 ~~to participate. The FHSAA and school district or charter school~~
534 ~~may not declare such a student ineligible because the student~~
535 ~~did not have the opportunity to comply with qualifying~~
536 ~~requirements.~~

537 ~~(b) A student may not participate in a sport if the student~~
538 ~~participated in that same sport at another school during that~~
539 ~~school year, unless the student meets one of the following~~
540 ~~criteria:~~

541 ~~1. Dependent children of active duty military personnel~~
542 ~~whose move resulted from military orders.~~

543 ~~2. Children who have been relocated due to a foster care~~
544 ~~placement in a different school zone.~~

545 ~~3. Children who move due to a court-ordered change in~~
546 ~~custody due to separation or divorce, or the serious illness or~~
547 ~~death of a custodial parent.~~

548 ~~4. Authorized for good cause in district or charter school~~
549 ~~policy.~~

550 ~~(10) A student who participates in an interscholastic or~~
551 ~~intrascholastic activity at a public school and who transfers~~

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~~from that school during the school year must be allowed to
continue to participate in the activity at that school for the
remainder of the school year if:~~

~~(a) During the period of participation in the activity, the
student continues to meet the requirements specified in
paragraph (3)(a).~~

~~(b) The student continues to meet the same standards of
acceptance, behavior, and performance which are required of
other students participating in the activity, except for
enrollment requirements at the school at which the student
participates.~~

~~(c) The parents of the student participating in the
activity provide for the transportation of the student to and
from the school at which the student participates. The school
the student attends, the school at which the student
participates in the activity, and the district school board are
exempt from civil liability arising from any injury that occurs
to the student during such transportation.~~

Section 2. Subsection (6) of section 1002.31, Florida
Statutes, is amended to read:

1002.31 Controlled open enrollment; public school parental
choice.—

~~(6)(a)~~ A school district or charter school may not delay
eligibility or otherwise prevent a student participating in
controlled open enrollment or a choice program from being
immediately eligible to participate in interscholastic and
intrasccholastic extracurricular activities.

~~(b) A student may not participate in a sport if the student
participated in that same sport at another school during that~~

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581 ~~school year, unless the student meets one of the following~~
582 ~~criteria:~~

583 ~~1. Dependent children of active duty military personnel~~
584 ~~whose move resulted from military orders.~~

585 ~~2. Children who have been relocated due to a foster care~~
586 ~~placement in a different school zone.~~

587 ~~3. Children who move due to a court-ordered change in~~
588 ~~custody due to separation or divorce, or the serious illness or~~
589 ~~death of a custodial parent.~~

590 ~~4. Authorized for good cause in district or charter school~~
591 ~~policy.~~

592 Section 3. Subsection (11) of section 1002.33, Florida
593 Statutes, is amended to read:

594 1002.33 Charter schools.—

595 (11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
596 ACTIVITIES.—A charter school student is eligible to participate
597 in an interscholastic extracurricular activity ~~at the public~~
598 ~~school to which the student would be otherwise assigned to~~
599 ~~attend, or may develop an agreement to participate at a private~~
600 ~~school, pursuant to s. 1006.15(4) s. 1006.15(3)(d).~~

601 Section 3. Subsection (7) is added to section 1003.455,
602 Florida Statutes, to read:

603 1003.455 Physical education; assessment.—

604 (7) Each school district shall ensure that students in
605 grades K-12 annually participate in the Presidential Youth
606 Fitness Program, or its successor program, as part of the
607 district's physical education curriculum.

608 Section 4. Paragraphs (a) and (b) of subsection (1) of
609 section 1006.195, Florida Statutes, are amended to read:

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1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board shall ~~must~~ establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15(10) ~~s. 1006.15(3)(j)~~.

3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not

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enrolled in, a public school pursuant to s. 1006.15(4) ~~s.~~
~~1006.15(3)(c) (c) and (8)~~, are subject to the district school
board's code of student conduct for the limited purpose of
establishing and maintaining the student's eligibility to
participate at the school.

Section 5. Paragraph (h) of subsection (7) of section
1006.20, Florida Statutes, is amended, and paragraph (i) is
added to that subsection, to read:

1006.20 Athletics in public K-12 schools.—

(7) APPEALS.—

(h) Decisions made by the committee on appeals, the
executive director or his or her designee, and a governing
organization's ~~the FHSAA~~ board of directors must be posted
online in a searchable format and be in compliance with ss.
1002.22 and 1002.221.

(i) A student denied eligibility may appeal the decision
from the governing organization. The governing organization
shall adopt bylaws establishing a timeline for appeals which may
not exceed 20 days.

Section 6. Paragraph (k) is added to subsection (1) of
section 1012.22, Florida Statutes, 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:

(k) Athletic coach and activity sponsor of extracurricular

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activities compensation.—The district school board may, at its sole discretion, determine and approve the compensation of any person employed as an athletic coach, assistant coach, athletic program supervisor, or activity sponsor of an extracurricular activity, regardless of whether such individual is classified as instructional personnel. Compensation may exceed any salary schedule, supplement, or stipend otherwise prescribed and may be paid in any form or amount deemed appropriate by the district school board, including, but not limited to, salaries, stipends, bonuses, performance-based incentives, and hourly or per-assignment pay. School districts may adopt a policy that authorizes payments by booster clubs or associations to be included in the compensation for an athletic coach and activity sponsor of extracurricular activities. Such compensation is considered part of the individual's total compensation. The limitations on supplemental pay applicable to instructional personnel under this section or any other law do not apply to compensation provided under this paragraph.

Section 7. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 706

INTRODUCER: Transportation Committee and Senator Mayfield and others

SUBJECT: Commercial Service Airports

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Tolmich</u>	<u>Fleming</u>	<u>CA</u>	<u>Favorable</u>
3.	<u>Johnson</u>	<u>Kruse</u>	<u>RC</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 706 preempts to the state the naming of major commercial service airports, which are defined as commercial service airports classified by the Federal Aviation Administration (FAA) as large or medium hub airports.

The bill codifies in law the names of Florida's seven major commercial service airports. The only name being changed from its current name is "Palm Beach International Airport," which the bill renames as the "Donald J. Trump International Airport." The name change is subject to the approval of the Federal Aviation Administration (FAA) and the execution of an agreement with the rights holders authorizing the use of the name "Donald J. Trump International Airport."

The bill provides that each airport's name remains valid if the airport no longer meets the criteria for a major commercial service airport and requires the Florida Department of Transportation (FDOT) to annually review the list of major commercial service airports and notify the Legislature if any airport needs to be added or removed from the list.

The bill provides that an airport's name is a branding designation and that a name change does not require a change to any existing documents. A political subdivision is in compliance with the name change if it diligently pursues all needed approvals and, upon receipt of approvals, timely commences making such changes.

Palm Beach County may incur indeterminate costs associated with changing the name of the airport. See Section V. Fiscal Impact Statement for details.

This bill takes effect July 1, 2026.

II. Present Situation:

The Federal Aviation Administration (FAA) regulates airports in the United States, including federal aid, aspects of airport operations, aviation safety, and the construction, activation, deactivation, and certification of airports.¹

The FAA considers publicly owned airports with at least 2,500 annual passenger enplanements and scheduled air carrier service to be commercial service airports. Commercial services airports are categorized by their size. Large hub airports are commercial service airports that receive 1 percent or more of the annual United States commercial passenger enplanements. Medium hub airports are commercial service airports that receive 0.25 to 1 percent of annual United States commercial passenger enplanements.²

Florida's large hub airports and their governing bodies are:

- Orlando International Airport (Greater Orlando Aviation Authority);
- Miami International Airport (Miami-Dade County);
- Fort Lauderdale/Hollywood International Airport (Broward County); and
- Tampa International Airport (Hillsborough County Aviation Authority).

Florida's medium hub airports and their governing bodies are:

- Southwest Florida International Airport (Lee County Port Authority);
- Palm Beach International Airport (Palm Beach County); and
- Jacksonville International Airport (Jacksonville Aviation Authority).³

Section 332.0075, F.S., provides transparency and accountability requirements for commercial service airports. These requirements include posting specified items on the airport's website, procurement requirements, and reporting requirements.

Federal Aviation Administration Approval of Name Changes

Federal regulations require certain data, including changes to airport names, ownership, and management to be submitted to the FAA on specified forms.⁴ The FAA uses this information to

¹ See generally 14 C.F.R., parts 140-169.

² Federal Aviation Administration (FAA), *Airport Categories*, available at: https://www.faa.gov/airports/planning_capacity/categories (last visited Feb. 2, 2026).

³ FAA, *CY 2024 Enplanements at All Commercial Service Airports (by Rank)*, September 15, 2025, available at: https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/arp-cy2024-commercial-service-enplanements.pdf (last visited Feb. 2, 2026) and Florida Department of Transportation (FDOT), *2025 Florida Airport Directory*, available at: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/aviation/charts---directories/florida_directory_2025.pdf (last visited Feb. 2, 2026).

⁴ FAA, *Submitting Aeronautical Data*, https://www.faa.gov/air_traffic/flight_info/aeronav/aero_data/Submitting_Data/ available at: (last visited Feb. 2, 2026). These regulations are codified in 14 C.F.R., part 157.

evaluate the effect of the proposed action on the safe and efficient use of airspace and on public safety.⁵

President Donald J. Trump

President Donald J. Trump was born in Queens, New York, on June 14, 1946. President Trump was inaugurated as the 45th President of the United States on January 20, 2017. President Trump was again elected President in 2024 and was inaugurated as the 47th President of the United States on January 20, 2025.⁶

In Palm Beach County, President Trump owns the Mar-A Lago Club, the Trump National Golf Club, and the Trump International Golf Club. In 2019, President Trump made Palm Beach County his permanent residence.⁷ He is the first president to be a Florida resident.⁸

III. Effect of Proposed Changes:

Section 1 amends s. 332.0075, F.S., to preempt to the state the naming of major commercial service airports.

The bill defines the term “major commercial service airport” to mean an airport providing commercial service which is a medium or large hub airport under FAA established classification criteria.

The bill names the following major commercial service airports:

- The airport located at One Jeff Fuqua Boulevard in Orlando, or nearest thereto, as the “Orlando International Airport.”
- The airport located at 2100 NW 42nd Avenue in Miami, or nearest thereto, as the “Miami International Airport.”
- The airport located at 100 Terminal Drive in Fort Lauderdale, or nearest thereto, as the “Fort Lauderdale-Hollywood International Airport.”
- The airport located at 4100 George J. Bean Parkway in Tampa, or nearest thereto, as the “Tampa International Airport.”
- The airport located at 11000 Terminal Access Road in Fort Myers, or nearest thereto, as the “Southwest Florida International Airport.”
- The airport located at 1000 James L. Turnage Boulevard in West Palm Beach, or nearest thereto, as the “Donald J. Trump International Airport.”
- The airport located at 2400 Yankee Clipper Drive in Jacksonville, or nearest thereto, as the “Jacksonville International Airport.”

⁵ FAA, *Part 157 Notice of Construction, Alteration, Activation and Deactivation*, available at: <https://www.faa.gov/airports/central/engineering/part157> (last visited Feb. 2, 2026).

⁶ Donald J. Trump Presidential Library, *President Donald J. Trump*, available at: <https://www.trumphlibrary.gov/trumps/president-donald-j-trump> (last visited Feb. 2, 2026).

⁷ Kristina Webb, *Palm Beach moves toward official support for President Donald J. Trump Boulevard*, Palm Beach Daily News, August 12, 2025, available at: <https://www.palmbeachdailynews.com/story/news/trump/2025/08/12/palm-beach-moves-toward-support-for-president-donald-j-trump-blvd/85623174007/> (last visited Feb. 2, 2026).

⁸ James C. Clark, *After 175 years as a state, Florida has its first president in Donald Trump*, Orlando Sentinel, November 4, 2019, available at: <https://www.orlandosentinel.com/2019/11/04/after-175-years-as-a-state-florida-has-its-first-president-in-donald-trump-commentary/> (last visited Feb. 2, 2026).

The only name being changed from its existing name is the “Palm Beach International Airport,” which is being changed to the “Donald J. Trump International Airport.”

This name change is subject to FAA approval and execution of an agreement with the rights holder authorizing Palm Beach County’s commercial use of “Donald J. Trump International Airport,” as well as reasonable abbreviations and deviations of that name, at no cost, in signage, advertising, marketing, merchandising, and promotions, and for the branding of the airport, its operations, services and amenities, and all related purposes.

The bill provides that if an airport no longer meets the classification criteria as a major commercial service airport, the airport’s name continues to be valid.

The bill requires the Florida Department of Transportation (FDOT) to annually review the major commercial service airports to identify airports that may be added or removed based on any change in status as a major commercial service airport. If FDOT identifies any such airport, it must notify the President of the Senate and the Speaker of the House of Representatives 60 days before the next regular legislative session. FDOT’s notice must include the name of the airport and specify the reasons for the airport’s change in status.

The bill also requires government records created on or after July 1, 2026, which refer to a major commercial service airport, to use the airport’s designated name. For this purpose, the bill provides airport names are understood to be only brand designations and may not be construed to create or require the creation of a new legal entity. The bill does not require a political subdivision to amend any existing agreement with any person or entity solely to update references to an airport’s name, nor does it require the political subdivision to contract in the name of the airport.

The bill defines the term “political subdivision” to mean the local government of any county, municipality, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.⁹ A political subdivision may not be considered in violation of any state law, including, but not limited to, s. 540.08, F.S., relating to the unauthorized publication of a name or likeness, and the Registration and Protection of Trademarks Act,¹⁰ for using a designated airport name.

A political subdivision is considered in compliance with the law if it diligently pursues all necessary approvals and agreements to implement the name change following its effective date and timely commences signage and branding changes upon receipt of such approval. The bill provides that “timely commences” means to initiate planning, procurement, and implementation within a reasonable period after receiving all necessary approvals, considering the availability of budgeted funds and the timeframes necessary to comply with applicable procurement laws, regulations, and procedures.

⁹ This is as the term “political subdivision” is defined in s. 333.01(14), F.S.

¹⁰ Chapter 495, F.S.

Section 2 provides that this bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18 (a) of the Florida Constitution provides in part that a county or municipality may not be bound by a general law requiring a county or municipality to spend funds or take an action that requires the expenditure of funds unless certain specified exemptions or exceptions are met.

The bill provides for the renaming of the “Palm Beach International Airport” as the “Donald J. Trump International Airport.” To the extent that Palm Beach County would be required to expend funds to replace signage and to update advertising, marketing, merchandising, promotional materials, and branding for the airport, the bill may constitute an unfunded mandate.

However, the mandate requirements do not apply to laws having an insignificant impact,¹¹ which for Fiscal Year 2026-2027¹² is forecast at approximately \$2.4 million or less. If the bill does qualify as a mandate, not meeting an exemption or exception, in order to be binding, the bill must include a finding of important state interest and be approved by a two-thirds vote of the membership of each house.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹¹ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON COMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), available at: <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Feb. 2, 2026).

¹² Based on the Demographic Estimating Conference’s estimated population adopted on June 30, 2025, available at: <https://edr.state.fl.us/Content/conferences/population/archives/250630demographic.pdf> (last visited Feb. 2, 2026).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Palm Beach International Airport, which is being renamed by the bill, is owned by Palm Beach County. The county may incur costs associated with this renaming, such as branding changes. However, the potential fiscal impact of these issues is indeterminate.

FDOT can likely accomplish the required annual review of major commercial service airports using existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The FAA's approval of Palm Beach International Airport's name change is required in order for the name change to be recognized in the national airspace system, including official aeronautical charts, databases, and publications.¹³

The bill will impact Palm Beach International Airport's identification codes, which are assigned by the FAA and the International Civil Aviation Organization.¹⁴

VIII. Statutes Affected:

This bill substantially amends section 332.0075 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Transportation on January 27, 2026:

The committee substitute:

- Makes an airport name change subject to the approval of the FAA and specified rights holders.

¹³ E-mail from Alessandro Marchesani, Director of Intergovernmental Affairs, Palm Beach County Board of County Commissioners, *Re: SB 706 Commercial Service Airports*, January 5, 2025. (on file with Senate Committee on Transportation).

¹⁴ *Id.*

- Clarifies that the name is a branding designation and does not require the creation of a new legal entity.
- Provides a political subdivision with certain protections regarding an airport's use of trademarks and likenesses.
- Provides that a political subdivision is not in violation of the requirements of the bill if it diligently pursues certain approvals and timely commences the name change.

B. Amendments:

None.

By the Committee on Transportation; and Senators Mayfield and Massullo

596-02236-26

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A bill to be entitled

An act relating to commercial service airports; amending s. 332.0075, F.S.; defining the term "major commercial service airport"; preempting the naming of major commercial service airports to the state; providing names for major commercial service airports; providing that renaming a specified airport is subject to approval of the Federal Aviation Administration and execution of a certain agreement; providing that such airport names continue to be valid under certain circumstances; requiring the Department of Transportation to annually review provisions naming major commercial service airports for a certain purpose; requiring the department to provide certain notice to the Legislature; providing requirements for such notice; requiring that certain government records created on or after a certain date use such airport names; specifying that airport names are branding designations; providing construction; defining the terms "political subdivision" and "timely commences"; providing that a political subdivision is in compliance with certain provisions under specified circumstances; providing an effective date.

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

Section 1. Paragraph (e) is added to subsection (1) of section 332.0075, Florida Statutes, and subsection (7) is added to that section, to read:

596-02236-26

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332.0075 Commercial service airports; transparency and accountability; penalty.—

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

(e) "Major commercial service airport" means an airport providing commercial service which is a medium or large hub airport under the classification criteria established by the Federal Aviation Administration.

(7)(a) The naming of major commercial service airports is preempted to the state.

(b) Notwithstanding any law to the contrary, the major commercial service airports are named as follows:

1. The airport located at One Jeff Fuqua Boulevard in Orlando, or nearest thereto, is the "Orlando International Airport."

2. The airport located at 2100 NW 42nd Avenue in Miami, or nearest thereto, is the "Miami International Airport."

3. The airport located at 100 Terminal Drive in Fort Lauderdale, or nearest thereto, is the "Fort Lauderdale-Hollywood International Airport."

4. The airport located at 4100 George J. Bean Parkway in Tampa, or nearest thereto, is the "Tampa International Airport."

5. The airport located at 11000 Terminal Access Road in Fort Myers, or nearest thereto, is the "Southwest Florida International Airport."

6. The airport located at 1000 James L Turnage Boulevard in West Palm Beach, or nearest thereto, currently known as the "Palm Beach International Airport," shall be renamed as the "Donald J. Trump International Airport," subject to approval of the Federal Aviation Administration and execution of an

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59 agreement with the rights holder authorizing the commercial use
60 of "Donald J. Trump International Airport" by Palm Beach County,
61 which must, at a minimum, grant Palm Beach County the perpetual
62 and unrestricted right to use the name "Donald J. Trump
63 International Airport," as well as reasonable abbreviations or
64 deviations thereof, at no cost, in signage, advertising,
65 marketing, merchandising, and promotions and for the branding of
66 the airport and its operations, services, and amenities, and all
67 related purposes.

68 7. The airport located at 2400 Yankee Clipper Drive in
69 Jacksonville, or nearest thereto, is the "Jacksonville
70 International Airport."

71 (c) If an airport listed in paragraph (b) no longer meets
72 the classification criteria to be a major commercial service
73 airport, the airport name continues to be valid.

74 (d) The department shall review paragraph (b) annually to
75 identify airports that may be added to or removed from paragraph
76 (b) based on any change in status as a major commercial service
77 airport. If the department identifies any such airport, it must
78 notify the President of the Senate and the Speaker of the House
79 of Representatives 60 days before the next regular legislative
80 session. The notice must include the name of the airport and
81 specify the reasons for the airport's change in status.

82 (e) Government records created on or after July 1, 2026,
83 which refer to airports listed in paragraph (b) must use the
84 airport names provided in paragraph (b). For purposes of this
85 subsection, airport names are branding designations only and may
86 not be construed to create or require the creation of a new
87 legal entity. This paragraph does not require a political

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subdivision to amend any existing agreement with any person or entity solely to update references to the airport name or require a political subdivision to contract in the name of the airport listed in paragraph (b).

(f) For purposes of this subsection, the term "political subdivision" means a political subdivision as defined in s. 333.01 which owns and controls an airport listed in paragraph (b). Notwithstanding any other provision of law, a political subdivision may not be construed to be in violation of any state law, including, but not limited to, chapter 495 and s. 540.08, for using the airport name provided in paragraph (b).

(g) A political subdivision is in compliance with this subsection if it diligently pursues all necessary approvals and agreements to implement an airport name change required under this subsection and timely commences signage and branding changes upon receipt of such approvals. For purposes of this paragraph, the term "timely commences" means to initiate planning, procurement, and implementation within a reasonable period after receiving all necessary approvals, taking into account the availability of budgeted funds and the timeframes necessary to comply with applicable procurement laws, regulations, and procedures.

Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 834

INTRODUCER: Banking and Insurance Committee and Senator Yarborough

SUBJECT: Nonprofit Religious Organizations

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Knudson	BI	Fav/CS
2.	Bond	Cibula	JU	Favorable
3.	Johnson	Kruse	RC	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 834 authorizes a nonprofit religious organization operating a health care sharing ministry (HCSM) to market and sell memberships through a licensed insurance agent. Currently, the Florida Insurance Code (code) prohibits an HCSM from marketing and selling through a licensed insurance agent as a condition of being exempt from the code.

An HCSM offers memberships to individuals who generally agree to live by a statement of religious or ethical beliefs and contribute monthly to pay for qualified medical costs of other members. The HCSM administers the voluntary sharing of qualified medical costs among the members. These products are exempt from regulation under the Florida Insurance Code if certain requirements are met, are an alternative to health insurance, and are not subject to state or federal laws that require comprehensive insurance coverage and provide consumer protections.

The bill is effective July 1, 2026.

II. Present Situation:

Health Care Sharing Ministries

The HCSMs trace their origins to the Middle Ages when tradesmen's guilds banded together to provide economic assistance to members who were injured, fell ill, or who died leaving family

members behind.¹ These guilds continued to exist in Europe until the 19th century, and the Industrial Revolution in Europe, when they were gradually replaced by trade unions and fraternal benefits associations. The modern HCSMs evolved in the late 1970s and 1980s as a byproduct of inflation, which resulted in rising costs in health care and health insurance.

An HCSM offers memberships to individuals who generally agree to live by a statement of religious beliefs or ethics² and contribute monthly to the HCSM for the payment of the qualified medical costs of other members.³ Members also submit their own eligible bills to be shared by other members.⁴ An HCSM may match paying members who need the health care funds or pool all the monthly shares and administer payments for qualified medical expenses to members directly.⁵ An HCSM is not insurance and cannot guarantee payment of claims, i.e., while they may share funds with members who have health needs, they are not legally required to do so.⁶

In the United States, an estimated 1.5 million people participate in HCSMs.⁷ Approximately 30 states, including Florida, have exempted HCSMs explicitly from insurance regulation.⁸

Some people may choose to enroll in an HCSM because of their typically lower costs. They may also choose to enroll in an HCSM that does not pay or reimburse others for medical expenses that are related to an individual's actions or inactions that are contrary to the moral or religious beliefs of the subscriber.

The Patient Protection and Affordable Care Act (PPACA)⁹

On March 23, 2010, PPACA was signed into law. Among its sweeping changes to the U.S. health insurance system was requirements for health insurers to make coverage available to all individuals and employers,¹⁰ without exclusions, for preexisting medical conditions¹¹ and without basing premiums on any health-related factors. PPACA imposes many insurance requirements, such as coverage of essential health benefits, prohibition on lifetime dollar limits¹²

¹ HSA for America, *The History of Health Sharing* (Jan. 3, 2025), <https://hsaforamerica.com/blog/the-history-of-health-sharing/> (last visited Jan. 3, 2026).

² Stephanie Armour and Anna Wilde Mathews, WALL STREET JOURNAL, *As Sharing Health-Care Costs Takes Off, States Warn: It Isn't Insurance* (June 10, 2019), <https://www.wsj.com/articles/groups-that-share-health-care-costs-are-drawing-more-members-and-scrutiny-11560177134?mod=Searchresults&pos=3&page=1>.

³ *Id.*

⁴ National Association of Insurance Commissioners, *What You Should Know About Health Care Sharing Ministries, Discount Plans, and Risk-Sharing Plans* (Dec. 13, 2023), <https://content.naic.org/article/what-you-should-know-about-health-care-sharing-ministries-discount-plans-and-risk-sharing-plans>.

⁵ *Id.*

⁶ *Id.*

⁷ Tony Pistilli, THE ACTUARY, *Health Care Sharing Ministries* (Dec. 2021), <https://www.theactuarmagazine.org/health-care-sharing-ministries/>.

⁸ National Association of Insurance Commissioners, *What you should know about health care sharing ministries, discount plans, and risk sharing plans* (Dec. 13, 2023), <https://content.naic.org/article/what-you-should-know-about-health-care-sharing-ministries-discount-plans-and-risk-sharing-plans>.

⁹ P.L. 111-148, 124 Stat. 119-1945 (2010). PPACA was amended by P.L. 111-152, the Health Care and Education Reconciliation Act of 2010.

¹⁰ PPACA s. 1201; PHSA s. 2702 (42 U.S.C. § 300gg-1).

¹¹ 42 U.S.C. § 300gg-3.

¹² PPACA s. 1001; PHSA s. 2711 (42 U.S.C. § 300gg-11).

on essential health benefits, rating and underwriting standards, reporting of medical loss ratios and payment of rebates,¹³ and other requirements.¹⁴

Under PPACA, members of health care sharing ministries (HCSMs) are exempted from the federal individual mandate to maintain minimum health coverage, but the law does not mandate whether or how states may regulate them.¹⁵ A HCSM is an organization:

- Described in s. 501(c)(3) of the Internal Revenue Code and that is exempt from taxation under s. 501(a) of the Internal Revenue Code;
- Comprised of members who share a common set of ethical or religious beliefs and share medical expenses among members in accordance with those beliefs and without regard to the state in which a member resides or is employed;
- Required to retain membership of members even after they develop a medical condition;
- That has been in existence at all times since December 31, 1999, and medical expenses of its members have been shared continuously and without interruption since December 31, 1999; and
- Subjected to an annual audit, which is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and that is made available to the public upon request.¹⁶

Regulation of Insurance in Florida

Florida's Office of Insurance Regulation (OIR)¹⁷ is responsible for the regulation of all activities of insurers and other risk-bearing entities, including licensure, rates,¹⁸ policy forms, market conduct, claims, solvency, administrative supervision, as provided under the Florida Insurance Code (code).¹⁹ Insurance is classified into the following kinds of insurance: life, health, property, casualty, surety, marine, and title.²⁰ The code defines "insurance" as a contract whereby one undertakes to indemnify another or pay or allow a specified amount or a determinable benefit upon determinable contingencies.²¹ Health insurance is insurance of human beings against bodily injury, disablement, or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance pertaining to it.²²

¹³ 42 USC § 300gg-1. PPACA requires health insurers to report to the HHS information concerning the percent of premium revenue spent on claims for clinical services and activities (medical loss ratio or MLR). Insurers must provide a rebate to consumers if the MLR is less than 85 percent in the large group market and 80 percent in the small group and individual markets.

¹⁴ The federal Tax Cut and Jobs Act of 2017 eliminated the individual coverage mandate tax penalty, effective 2019. Public Law No. 115-97.

¹⁵ 26 U.S.C. § 5000A(d)(2)(B). Effective tax year 2019, the penalty for failing to maintain minimum essential coverage was reduced to \$0. P.L. 115-97.

¹⁶ 26 USC § 5000A(d)(2)(B).

¹⁷ The OIR is an office under the Financial Services Commission (commission), which is composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. The commission is not subject to control, supervision, or direction by the Department of Financial Services in any manner, including purchasing, transactions involving real or personal property, personnel, or budgetary matters. Section 20.121(3), F.S.

¹⁸ Pursuant to s. 627.062(1), F.S., rates may not be excessive, inadequate, or unfairly discriminatory.

¹⁹ Section 20.121(3)(a)1., F.S.

²⁰ Section 624.6011, F.S.

²¹ Section 624.402, F.S.

²² Section 624.403, F.S. Health insurance does not include workers' compensation coverage, except as provided in s. 624.406, F.S.

The OIR monitors the solvency of insurers, and takes administrative action, if necessary, against any authorized insurer if OIR determines that the continued operation of the insurer may be deemed hazardous to its policyholders, creditors, or to the general public.²³ If an insurer is found to be insolvent and is ordered to be liquidated by a court, a receiver takes over the insurer under court supervision and processes the assets and liabilities through liquidation.²⁴

Generally, once an insurance company is liquidated, an insurance guaranty association becomes liable for the policy or contract obligations of the liquidated insurance company. Insurance guaranty associations are designed to protect policyholders of liquidated insurers from financial losses and delays in claim payments, up to limits provided by law.²⁵ An association services covered policies and contracts, collects premiums, and pays valid claims.²⁶ All insurers authorized to write life insurance policies, health insurance policies, supplemental contracts, and annuity contracts (with exceptions) in Florida are required, as a condition of doing business in this state, to be member insurers of the association.²⁷

Alternative Medical Benefit Products Exempt from the Florida Insurance Code²⁸

The code exempts HCSMs and nonprofit agricultural organizations from the provisions of the code if certain conditions are met. Currently, an HCSM²⁹ is exempt from the requirements of the code if the nonprofit religious organization meets all the following requirements:

- Qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended.
- Limits its participants to those members who share a common set of ethical or religious beliefs.
- Acts as a facilitator among participants who have financial, physical, or medical needs to assist those with financial, physical, or medical needs in accordance with criteria established by the nonprofit religious organization.
- Provides for the financial or medical needs of a participant through contributions from other participants, or through payments directly from one participant to another participant.
- Provides amounts that participants may contribute, with no assumption of risk and no promise to pay among the participants or by the nonprofit religious organization to the participants.
- Provides a monthly accounting to the participants of the total dollar amount of qualified needs shared in the previous month in accordance with criteria established by the nonprofit religious organization.

²³ Section 624.805, F.S.

²⁴ The Department of Financial Services (DFS) serves as the court appointed receiver of any insurer placed into receivership in Florida. The Division of Rehabilitation and Liquidation plans, coordinates, and administers the receivership processes on behalf of DFS pursuant to the orders of the receivership court. Part I, ch. 631, F.S.

²⁵ Section 631.712, F.S.

²⁶ The maximum amount of protection provided by the association for major medical health insurance policy is \$500,000 per insured life. [Florida Life & Health Insurance Guaranty Association - Frequently Asked Questions](#) (last visited Dec. 24, 2025).

²⁷ Sections 631.713 and 631.715, F.S.

²⁸ Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651 constitute the “Florida Insurance Code.” Section 624.01, F.S.

²⁹ Section 624.1265, F.S., refers to health care sharing ministries as “nonprofit religious organizations.” A health care sharing ministry is generally an organization that facilitates the sharing of health care expenses among individuals with similar and sincerely held beliefs. The members generally pay monthly membership fees and submit claims when they incur medical bills.

- Conducts an annual financial audit that is performed by an independent certified public accountant and makes a copy of the audit report publicly available upon request or posts a copy of the audit report on the nonprofit religious organization's website.
- Does not market or sell health plans through insurance agents licensed by the Department of Financial Services (DFS) pursuant to ch. 626, F.S.

The nonprofit religious organization must provide a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the nonprofit religious organization. The disclaimer must read in substance:

“Notice: The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor its plan of operation is an insurance policy. Membership is not offered through an insurance company, and the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code. Whether anyone chooses to assist you with your medical bills will be totally voluntary because no other participant is compelled by law to contribute toward your medical bills. As such, participation in the organization or a subscription to any of its documents should never be considered to be insurance. Regardless of whether you receive any payments for medical expenses or whether this organization continues to operate, you are always personally responsible for the payment of your own medical bills.”

However, the provisions of s. 624.1265, F.S., do not prevent:

- A participant from limiting the financial or medical needs that may be eligible for payment; or
- The nonprofit religious organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to meet the conditions of membership for a period greater than 60 days.

According to DFS,³⁰ since plans offered by the HCSMs are exempt from the code, there is no guaranty fund if a company ceases operation. There is little oversight of the organizations since no state or federal agency has regulatory authority unless the organization is determined to be operating illegally in a state.

An HCSM is not exempt from the code if it markets or sells health plans through agents licensed by the DFS pursuant to ch. 626, F.S. This amendment was made in 2023 as part of the legislative package for DFS.³¹ According to DFS, the purpose of this requirement was to reduce confusion by potential purchasers who believe it to be insurance since it is being sold by licensed insurance

³⁰ Department of Financial Services, 2025 Legislative Bill Analysis of Senate Bill 480, as filed (Feb. 14, 2025).

³¹ Senate Bill 1158 (2023) sponsored by Senator DiCiglie (Ch. 2023-144, Laws of Fla.).

agents.³² Further, agents are typically paid higher commissions³³ to sell HCSM products than insurance plans.³⁴

In 2025, the Legislature enacted legislation, which authorizes nonprofit agricultural organizations to offer medical benefit plans, specifies that such plans are not insurance for purposes of the Florida Insurance Code (code), and exempts such plans from insurance regulations and consumer protections that apply to health insurers, health maintenance organizations, and their policies and contracts under the code if certain conditions are met.³⁵ Like the HCSMs, a nonprofit agricultural organization may not market or sell health benefit plans through agents licensed by DFS.

Marketing and Selling of HCSM Memberships

A 2023 U.S. General Accounting Office (GAO)³⁶ report noted that officials from one of the five HCSMs that provided information to the GAO stated that they used internal and external sales representatives to sell their memberships. The same report raised concerns about external sales representatives selling HCSM memberships alongside PPACA-compliant health insurance. Specifically, officials from two of five HCSMs told the GAO they were opposed to HCSMs using external sales representatives to sell HCSM memberships alongside health insurance because it made it difficult for consumers to understand that HCSM memberships are not insurance and are not an equivalent health coverage option.³⁷ Further, agents are typically paid higher commissions³⁸ to sell HCSM products as opposed to the commission for selling a traditional health insurance plan.³⁹

In Colorado, HCSMs are required to report specified data, including enrollment, financial data, and marketing materials, annually to the Division of Insurance, and the Commissioner of Insurance must issue an annual report summarizing the submitted information.⁴⁰ Examples of

³² DFS, 2023 Legislative Bill Analysis of Senate Bill 1158. On file with Senate Banking and Insurance Committee.

³³ In 2019, an agent commission on an PPACA Silver Plan was 2.6 percent. The commission on products of three HCSMs were in the range of 15-20 percent. Covered California Board Meeting (Feb. 21, 2019), <https://board.coveredca.com/meetings/2019/02-21%20Meeting/PPT.Board%20Meeting%20Policy%20and%20Action.Feb%202019.1155.pdf> (last visited Jan. 2, 2026).

Subsequently, California adopted a requirement for exchange-certified brokers, which required brokers who want to enroll people in HCSMs must first assess whether they are eligible for marketplace subsidies and provide a disclosure of HCSMs' risks and a comparison to PPACA coverage.

³⁴ DFS, *Supra* note 31.

³⁵ Ch. 2025-54 Laws of Fla.

³⁶ U.S. General Accounting Office, *PRIVATE HEALTH COVERAGE, Information on Farm Bureau Health Plans, Health Care Sharing Ministries, and Fixed Indemnity Plans* (July 2023), <https://www.gao.gov/assets/830/827994.pdf>.

³⁷ *Id.*

³⁸ For instance, in 2019, California found that a typical agent commission on an PPACA Silver Plan was 2.6 percent. The commission on products of three HCSMs were in the range of 15-20 percent. Covered California Board Meeting (Feb. 21, 2019), <https://board.coveredca.com/meetings/2019/02-21%20Meeting/PPT.Board%20Meeting%20Policy%20and%20Action.Feb%202019.1155.pdf>. Subsequently, California adopted a requirement for exchange-certified brokers, which required that a broker seeking to enroll an individual in an HCSM must first assess whether the individual is eligible for marketplace subsidies and provide the individual with a disclosure of risks related to an HCSM and a comparison to PPACA coverage.

³⁹ DFS, *Supra* note 31.

⁴⁰ Colorado Division of Insurance, Department of Regulatory Agencies, Health Care Sharing Plans and Arrangements in Colorado, 2024 Report (Oct. 2025),

potentially confusing marketing language found in HCSM consumer-facing materials included, but not limited to:

- Use of insurance terms that mimic commercial health insurance, such as, “premium,” “deductible” and “catastrophic”;
- Use of metal tier plan names mimicking commercial health insurance; and
- Advertisements or social media posts implying guaranteed payment of health care bills when sharing or reimbursement by fellow members is voluntary and cannot be guaranteed.⁴¹

Recent State and Federal Enforcement Actions Against HCSMs

In recent years, federal and state enforcement actions have taken actions against some HCSMs. These include the following:

- Sharity Ministries, formerly known as Trinity Healthshare, filed for Chapter 11 bankruptcy protection in 2021, and ceased operations after being ordered by several state insurance regulators to cease enrolling new members after it was accused of deceptively marketing its products as health insurance.⁴² At that time, Sharity Ministries announced it would no longer facilitate any sharing requests as part of the bankruptcy, and it requested bankruptcy court approval to reimburse member contributions after the bankruptcy filing date. Sharity Ministries finished liquidation in December 2021, and had unpaid claims in the range of \$50-300 million. Members with unpaid bills were expected to receive only a fraction of the money owed.⁴³ Trinity Healthshare spent less than 20 percent of its revenue on patient care in some years.⁴⁴
- In 2021, the U.S. Justice Department seized the assets of Medical Cost Sharing, Inc.⁴⁵ The HCSM was found to have spent only three percent of its \$8 million in revenue collected between 2015-2022, or about \$250,000, on covering medical expenses,⁴⁶ while the founder and a co-founder spent millions of the funds for personal gain. Subsequently, the founder

<https://doi.colorado.gov/sites/doi/files/documents/Health%20Care%20Sharing%20Plans%20and%20Arrangements%20in%20Colorado%2C%202024.pdf> (last visited Jan. 2, 2026).

⁴¹ *Id.*

⁴² The Actuary, Health Care Sharing Ministries (Dec. 2021), <https://www.theactuarymagazine.org/health-care-sharing-ministries/> (last visited Jan. 2, 2026).

⁴³ National Catholic Register, Health-Sharing Ministry’s Bankruptcy Shows Need for Good Standards and Scrutiny, *Insiders Say* (Apr. 28, 2022), <https://www.ncregister.com/cna/health-sharing-ministry-s-bankruptcy-shows-need-for-good-standards-and-scrutiny-insiders-say> (last visited Jan. 2, 2026).

⁴⁴ MinistryWatch, Health Share Group John Oliver Exposed Declares Bankruptcy (July 14, 2021), <https://ministrywatch.com/health-share-group-john-oliver-exposed-declares-bankruptcy/> (last visited Jan. 2, 2026).

⁴⁵ Propublica, A Christian Health Nonprofit Saddled Thousands With Debt as It Built a Family Empire Including a Pot Farm, a Bank and an Airline (Feb. 25, 2023), <https://www.propublica.org/article/liberty-healthshare-healthcare-sharing-ministries-obamacare#:~:text=Sharity%20Ministries%2C%20once%20among%20the,millions%20of%20dollars%20each%20year> (last visited Jan. 2, 2026).

⁴⁶ Christianity Today, Medical Cost Sharing Ministry Stole Millions (Mar. 2024), <https://www.christianitytoday.com/2024/02/christian-church-news-world-medical-cost-sharing-fraud/> (last visited Jan. 3, 2026).

pleaded guilty to one count of conspiracy to commit wire fraud and one count of making false statements on a tax return,⁴⁷ and admitted to defrauding members of over \$8 million.⁴⁸

- Pursuant to consumer complaints alleging the failure of Liberty Healthshare to reimburse medical expenses, the Ohio Attorney General investigated Liberty Healthshare, individuals involved either in founding or controlling Liberty Healthshare, and vendors that provided services to Liberty Healthshare which were controlled by people with current or past connections to Liberty Healthshare.⁴⁹ Ultimately, two separate settlements were reached.⁵⁰ In one of the settlements, the owners of three for-profit companies that have been vendors of Liberty agreed to pay a total of \$5.85 million, which would be deposited into a fund that the attorney general will use to redistribute the money to benefit current or former Liberty members.⁵¹

III. Effect of Proposed Changes:

The bill would allow nonprofit religious organizations or HCSMs to market or sell plans through agents licensed by the Department of Financial Services and retain their exemption from the Florida Insurance Code (code). Currently, the code prohibits this practice as a condition of being exempt from the code.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁴⁷ U.S. Attorney's Office, Western District of Missouri, Press Release, Another Co-founder of Medical Charity in St. Joseph Pleads Guilty to \$8 Million Fraud Scheme (Apr. 8, 2024), <https://www.justice.gov/usao-wdmo/pr/another-co-founder-medical-charity-st-joseph-pleads-guilty-8-million-fraud-scheme> (last visited Jan. 2, 2026). The co-founder pleaded guilty to one count of conspiracy to commit wire fraud and one count of making false statements on a tax return in a separate but related trial.

⁴⁸ KMBC News, St. Joseph, Missouri medical charity founder pleads guilty to \$8 million fraud scheme (Nov. 14, 2023), <https://www.kmbc.com/article/st-joseph-missouri-medical-charity-founder-pleads-guilty/45839746> (last visited Jan. 2, 2026).

⁴⁹ See *Glasgow, et. al. v. Beers, et.al.*, Case No. 5:21-cv-2001, Order Denying Defendants' Motions to Dismiss, Plaintiffs' Motion for Leave to File a Supplemental Pleading, and Defendants' Motions to Strike, at pg. 5 (March 20, 2024); Ryan Gabrielson and J. David McSwane, *A Christian Nonprofit Saddled Thousands With Debt as It Built a Family Empire Including a Pot Farm, a Bank, and an Airline*, (February 25, 2023) <https://www.propublica.org/article/liberty-healthshare-healthcare-sharing-ministries-obamacare> (last visited February 6, 2026).

⁵⁰ See *Glasgow* at pg. 5.

⁵¹ CantonRep.com, Liberty HealthShare, Vendors Reach Multimillion-dollar Settlement with Attorney General (Jan. 26, 2022), <https://www.cantonrep.com/story/news/2022/01/26/liberty-healthshare-reaches-settlement-ohio-attorney-general/9224961002/> (last visited Jan. 2, 2026).

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:

Licensed agents may experience an indeterminate increase in commissions associated with selling plans of HCSMs.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 624.1265 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.)

CS by Banking and Insurance on January 13, 2026:

The CS amends the title to “An act relating to nonprofit religious organizations.”

B. Amendments:

None.

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



677184

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Yarborough) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 44 and 45
insert:

(3) The nonprofit religious organization, or any agent licensed by the department under chapter 626 which markets or facilitates a health care sharing arrangement on behalf of the nonprofit religious organization, shall provide a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the nonprofit religious organization. The disclaimer must read in substance: "Notice:



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The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor its plan of operation is an insurance policy. Membership is not offered through an insurance company, and the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code. Whether anyone chooses to assist you with your medical bills will be totally voluntary because no other participant is compelled by law to contribute toward your medical bills. As such, participation in the organization or a subscription to any of its documents should never be considered to be insurance. Regardless of whether you receive any payments for medical expenses or whether this organization continues to operate, you are always personally responsible for the payment of your own medical bills."

==== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete lines 10 - 11

and insert:

Section 1. Subsections (1) and (3) of section 624.1265, Florida Statutes, are amended to read:

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

And the title is amended as follows:

Delete line 6

and insert:

Code; requiring certain agents to provide a specified written disclosure on certain applications and



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guideline materials; providing an effective date.

By the Committee on Banking and Insurance; and Senator
Yarborough

597-01924-26

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1 A bill to be entitled
2 An act relating to nonprofit religious organizations;
3 amending s. 624.1265, F.S.; revising the conditions
4 under which a nonprofit religious organization is not
5 subject to the requirements of the Florida Insurance
6 Code; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Subsection (1) of section 624.1265, Florida
11 Statutes, is amended to read:

12 624.1265 Nonprofit religious organization exemption;
13 authority; notice.—

14 (1) A nonprofit religious organization is not subject to
15 the requirements of the Florida Insurance Code if the nonprofit
16 religious organization:

17 (a) Qualifies under Title 26, s. 501 of the Internal
18 Revenue Code of 1986, as amended;

19 (b) Limits its participants to those members who share a
20 common set of ethical or religious beliefs;

21 (c) Acts as a facilitator among participants who have
22 financial, physical, or medical needs to assist those with
23 financial, physical, or medical needs in accordance with
24 criteria established by the nonprofit religious organization;

25 (d) Provides for the financial or medical needs of a
26 participant through contributions from other participants, or
27 through payments directly from one participant to another
28 participant;

29 (e) Provides amounts that participants may contribute, with

597-01924-26

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no assumption of risk and no promise to pay:

1. Among the participants; or

2. By the nonprofit religious organization to the participants;

(f) Provides a monthly accounting to the participants of the total dollar amount of qualified needs actually shared in the previous month in accordance with criteria established by the nonprofit religious organization; and

(g) Conducts an annual audit that is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and that is made available to the public by providing a copy upon request or by posting on the nonprofit religious organization's website; ~~and~~

~~(h) Does not market or sell health plans through agents licensed by the department under chapter 626.~~

Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: SB 936

INTRODUCER: Senator McClain

SUBJECT: Temporary Door Locking Devices

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Tolmich	Fleming	CA	Favorable
2. Baird	Imhof	RI	Favorable
3. Tolmich	Kruse	RC	Pre-meeting

I. Summary:

SB 936 allows a temporary door locking device to be installed at any height above the finished floor of a building.

The bill defines “temporary door locking device” as a device that prevents a door from opening and meets all of the following criteria:

- Is meant only for temporary use during an emergency situation;
- Can be engaged or removed without opening the door;
- Can be engaged and removed from the egress side of the door without the use of a key and can be removed from the ingress side of the door with the use of a key or other credential;
- Does not modify the door closer, panic hardware, or fire exit hardware;
- Is not permanently mounted to the door assembly; however, individual parts of the temporary door locking device, including, but not limited to, bolts, stops, brackets, or pins, which do not prevent normal ingress and egress through the door, may be permanently mounted to the door;
- Does not affect the fire rating of the door and complies with the fire rating standards of the National Fire Protection Association; and
- Can be removed with a single operation when engaged.

The bill requires the Florida Building Commission (commission) to incorporate into the Florida Building Code (Building Code) standards for temporary door locking devices that meet the specified requirements. The bill also requires that the use of a temporary door locking device must be integrated into building safety plans, safety drills, and training programs so that the employees or staff of the building in which the device is installed have inservice training on the use of the temporary door locking device.

The bill takes effect July 1, 2026.

II. Present Situation:

Temporary Door Locks in School Classrooms and Instructional Spaces

Temporary door locks are devices that prevent a door from opening that are typically used in emergency situations. Current law provides for temporary door locks in school classrooms and instructional spaces. All school classrooms and instructional spaces with a permanently installed door lock may also use a temporary door lock during an active assailant incident.¹ The temporary door lock must be:

- Able to be engaged or removed without opening the door;
- Easily removed in a single operation from the egress side of the door without the use of a key and from the ingress side of the door with the use of a key or other credential;
- In compliance with the Florida Fire Prevention Code; and
- Integrated into the active assailant response plan.²

Current law also provides that such temporary door locks may be installed at any height.³

Several other states, including Michigan⁴ and Montana,⁵ have adopted laws that allow for the use of temporary door locking devices in classrooms during emergency situations. The purpose of this type of legislation is to make schools and other buildings safer during emergency situations, such as an active shooter event.⁶

The Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida's minimum standards were met. Local governments could choose from four separate model codes. The state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.⁷

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study's commission recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized

¹ Section 1006.07(6)(f)2.a., F.S.

² *Id.*

³ *Id.*

⁴ LegiScan, *Michigan House Bill 5701*, available at: <https://legiscan.com/MI/text/HB5701/id/2556156> (last visited Jan. 28, 2026).

⁵ LegiScan, *Montana House Bill 651* (2025), available at: <https://legiscan.com/MT/text/HB651/2025> (last visited Jan. 28, 2026).

⁶ Daily Montanan, *Senate passes measure allowing temporary door locks in schools to enhance safety*, available at: <https://dailymontanan.com/2025/04/14/senate-passes-measure-allowing-temporary-door-locks-in-schools-to-enhance-safety/> (last visited Jan. 28, 2026).

⁷ The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs*, p. 4, http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Jan. 28, 2026).

implementation of the Building Code, and that first edition replaced all local codes on March 1, 2002.⁸ The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.⁹

Chapter 553, part IV, F.S., is known as the “Florida Building Codes act” (act). The purpose and intent of the act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.¹⁰

The commission was statutorily created to implement the Building Code. The commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The commission reviews several International Codes published by the International Code Council,¹¹ the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated and adopts an updated Building Code every three years.¹²

Florida Fire Prevention Code

The State Fire Marshal, by rule, adopts the Florida Fire Prevention Code (Florida Fire Code), which contains all firesafety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities, and the enforcement of such firesafety laws and rules.¹³ The State Fire Marshal adopts a new edition of the Florida Fire Code every three years.¹⁴ The Florida Fire Code is largely based on the *National Fire Protection Association’s (NFPA) Standard 1, Fire Prevention Code*, along with the current edition of the *Life Safety Code, NFPA 101*.¹⁵ The 8th edition took effect on December 31, 2023.¹⁶

State law requires all municipalities, counties, and special districts with firesafety responsibilities to enforce the Florida Fire Code as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Building Code.¹⁷ The Florida Fire Code applies to every building and structure throughout the state with few exceptions.¹⁸

Municipalities, counties, and special districts with firesafety responsibilities may supplement the Florida Fire Code with more stringent standards adopted in accordance with s. 633.208, F.S.¹⁹

⁸ *Id.*

⁹ Florida Building Commission Homepage, <https://floridabuilding.org/c/default.aspx> (last visited Jan. 28, 2026).

¹⁰ Section 553.72(1), F.S.

¹¹ The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to “construct safe, sustainable, affordable and resilient structures.” International Code Council, *About the ICC*, <https://www.iccsafe.org/about/who-we-are/> (last visited Jan. 28, 2026).

¹² Section 553.73(7)(a), F.S.

¹³ Fla. Admin. Code R. 69A-60.002.

¹⁴ Section 633.202(1), F.S.

¹⁵ Section 633.202(2), F.S.

¹⁶ Division of State Fire Marshal, *Florida Fire Prevention Code*, available at <https://myfloridacfo.com/division/sfm/bfp/florida-fire-prevention-code> (last visited Jan. 28, 2026).

¹⁷ Sections 633.108 and 633.208, F.S.

¹⁸ Section 633.208, F.S., and Fla. Admin. Code R. 69A-60.002(1).

¹⁹ Section 633.208(3), F.S., and Fla. Admin. Code R. 69A-60.002(2).

Door Assemblies and Means of Egress

Door assemblies serve several purposes that relate to the comfort and safety of building occupants.²⁰ Door assemblies provide protection from weather, prevent trespassing by unauthorized persons, and slow or stop the spread of fire and smoke.²¹

Egress refers to an unobstructed route from any point in a building to a public way,²² while ingress refers to the entrance into a room or building. In order to provide for the safety of persons in the event of an emergency, every component in the means of egress must be operable by, and under the control of, the occupants attempting egress.²³ If a locked door prevents egress, it can hinder evacuation time and prevent occupants from reaching safety.²⁴ As such, the National Fire Protection Association recommends several concepts that should be considered in all buildings regarding swinging egress door locking and latching:

- Door leaves must be arranged to be opened readily from the egress side whenever the building is occupied.
- Locks and latches cannot require the use of a key, tool, or special knowledge or effort to operate from the egress side.
- All locks, latches, and all other fastening devices on a door leaf must be provided with a releasing device that has an obvious method of operation and that is readily operated under all lighting conditions.
- The operation of the releasing mechanism must release all latching and all locking devices of the door leaf with not more than one motion in a single linear or rotational direction.²⁵

III. Effect of Proposed Changes:

SB 936 creates s. 553.8951, F.S., to allow a temporary door locking device to be installed at any height above the finished floor of a building.

The bill defines “temporary door locking device” as a device that prevents a door from opening and meets all of the following criteria:

- Is meant only for temporary use during an emergency situation;
- Can be engaged or removed without opening the door;
- Can be engaged and removed from the egress side of the door without the use of a key and can be removed from the ingress side of the door with the use of a key or other credential;
- Does not modify the door closer, panic hardware, or fire exit hardware;
- Is not permanently mounted to the door assembly; however, individual parts of the temporary door locking device, including, but not limited to, bolts, stops, brackets, or pins, which do not

²⁰ National Fire Protection Association, *The basics of swinging type egress door operation*, available at: <https://www.nfpa.org/news-blogs-and-articles/blogs/2021/04/09/basics-of-swinging-type-egress-door-operation> (last visited Jan. 28, 2026).

²¹ *Id.*

²² National Fire Protection Association, *Swinging egress door operation: Permissible egress door locking arrangements*, available at <https://www.nfpa.org/news-blogs-and-articles/blogs/2021/07/09/swinging-egress-door-operation-permissible-egress-door-locking-arrangements> (last visited Jan. 28, 2026).

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

prevent normal ingress and egress through the door, may be permanently mounted to the door;

- Does not affect the fire rating of the door and complies with the fire rating standards of the National Fire Protection Association; and
- Can be removed with a single operation when engaged.

The bill requires the commission to incorporate standards into the Building Code for temporary door locking devices that meet the specified requirements. A temporary door locking device may be used to secure a fire exit or an entranceway leading to a fire exit if the temporary door locking device is used only during an emergency situation and approved by the local enforcement agency that has jurisdiction over the building in which the device is installed. A temporary door locking device may only be applied for a finite period of time during an emergency situation, including, but not limited to, a shelter-in-place order, an emergency lockdown, or a safety drill for such emergency situation.

The bill also requires that the use of a temporary door locking device must be integrated into building safety plans, safety drills, and training programs so that the employees or staff of the building in which the device is installed have inservice training on the use of the temporary door locking device.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require counties and municipalities to expend funds or further limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 553.8951 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 McClain

9-00918C-26

2026936__

A bill to be entitled
An act relating to temporary door locking devices;
creating s. 553.8951, F.S.; defining the term
"temporary door locking device"; authorizing temporary
door locking devices to be installed at any height;
requiring the Florida Building Commission to
incorporate certain standards for temporary door
locking devices into the Florida Building Code;
requiring the use of temporary door locking devices be
integrated into building safety plans, safety drills,
and training programs for a specified purpose;
providing an effective date.

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

Section 1. Section 553.8951, Florida Statutes, is created
to read:

553.8951 Temporary door locking devices.—

(1) As used in this section, the term "temporary door
locking device" means a device that prevents a door from opening
and meets all of the following criteria:

(a) Is meant only for temporary use during an emergency
situation.

(b) Can be engaged or removed without opening the door.

(c) Can be engaged and removed from the egress side of the
door without the use of a key and can be removed from the
ingress side of the door with the use of a key or other
credential.

(d) Does not modify the door closer, panic hardware, or

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fire exit hardware.

(e) Is not permanently mounted to the door assembly.
However, individual parts of the temporary door locking device,
including, but not limited to, bolts, stops, brackets, or pins,
which do not prevent normal ingress and egress through the door,
may be permanently mounted to the door.

(f) Does not affect the fire rating of the door and
complies with the fire rating standards of the National Fire
Protection Association.

(g) Can be removed with a single operation when engaged.

(2) Notwithstanding any other law or provision, a temporary
door locking device may be installed at any height above the
finished floor.

(3) The Florida Building Commission shall incorporate into
the Florida Building Code pursuant to s. 553.73(1) standards for
temporary door locking devices that meet the requirements of
this section. A temporary door locking device may be used to
secure a fire exit or an entranceway leading to a fire exit if
the temporary door locking device is used only during an
emergency situation and approved by the local enforcement agency
that has jurisdiction over the building in which the device is
installed. A temporary door locking device may be applied only
for a finite period of time during an emergency situation,
including, but not limited to, a shelter-in-place order, an
emergency lockdown, or a safety drill for such emergency
situation.

(4) The use of a temporary door locking device must be
integrated into building safety plans, safety drills, and
training programs so that the employees or staff of the building

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59 in which the device is installed has inservice training on the
60 use of the temporary door locking device.

61 Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: SB 962

INTRODUCER: Senator Bradley

SUBJECT: Affordable Housing

DATE: February 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2. <u>Stokes-Ramos</u>	<u>Becker</u>	<u>AG</u>	Favorable
3. <u>Hackett</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

I. Summary:

SB 962 provides that for the purposes of the Live Local Act, passed during the 2023 Regular Session, farms or farm operations, including the packaging and sale of those products raised on the premises, are excluded from the definitions of commercial, industrial, or mixed use zoning which would require the local government to approve certain affordable housing developments.

The bill takes effect July 1, 2026.

II. Present Situation:

Zoning and Land Use Preemption for Affordable Developments

The Growth Management Act requires every city and county to create and implement a comprehensive plan to guide future development.¹ All development, both public and private, and all development orders² approved by local governments must be consistent with the local government's comprehensive plan unless otherwise provided by law.³ The Future Land Use Element in a comprehensive plan establishes a range of allowable uses and densities and

¹ Section 163.3167(2), F.S.

² "Development order" means any order granting, denying, or granting with conditions an application for a development permit. See s. 163.3164(15), F.S. "Development permit" includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land. See s. 163.3164(16), F.S.

³ Section 163.3194(3), F.S.

intensities over large areas, and the specific use and intensities for specific parcels⁴ within that range are decided by a more detailed, implementing zoning map.⁵

The Live Local Act⁶ preempts certain county and municipal zoning and land use decisions to encourage development of affordable multifamily rental housing in targeted land use areas. Specifically, the act requires counties and municipalities to allow a multifamily or mixed-use residential⁷ rental development in any area zoned for commercial, industrial, or mixed-use if the development meets certain affordability requirements.⁸ To qualify, the proposed development must reserve 40 percent of the units for residents with incomes up to 120% of the area median income, for a period of at least 30 years.

Commercial, Industrial, and Mixed Use⁹

For the purposes of the Live Local Act, “commercial use” means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. It includes, but is not limited to:

- Retail sales; wholesale sales; rentals of equipment, goods, or products;
- Offices; restaurants;
- Food service vendors; sports arenas; theaters; and tourist attractions; and
- Other for-profit business activities

A parcel that is zoned to permit these uses by right (without a variance or waiver) is considered commercial use for this statute, regardless of its local land development category or title.

Excluded from commercial use are:

- Home-based businesses and cottage food operations on residential property;
- Certain public lodging establishments;
- Accessory, ancillary, incidental, or temporary uses; and
- Recreational uses (e.g., golf courses, tennis courts, swimming pools, clubhouses) when located within an area designated for residential use.

For the purposes of the Live Local Act, “industrial use” means activities associated with the manufacture, assembly, processing, or storage of products or the performance of related services. It includes, but is not limited to:

- Automobile manufacturing or repair; boat manufacturing or repair;
- Junk yards; meat packing facilities; citrus or produce processing and packing;
- Electrical generating plants; water treatment plants; sewage treatment plants; and

⁴ When local governments make changes to their zoning regulations or comprehensive plans, some structures may no longer be in compliance with the newly approved zoning and may be deemed a “nonconforming use.” A nonconforming use or structure is one in which the use or structure was legally permitted prior to a change in the law, and the change in law would no longer permit the re-establishment of such structure or use.

⁵ Richard Grosso, A Guide to Development Order “Consistency” Challenges Under Florida Statutes Section 163.3215, 34 J. Envtl. L. & Litig. 129, 154 (2019) citing Brevard Cty. v. Snyder, 627 So. 2d 469, 475 (Fla. 1993).

⁶ The “Live Local Act,” Ch. 2023-17, Laws of Fla., made various changes to affordable housing related programs and policies at the state and local levels, including zoning and land use preemptions favoring affordable housing, funding for state affordable housing programs, and tax provisions intended to incentivize affordable housing development.

⁷ For mixed-use residential, at least 65 percent of the total square footage must be used for residential purposes.

⁸ See ss. 125.01055(7) and 166.04151(7), F.S.

⁹ See s. 125.01055(7)(n), F.S.

- Solid waste disposal sites.

A parcel zoned to permit these uses by right is considered industrial use for the statute. The term does not include accessory, ancillary, incidental, or temporary uses, or the same set of recreational uses as above.

For the purposes of the Live Local Act, “mixed use” refers to any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories.¹⁰ The commercial and industrial exclusions for accessory, ancillary, incidental, temporary, and recreational uses apply to mixed use as well.

III. Effect of Proposed Changes:

The bill amends ss. 125.01055 and 166.04151, F.S., to provide that for the purposes of the Live Local Act, farms or farm operations, or uses associated therewith, to include the packaging and sale of those products raised on the premises, are excluded from the definitions of commercial, industrial, or mixed use.

The bill refers to s. 823.14(3), F.S., which provides that:

- “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products; and
- “Farm operation” means all conditions or activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products or in connection with complementary agritourism activities.

The referenced statute includes examples such as roadside stands, agritourism, and the use of certain farm-related machinery.

With this change, counties and municipalities are not required to authorize multifamily and mixed-use residential uses for an area if the area is also a farm or farm operation or utilized for uses associated therewith.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁰ Section 125.01055(n)3., F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 125.01055 and 166.04151 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 Bradley

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A bill to be entitled
An act relating to affordable housing; amending ss.
125.01055 and 166.04151, F.S.; revising the
definitions of certain land use categories for which
certain residential development may be authorized to
exclude farms and farm operations and uses associated
therewith; providing an effective date.

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

Section 1. Paragraph (n) of subsection (7) of section
125.01055, Florida Statutes, is amended to read:

125.01055 Affordable housing.—

(7)

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the
sale, rental, or distribution of products or the performance of
services related thereto. The term includes, but is not limited
to, such uses or activities as retail sales; wholesale sales;
rentals of equipment, goods, or products; offices; restaurants;
public lodging establishments as described in s. 509.242(1)(a);
food service vendors; sports arenas; theaters; tourist
attractions; and other for-profit business activities. A parcel
zoned to permit such uses by right without the requirement to
obtain a variance or waiver is considered commercial use for the
purposes of this section, irrespective of the local land
development regulation's listed category or title. The term does
not include home-based businesses or cottage food operations
undertaken on residential property; it public lodging

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establishments as described in s. 509.242(1)(c); farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises;~~7~~ or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use,

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irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

Section 2. Paragraph (n) of subsection (7) of section 166.04151, Florida Statutes, is amended to read:

166.04151 Affordable housing.—

(7)

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the

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purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property;~~;~~ public lodging establishments as described in s. 509.242(1)(c); farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises; or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory,

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ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

Section 3. This act shall take effect July 1, 2026.

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 Rules

BILL: SB 1004

INTRODUCER: Senator Gaetz and Senator Arrington

SUBJECT: Sale of Dogs and Cats

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dike</u>	<u>McKay</u>	<u>CM</u>	Favorable
2.	<u>Bond</u>	<u>Cibula</u>	<u>JU</u>	Favorable
3.	<u>Dike</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

I. Summary:

SB 1004 implements consumer protections related to the sale of cats and dogs in the state by:

- Mandating that a pet dealer selling a dog or cat must ensure that a pet financing arrangement is terminated without penalty to the consumer if the animal is found to be unfit for purchase due to illness or disease and the consumer elects to return the animal.
- Requiring all financing terms to be disclosed to a consumer.
- Repealing the limit on the amount of veterinary costs that a consumer may seek from a pet dealer related to discovery of disease or defect. Current law limits such recovery to the amount of the sale price.
- Implementing a 3-day waiting period between signing an agreement and taking possession of the dog or cat if a financing agreement is a part of the sale.
- Repealing a limited remedy in current law related to consumers who elect to waive the right to return a dog or cat within 1 year if a congenital or hereditary disorder is discovered.
- Requiring a pet dealer to provide copies of certain medical records to a consumer purchasing a dog or cat.
- Simplifying a notice furnished to a consumer regarding consumer rights and requiring the notice be on a separate form.
- Requiring a pet dealer to maintain records of information provided to a consumer for 7 years after the sale.
- Providing that a violation of s. 828.29, F.S., is a violation of the Florida Deceptive and Unfair Trade Practices Act.
- Creating a civil cause of action to remedy violations of the law on sale of dogs and cats.

This bill takes effect on July 1, 2026.

II. Present Situation:

Florida Pet Sale Law

Section 828.29, F.S., governs the sale of dogs and cats in Florida by mandating health requirements, providing sale regulations, and outlining remedies for violations.

Who is Regulated

The requirements for transport or sale require that a dog or cat be at least 8 weeks of age prior to sale, and requirements for vaccinations and a veterinary certificate prior to sale, apply to all persons who sell a dog or cat.

The provisions regarding examination of a newly purchased dog or cat, notices, and allowing a consumer to return a dog or cat upon finding illness or defect only apply to a pet dealer. A “pet dealer” is any person, firm, partnership, corporation, or other association which, in the ordinary course of business, engages in the sale of more than two litters, or 20 dogs or cats, per year, whichever is greater, to the public. This definition includes breeders of animals who sell such animals directly to a consumer.¹

A county-operated animal control agency, a city-operated animal control agency, or a registered nonprofit humane organization, is exempt from the requirements of s. 828.29, F.S.²

Notice Requirements – Veterinary

A dog transported into the state for sale must receive certain vaccines and anthelmintics shortly before transport and must have a certificate signed by a veterinarian attesting to the administration.³ A dog sold within the state must also have received those vaccines and anthelmintics prior to sale. The same requirements, although with different vaccines and anthelmintics, apply to the transport or sale of a cat.⁴

Each dog or cat must be accompanied by a current official certificate of veterinary inspection at all times while being offered for sale within the state. The certificate must state that the examining veterinarian warrants that, to the best of his or her knowledge, the animal has no sign of contagious or infectious diseases and has no evidence of internal or external parasites, including coccidiosis and ear mites, but excluding fleas and ticks.⁵ A copy of the official certificate of veterinary inspection must be given to the buyer. The seller must retain one copy of the official certificate of veterinary inspection for at least 1 year after the date of sale.⁶

¹ Section 828.29(13), F.S.

² Section 828.29(15), F.S.

³ Section 828.29(1), F.S. The following are required for a dog: canine distemper, leptospirosis, bordatella, parainfluenza, hepatitis, canine parvo, rabies, roundworms, and hookworms, with exceptions concerning the age of the dog.

⁴ Section 828.29(2), F.S. The following are required for a cat: panleukopenia, feline viral rhinotracheitis, calici virus, rabies (if the cat is over 3 months of age and the inoculation is administered as provided in s. 828.30, F.S.), hookworms, and roundworms.

⁵ Section 828.29(3)(b), F.S.

⁶ Section 828.29(3)(a), F.S.

Notice Requirements – Legal

Every pet dealer who sells an animal to a consumer must provide the consumer at the time of sale with a written notice. The notice may be printed or typed. The statute does not specify where the notice may be, and thus it may be part of a contract form. The notice reads:

It is the consumer's right, pursuant to section 828.29, Florida Statutes, to receive a certificate of veterinary inspection with each dog or cat purchased from a pet dealer. Such certificate shall list all vaccines and deworming medications administered to the animal and shall state that the animal has been examined by a Florida-licensed veterinarian who certifies that, to the best of the veterinarian's knowledge, the animal was found to have been healthy at the time of the veterinary examination. In the event that the consumer purchases the animal and finds it to have been unfit for purchase as provided in section 828.29(5), Florida Statutes, the consumer must notify the pet dealer within 2 business days of the veterinarian's determination that the animal was unfit. The consumer has the right to retain, return, or exchange the animal and receive reimbursement for certain related veterinary services rendered to the animal, subject to the right of the dealer to have the animal examined by another veterinarian.

Buyer Remedies After the Sale

Current law gives a consumer buying a dog or cat from a pet dealer certain remedies within this statute should the consumer discover disease or defect after the sale.⁷ As a default, any one of the following triggers the right to a remedy:

- Within the 14 days after sale, a veterinarian certifies that the animal was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or the presence of internal or external parasites, excluding fleas and ticks;
- Within 1 year following the sale of the animal, a licensed veterinarian of the consumer's choosing certifies such animal to be unfit for purchase due to a congenital or hereditary disorder which adversely affects the health of the animal; or
- Within 1 year following the sale of an animal subject to s. 828.29, F.S., the breed, sex, or health of such animal is found to have been misrepresented to the consumer.⁸

The default remedies that a consumer entitled to a remedy may elect to receive are:

- A refund of the purchase price, sales tax, reimbursement of reasonable veterinary costs directly related to the exam and certification of the disease or defect, and reimbursement of necessary emergency veterinary services and treatment to relieve the animal from suffering upon the return of the animal;⁹
- Another animal of equivalent value, plus reimbursement of reasonable veterinary costs directly related to the exam and certification of the disease or defect, and reimbursement of necessary emergency veterinary services and treatment to relieve the animal from suffering upon returning the animal to exchange it;¹⁰ or

⁷ The remedies of this section are not exclusive. Section 828.29(11), F.S.

⁸ Section 828.29(5), F.S.

⁹ Section 828.29(5)(a), F.S.

¹⁰ Section 828.29(5)(b), F.S.

- Continued ownership of the animal and reimbursement for reasonable veterinary costs related to attempts to cure the animal.¹¹

However, the following limits on remedies apply:

- If a default remedy authorizes reimbursement for veterinary costs, the reimbursement may not exceed the purchase price.¹²
- If the pet dealer specifically states at the time of sale, in writing to the consumer, the presence of specific congenital or hereditary disorders, the consumer has no right to any refund or exchange for those disorders.¹³

Buyer Remedies After Sale – Optional

Except if the pet dealer has specifically disclosed the presence of a congenital or hereditary disorder, the consumer may sign a waiver relinquishing his or her right to return the dog or cat for congenital or hereditary disorders. If the waiver is signed, the consumer still has 48 normal business hours, excluding weekends and holidays, in which to have the animal examined by a licensed veterinarian of the consumer's choosing. If the veterinarian certifies that, at the time of sale, the dog or cat was unfit for purchase due to a congenital or hereditary disorder, the consumer may elect to:

- Return the animal and receive a refund of the purchase price, including sales tax; or
- Return the animal and receive an exchange dog or cat of the consumer's choice of equivalent value.

Other Information Regarding the Regulation of the Sale of Dogs and Cats

The state attorney may bring a civil action to enforce the requirements of the statute regulating the sale of dogs and cats, s. 828.29, F.S.¹⁴

It is unlawful for a pet dealer to knowingly misrepresent the breed, sex, or health of any dog or cat offered for sale within the state.¹⁵

Violation of any of the requirements of s. 828.29, F.S., is a first degree misdemeanor.¹⁶

Consumer Finance in Pet Sales

No statute specifically regulates the area of finance agreements used by a consumer to purchase a pet. Currently, an agreement would be regulated by common law contract principles, usury,¹⁷

¹¹ Section 828.29(5)(c), F.S.

¹² Section 828.29(5), F.S.

¹³ Section 828.29(7), F.S.

¹⁴ Section 828.29(14), F.S.

¹⁵ Section 828.29(16), F.S.

¹⁶ Section 828.29(17), F.S. A first degree misdemeanor is punishable by up to one year confinement and a fine of up to \$1000. ss. 775.082(4)(a) and 775.083(1)(d), F.S.

¹⁷ Chapter 687, F.S.

and various laws regulating lending and consumer finance that may apply depending on the circumstances.¹⁸

III. Effect of Proposed Changes:

Consumer Financing

If the consumer has elected to return the animal to the pet dealer because the animal was found to be unfit for purchase due to illness or disease, and has elected to receive a refund, the bill requires the pet dealer to also ensure that a financing arrangement, if one exists, is terminated and that the consumer not pay any penalty.

If the consumer is financing the purchase of the animal, the bill imposes a 3 day waiting period between the agreement to purchase the animal and delivery. The financing agreement, however, may not be signed prior to the end of the waiting period.

Remedies

As to remedies that include the reimbursement of veterinarian costs, current laws limit the maximum amount of reimbursement to the purchase price of the dog or cat. Under the bill, there is no limit on the maximum amounts to reimburse a purchaser for veterinarian costs.

The bill repeals the consumer option to waive the right to return the animal upon a finding of congenital or hereditary disorders and repeals the related optional remedies available to a consumer who executes a waiver.

The bill provides that a pet dealer who violates any provision of s. 828.29, F.S., commits an unfair method of competition or an unfair or deceptive act or practice in violation of part II of the Florida Deceptive and Unfair Trade Act (FDUTPA).¹⁹ It is unlawful under the FDUTPA for a party to take part in “unfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce.”²⁰ Such practices include fraudulent billing,²¹ misleading a consumer or misrepresenting a product’s characteristics,²² or other behavior determined to be unfair by a court.²³ Under the FDUTPA, the office of the state attorney or Department of Legal Affairs, either by their own inquiry or through complaints, may investigate violations of the FDUTPA.²⁴ In addition to other remedies under state and federal law, the enforcing authority may bring actions for declaratory judgment, injunctive relief, actual damages on behalf of consumers and businesses, issue cease and desist orders, and impose civil

¹⁸ Florida laws include ch. 516, F.S. (consumer finance), ch. 520 (retail installment sales), and ch. 679, F.S. (secured transactions). Federal laws include the Truth in Lending Act, the Fair Credit Reporting Act, the Fair Debt Collections Act, and the Military Lending Act.

¹⁹ Chapter 501, F.S.

²⁰ Section 501.204, F.S.

²¹ *State Farm Mut. Auto. Ins. Co. v. Medical Service Center of Florida, Inc.*, 103 F. Supp. 3d 1343 (S.D. Fla. 2015).

²² *Lewis v. Mercedes-Benz USA, LLC*, 530 F. Supp. 3d 1183 (S.D. Fla. 2021); *Marty v. Anheuser-Busch Companies, LLC*, 43 F. Supp. 3d 1333 (S.D. Fla. 2014).

²³ *See Siever v. BWGaskets, Inc.*, 669 F. Supp. 2d 1286, 1292-93 (M.D. Fla. 2009).

²⁴ The enforcing authority under the FDUTPA may “administer oaths and affirmations, subpoena witnesses or matter, and collect evidence.” Section 501.206, F.S.

penalties up to \$10,000 per violation.²⁵ Moreover, consumers may bring private actions against parties for violating the FDUTPA, resulting in either:

- Declaratory judgment and injunctive relief if the consumer is aggrieved by a FDUTPA violation; or
- Actual damages, attorney fees, and court costs, if the consumer has suffered a loss due to the FDUTPA violation.²⁶

The bill creates a civil cause of action allowing a consumer injured by a violation of s. 828.29, F.S., to file an action for damages, costs, and attorney fees. The bill specifically allows punitive damages. This right of action is not exclusive and does not bar the pursuit of any other right or remedy.

Disclosure and Notice

The bill adds a requirement applicable to a sale of any animal by a pet dealer. A pet dealer must provide a consumer copies of records of all medical examinations or tests that were conducted on the animal or any medication given before the purchase of the animal.

The bill also replaces the notice provision in subsection (12), which pet dealers are required to provide to the consumer at the time of sale, with a new form notice. The notice must be separate from the contract with this specific wording:

RIGHT TO CANCEL

Florida consumers have certain rights under s. 828.29, Florida Statutes. You have the right to return or exchange the animal and receive reimbursement for certain veterinary expenses. A copy of this law is attached to this notice.

Record Retention

The bill adds a requirement that a pet dealer maintain any records provided to a consumer for the sale of an animal regulated under s. 828.29, F.S., for at least 7 years after the sale.

Effective Date

The bill is effective July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

²⁵ Sections 501.207, 501.2077, 501.2075, 501.208, F.S.

²⁶ Sections 501.2105, 501.211, F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill may increase costs to pet dealers and increase the amounts recovered by consumers who return a dog or cat based on the grounds provided in the bill. To avoid those increased costs, pet dealers may make greater efforts to ensure that their pets offered for sale are healthy.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 828.29 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (7) of section 828.12, Florida
Statutes, is amended, and a new subsection (8) is added to that
section, to read:

828.12 Cruelty to animals.—

(7) By ~~Beginning~~ January 1, 2027 ~~2026~~, the Department of
Law Enforcement shall post on its website, in a searchable
format prescribed by the department, the names and any aliases,



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the date of birth, the race, the counties of conviction, the charges, the case numbers, the dispositions, the description of any identifying marks and tattoos, and a photograph taken at the time of booking related to the animal cruelty offense of each individual ~~those individuals~~ who has ~~have~~ been convicted of, or who has ~~have~~ entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of this section.

(8) Each clerk of court and county detention facility must provide the Department of Law Enforcement with the information, data, and images required in subsection (7).

Section 2. Subsections (5) through (8), (10), (12), (13), and (17) of section 828.29, Florida Statutes, are amended, and subsections (18) and (19) are added to that section, to read:

828.29 Dogs and cats transported or offered for sale; health requirements; consumer guarantee; disclosures.—

(5) If, within 30 ~~14~~ days after ~~following~~ the sale by a pet dealer of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies that, at the time of the sale, the animal was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or the presence of internal or external parasites, excluding fleas and ticks; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, a licensed veterinarian of the consumer's choosing certifies such animal to be unfit for purchase due to a congenital or hereditary disorder which adversely affects the health of the animal; or if, within 1 year after ~~following~~ the sale of an animal subject to this section, the breed, sex, or health of such animal is found to have been misrepresented to the



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consumer, the pet dealer shall afford the consumer the right to choose one of the following options:

(a) The right to return the animal and receive a refund of the purchase price, including any interest accrued and the sales tax or fees paid or due from the purchaser, and reimbursement for reasonable veterinary costs directly related to the veterinarian's examination and certification that the animal ~~dog or cat~~ is unfit for purchase pursuant to this section or and directly related to necessary emergency services and treatment undertaken to relieve the suffering of such animal. If the consumer financed the animal pursuant to a financing agreement with the pet dealer, the pet dealer must ensure that the financing agreement is terminated without penalty to the consumer;

(b) The right to return the animal and receive an exchange animal ~~dog or cat~~ of the consumer's choice of equivalent value, and reimbursement for reasonable veterinary costs directly related to the veterinarian's examination and certification that the animal ~~dog or cat~~ is unfit for purchase pursuant to this section or and directly related to necessary emergency services and treatment undertaken to relieve the suffering of such animal; or

(c) The right to retain the animal and receive reimbursement for reasonable veterinary costs for necessary services and treatment related to the attempt to cure or curing of the animal, or necessary emergency services or treatment undertaken to relieve the suffering of such animal received within 1 year after purchase ~~dog or cat~~.



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~~Reimbursement for veterinary costs may not exceed the purchase price of the animal.~~ The cost of veterinary services is reasonable if comparable to the cost of similar services rendered by other licensed veterinarians in proximity to the treating veterinarian and the services rendered are appropriate for the certification by the veterinarian.

(6) All financing terms must be disclosed by the pet dealer to the consumer before the sale of the animal. A mandatory waiting period of at least 3 calendar days must be imposed between the date of an agreement to purchase an animal and the date on which the consumer takes possession of the animal, if the consumer is financing the animal. The consumer may not sign a financing agreement until the conclusion of the 3-day waiting period ~~A consumer may sign a waiver relinquishing his or her right to return the dog or cat for congenital or hereditary disorders. In the case of such waiver, the consumer has 48 normal business hours, excluding weekends and holidays, in which to have the animal examined by a licensed veterinarian of the consumer's choosing. If the veterinarian certifies that, at the time of sale, the dog or cat was unfit for purchase due to a congenital or hereditary disorder, the pet dealer must afford the consumer the right to choose one of the following options:~~

~~(a) The right to return the animal and receive a refund of the purchase price, including sales tax, but excluding the veterinary costs related to the certification that the dog or cat is unfit; or~~

~~(b) The right to return the animal and receive an exchange dog or cat of the consumer's choice of equivalent value, but not a refund of the veterinary costs related to the certification~~



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that the dog or cat is unfit.

(7) Before the sale of an animal, a pet dealer must provide to the consumer copies of records of all medical examinations or tests that were conducted on the animal or any medication given before the purchase of the animal. A pet dealer may specifically state at the time of sale, in writing to the consumer, the presence of specific congenital or hereditary disorders, in which case the consumer has no right to any refund or exchange for those identified disorders, if such consumer signs a notification that indicates that the animal has been examined by a veterinarian who determined that the animal has the identified congenital or hereditary disorder.

(8) The refund or exchange required by subsection (5) must ~~or subsection (6) shall~~ be made by the pet dealer not later than 10 business days after ~~following~~ receipt of a signed veterinary certification as required in subsection (5) ~~or subsection (6)~~. The consumer must notify the pet dealer within 7 ~~2~~ business days after receipt of the veterinarian's determination that the animal is unfit. The written certification of unfitness must be presented to the pet dealer not later than 3 business days following receipt thereof by the consumer.

(10) If a pet dealer wishes to contest a demand for veterinary expenses, refund, or exchange made by a consumer under this section, the dealer may require the consumer to produce the animal for examination by a licensed veterinarian designated by the dealer. Upon such examination, if the consumer and the dealer are unable to reach an agreement that constitutes one of the options set forth in subsection (5) ~~or subsection (6)~~ within 10 business days after ~~following~~ receipt of the animal



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for such examination, the consumer may initiate an action in a court of competent jurisdiction, or the county court small claims court division, in the county where the animal owner resides, to recover or obtain reimbursement of veterinary expenses and a refund, or exchange, as set forth in subsection (5), and may collect punitive damages in an amount not less than \$2,500 at the discretion of the court.

(12) Every pet dealer who sells an animal to a consumer must provide the consumer at the time of sale with a printed, written notice in 14-point boldface type to be signed by the consumer, ~~printed or typed,~~ which is separate from the contract and reads as follows:

RIGHT TO CANCEL

Florida consumers have certain rights under section 828.29, Florida Statutes. You have the right to: 1) return the animal; 2) exchange the animal; and 3) receive reimbursement for certain veterinary expenses under certain circumstances. Please have your new pet seen by a veterinarian immediately. A copy of this law is attached to this notice.

It is the consumer's right, pursuant to section 828.29, Florida Statutes, to receive a certificate of veterinary inspection with each animal ~~dog or cat~~ purchased from a pet dealer. Such certificate shall list all vaccines and deworming medications administered to the animal and list any medical diagnosis and treatments ~~and shall state that the~~



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animal ~~has been examined by a Florida-licensed~~
~~veterinarian who certifies that, to the best of the~~
~~veterinarian's knowledge, the animal was found to have~~
~~been healthy at the time of the veterinary~~
~~examination.~~ In the event that the consumer purchases
the animal and finds it to have been unfit for
purchase as provided in section 828.29(5), Florida
Statutes, the consumer must notify the pet dealer
within 7 ~~2-business~~ days after ~~of~~ the veterinarian's
determination that the animal was unfit. The consumer
has the right to retain, return, or exchange the
animal and receive reimbursement for certain related
veterinary services rendered to the animal, subject to
the right of the dealer to have the animal examined by
another veterinarian.

...(Signature of Animal owner or Lessee, or Owner's or Lessee's
Authorized Person)...

(13) For the purposes of this section ~~subsections (5)-(12)~~
~~and (16)~~, the term "pet dealer" means any person, firm,
partnership, corporation, or other association which, in the
ordinary course of business, engages in the sale of more than
three ~~two~~ litters, or 30 ~~20~~ dogs or cats, per year, whichever is
greater, to the public. This definition includes breeders of
animals who sell such animals directly to a consumer. This
definition does not include not-for-profit entities that offer
animals for sale or adoption as long as the total cost of such
sale or adoption does not exceed \$500, including all taxes and



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186 fees, or other costs.

187 (17) Except as otherwise provided in this chapter, a person
188 who violates ~~any provision of~~ this section commits a misdemeanor
189 of the first degree, punishable as provided in s. 775.082 or s.
190 775.083.

191 (18) Any record provided to a consumer pursuant to the sale
192 of an animal under this section must be maintained by the pet
193 dealer for a period of at least 7 years after the sale.

194 (19) A pet dealer who violates this section commits an
195 unfair method of competition or an unfair or deceptive act or
196 practice in violation of part II of chapter 501 and is subject
197 to the penalties and remedies provided for such violations.

198 Section 3. Section 828.291, Florida Statutes, is created to
199 read:

200 828.291 Best management practices for dog breeding.—

201 (1) The purpose of this section is to allow voluntary
202 participation in best management practices relating to minimum
203 standards of care, facility operations, and breeding practices
204 for individuals or entities engaged in the breeding of dogs in
205 order to protect animal welfare, promote responsible breeding,
206 and ensure the health and safety of animals and consumers.

207 (2) This section may not be construed to prohibit a local
208 jurisdiction from implementing requirements for individuals or
209 entities engaged in the breeding of dogs.

210 (3) The Department of Agriculture and Consumer Services
211 shall develop a list of best management practices that
212 individuals or entities engaged in the breeding of dogs may
213 voluntarily adopt and implement. Such best management practices
214 must include minimum standards of care, facility operations, and



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breeding practices for individuals or entities engaged in the
breeding of dogs, including, but not limited to, standards
relating to all of the following:

(a) Breeding.

(b) Feeding.

(c) Housing.

(d) Health.

(e) Enrichment.

(f) Selling and transferring, in accordance with s. 828.29.

(g) Recordkeeping, in accordance with s. 828.29.

(4) The Department of Agriculture and Consumer Services
shall post on its website guidance for the public about how to
identify the breeders that are following best breeder practices
and provide a checklist to use when purchasing an animal.

(5) The Department of Agriculture and Consumer Services
shall post on its website information regarding animal cruelty,
including a description of conduct constituting animal cruelty
under ss. 828.12 and 828.13, the penalties for such conduct, and
instructions for reporting suspected animal cruelty or abuse to
the appropriate local authorities, including the contact
information for at least one appropriate authority for each
county in the state.

Section 4. Section 828.2911, Florida Statutes, is created
to read:

828.2911 Dog Awareness and Welfare Guidelines (DAWG)
Breeder Program.—

(1) The Department of Agriculture and Consumer Services
shall establish the Dog Awareness and Welfare Guidelines (DAWG)
Breeder Program to recognize dog breeders who have voluntarily



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adopted and implemented the best management practices for dog breeding. The department shall certify any individual or entity that the department has determined has voluntarily adopted and implemented the best management practices for dog breeding pursuant to s. 828.291 and that has complied with this section. Such certification is good for 2 years, and dog breeders may reapply at the expiration of such certification.

(2) Participants in the DAWG Breeder Program must agree to submit to inspection by the Department of Agriculture and Consumer Services, or its designee, and pay the actual cost for such inspection. Subject to appropriations, the department, or its designee, may conduct an inspection of the applicant's dog breeding program, including, but not limited to, all animals located on an applicant's premises, the breeding and housing facilities of such animals, and any records of health or sale maintained by the applicant.

(a) The department may contract with and designate local law enforcement or animal services, when local staff and resources are available, or any other public or private entity that the department determines regularly conducts animal welfare investigations, to perform inspections or related investigative activities. Private service providers may include Florida licensed veterinarians currently in good standing who have been licensed for at least 10 years.

(b) If a local government or enforcement authority determines that it lacks the staff or resources to perform the inspections, such inspections may be conducted by a private provider under contract with the department, provided that the breeder bears the cost of inspection.



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(c) If sufficient resources are not available, the applicant must wait until such resources are available or contract with a private provider designated and approved by the department in order to obtain certification.

(3) If the applicant passes the inspection, the department must provide the applicant with a DAWG Breeder Program Certificate.

(4) The Department of Agriculture and Consumer Services may suspend or revoke the DAWG Breeder Program certification of any dog breeder at any time if the department discovers that such breeder has failed to maintain best management practices pursuant to s. 828.291.

(5) A dog breeder that is certified by the program may identify such certification in its professional practice, including in marketing and advertising materials.

(6) Program certification is not required for a dog breeder to engage in dog breeding in this state.

(7) The department shall adopt rules to implement this section.

Section 5. This act shall take effect July 1, 2026.

===== 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 domestic animals; amending s.
828.12, F.S.; requiring the Department of Law
Enforcement to post on its website specified



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information relating to each individual convicted of
specified animal cruelty offenses; requiring the clerk
of each court and county detention facility to provide
the Department of Law Enforcement with such
information; amending s. 828.29, F.S.; extending the
timeframe for which a consumer may pursue remedies for
the sale of an animal certifiably unfit for purchase;
revising such remedies; requiring that all financing
terms be disclosed to the consumer by the pet dealer
before the sale of the animal; requiring a specified
mandatory waiting period between the purchase and
receipt of an animal if the transaction is financed by
the consumer; prohibiting a consumer from signing a
financing agreement until the conclusion of the
specified waiting period; deleting certain provisions
relating to a consumer's waiver relinquishing his or
her rights to return an animal; requiring a pet dealer
to provide copies of specified medical records to a
consumer; denying a consumer the right to a refund or
an exchange for a pet sale under certain
circumstances; extending the timeframe within which a
consumer must notify the pet dealer of a
veterinarian's determination that the animal is unfit;
authorizing the consumer to initiate an action in
certain courts for any contestation of veterinary
expenses or demands of the pet dealer for a refund or
exchange; providing for the award of punitive damages;
revising requirements for a required notice to a
consumer; revising the text of the required notice;



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revising the definition of the term "pet dealer";
requiring a pet dealer to retain a copy of a specified
notice for a specified period; providing that
violations constitute an unfair method of competition
or an unfair or deceptive act or practice in violation
of specified provisions and subject to penalties;
creating s. 828.291, F.S.; providing a legislative
purpose; providing construction; requiring the
Department of Agriculture and Consumer Services to
develop a list of best management practices for
adoption and implementation; providing requirements
for such best management practices; requiring the
department to post guidance on its website related to
the selection of breeders and the purchase of an
animal; requiring the department to post information
on its website relating to animal cruelty; providing
requirements for such information; creating s.
828.2911, F.S.; requiring the Department of
Agriculture and Consumer Services to establish the Dog
Awareness and Welfare Guidelines (DAWG) Breeder
Program; providing the purpose of the program;
requiring the department to certify certain
individuals and entities; providing requirements for
such certification; requiring participants in the DAWG
Breeder Program to submit to inspection by the
department and pay the costs for such inspection;
authorizing the department to inspect an applicant's
dog breeding program; authorizing the department to
contract with specified entities to perform such



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inspections or related investigative activities;
authorizing a department private provider to perform
such inspections under certain circumstances;
requiring the department to certify an applicant that
passes the inspection; authorizing the department to
suspend or revoke such certification under certain
circumstances; authorizing a dog breeder to advertise
and market such certification; specifying that a dog
breeder may engage in dog breeding without a
certification; requiring the department to adopt
rules; providing an effective date.

By Senator Gaetz

1-01124-26

20261004__

A bill to be entitled

An act relating to the sale of dogs and cats; amending s. 828.29, F.S.; requiring that if a pet sale is terminated for certain reasons, the financing agreement must be terminated without certain costs; deleting a limit on veterinary costs under certain provisions; requiring that all financial terms be disclosed to the consumer before the sale of the animal; requiring a specified mandatory waiting period between the purchase and receipt of an animal if the transaction is financed by the consumer; deleting certain provisions relating to a consumer's waiver relinquishing his or her rights to return an animal; requiring a pet dealer to provide copies of specified medical records to a consumer; revising requirements for a required notice to a consumer; revising the text of the required notice; requiring a pet dealer to retain a copy of a specified notice for a specified period; providing that violations constitute an unfair method of competition or an unfair or deceptive act or practice in violation of specified provisions and subject to penalties; providing construction; providing an effective date.

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

Section 1. Subsections (5) through (8), (10), (12), and (17) of section 828.29, Florida Statutes, are amended, and subsections (18), (19), and (20) are added to that section, to

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20261004__

30 read:

31 828.29 Dogs and cats transported or offered for sale;
32 health requirements; consumer guarantee; disclosures.-

33 (5) If, within 14 days after ~~following~~ the sale by a pet
34 dealer of an animal subject to this section, a licensed
35 veterinarian of the consumer's choosing certifies that, at the
36 time of the sale, the animal was unfit for purchase due to
37 illness or disease, the presence of symptoms of a contagious or
38 infectious disease, or the presence of internal or external
39 parasites, excluding fleas and ticks; or if, within 1 year
40 following the sale of an animal subject to this section, a
41 licensed veterinarian of the consumer's choosing certifies such
42 animal to be unfit for purchase due to a congenital or
43 hereditary disorder which adversely affects the health of the
44 animal; or if, within 1 year following the sale of an animal
45 subject to this section, the breed, sex, or health of such
46 animal is found to have been misrepresented to the consumer, the
47 pet dealer shall afford the consumer the right to choose one of
48 the following options:

49 (a) The right to return the animal and receive a refund of
50 the purchase price, including the sales tax, and reimbursement
51 for reasonable veterinary costs directly related to the
52 veterinarian's examination and certification that the dog or cat
53 is unfit for purchase pursuant to this section and directly
54 related to necessary emergency services and treatment undertaken
55 to relieve suffering. If the consumer financed the animal, the
56 pet dealer must ensure that the financing arrangement is
57 terminated without penalty to the consumer;

58 (b) The right to return the animal and receive an exchange

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dog or cat of the consumer's choice of equivalent value, and reimbursement for reasonable veterinary costs directly related to the veterinarian's examination and certification that the dog or cat is unfit for purchase pursuant to this section and directly related to necessary emergency services and treatment undertaken to relieve suffering; or

(c) The right to retain the animal and receive reimbursement for reasonable veterinary costs for necessary services and treatment related to the attempt to cure or curing of the dog or cat.

~~Reimbursement for veterinary costs may not exceed the purchase price of the animal.~~ The cost of veterinary services is reasonable if comparable to the cost of similar services rendered by other licensed veterinarians in proximity to the treating veterinarian and the services rendered are appropriate for the certification by the veterinarian.

(6) All financing terms must be disclosed to the consumer before the sale of the animal. A mandatory waiting period of at least 3 calendar days must be imposed between the date of an agreement to purchase an animal and the date on which the consumer takes possession of the animal, if the consumer is financing the animal. A financing agreement may not be signed by the consumer until the conclusion of the 3-day waiting period ~~A consumer may sign a waiver relinquishing his or her right to return the dog or cat for congenital or hereditary disorders. In the case of such waiver, the consumer has 48 normal business hours, excluding weekends and holidays, in which to have the animal examined by a licensed veterinarian of the consumer's~~

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choosing. If the veterinarian certifies that, at the time of sale, the dog or cat was unfit for purchase due to a congenital or hereditary disorder, the pet dealer must afford the consumer the right to choose one of the following options:

(a) The right to return the animal and receive a refund of the purchase price, including sales tax, but excluding the veterinary costs related to the certification that the dog or cat is unfit; or

(b) The right to return the animal and receive an exchange dog or cat of the consumer's choice of equivalent value, but not a refund of the veterinary costs related to the certification that the dog or cat is unfit.

(7) Before the sale of an animal, a pet dealer must provide to the consumer copies of records of all medical examinations or tests that were conducted on the animal or any medication given before the purchase of the animal. A pet dealer may specifically state at the time of sale, in writing to the consumer, the presence of specific congenital or hereditary disorders, in which case the consumer has no right to any refund or exchange for those disorders.

(8) The refund or exchange required by subsection (5) must ~~or subsection (6) shall~~ be made by the pet dealer not later than 10 business days after ~~following~~ receipt of a signed veterinary certification as required in subsection (5) ~~or subsection (6)~~. The consumer must notify the pet dealer within 2 business days after the veterinarian's determination that the animal is unfit. The written certification of unfitness must be presented to the pet dealer not later than 3 business days after ~~following~~ receipt thereof by the consumer.

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(10) If a pet dealer wishes to contest a demand for veterinary expenses, refund, or exchange made by a consumer under this section, the dealer may require the consumer to produce the animal for examination by a licensed veterinarian designated by the dealer. Upon such examination, if the consumer and the dealer are unable to reach an agreement that constitutes one of the options set forth in subsection (5) ~~or subsection (6)~~ within 10 business days after ~~following~~ receipt of the animal for such examination, the consumer may initiate an action in a court of competent jurisdiction to recover or obtain reimbursement of veterinary expenses, refund, or exchange.

(12) Every pet dealer who sells an animal to a consumer shall ~~must~~ provide the consumer at the time of sale with a printed, written notice to be signed by the consumer, ~~printed or typed~~, which is separate from the contract and reads as follows:

RIGHT TO CANCEL

Florida consumers have certain rights under s. 828.29, Florida Statutes. You have the right to return or exchange the animal and receive reimbursement for certain veterinary expenses. A copy of this law is attached to this notice.

...(Signature of Owner or Lessee, or Owner's or Lessee's Authorized Officer/Director/Partner/Manager)...

...(Signatory's Title/Office)...

Sworn to (or affirmed) and subscribed before me this day of, ..., by ...(name of person making statement)....

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146 ...(Signature of Notary Public - State of Florida)...

147 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

148 Personally Known OR Produced Identification

149
150 The pet dealer shall retain a copy of the signed
151 notice, and the consumer must be given a copy of the
152 signed notice.

153 ~~It is the consumer's right, pursuant to section~~
154 ~~828.29, Florida Statutes, to receive a certificate of~~
155 ~~veterinary inspection with each dog or cat purchased~~
156 ~~from a pet dealer. Such certificate shall list all~~
157 ~~vaccines and deworming medications administered to the~~
158 ~~animal and shall state that the animal has been~~
159 ~~examined by a Florida-licensed veterinarian who~~
160 ~~certifies that, to the best of the veterinarian's~~
161 ~~knowledge, the animal was found to have been healthy~~
162 ~~at the time of the veterinary examination. In the~~
163 ~~event that the consumer purchases the animal and finds~~
164 ~~it to have been unfit for purchase as provided in~~
165 ~~section 828.29(5), Florida Statutes, the consumer must~~
166 ~~notify the pet dealer within 2 business days of the~~
167 ~~veterinarian's determination that the animal was~~
168 ~~unfit. The consumer has the right to retain, return,~~
169 ~~or exchange the animal and receive reimbursement for~~
170 ~~certain related veterinary services rendered to the~~
171 ~~animal, subject to the right of the dealer to have the~~
172 ~~animal examined by another veterinarian.~~

173
174 (17) Except as otherwise provided in this chapter, a person

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who violates ~~any provision of~~ this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(18) Any record provided to a consumer pursuant to the sale of an animal under this section must be maintained by the pet dealer for a period of at least 7 years after the sale.

(19) A pet dealer who violates this section commits an unfair method of competition or an unfair or deceptive act or practice in violation of part II of chapter 501 and is subject to the penalties and remedies provided for such violations.

(20) In addition to any other penalties or remedies provided by law, a consumer injured by a violation of this section may bring a civil action to recover damages or punitive damages, including costs, court costs, and attorney fees. This section does not limit any right or remedy provided under law.

Section 2. This act shall take effect July 1, 2026.

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 Rules

BILL: CS/SB 1080

INTRODUCER: Transportation Committee and Senator DiCeglie

SUBJECT: Transportation

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Fav/CS
2.	McMillan	McKay	CM	Favorable
3.	Johnson	Kruse	RC	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1080 requires the Florida Department of Transportation (FDOT) to adopt rules providing circumstances under which it may make direct payments to a first-tier subcontractor, including specified conditions, with the amount paid to the subcontractor deducted from the amount paid to the contractor.

The bill also requires that, if due to default by the contract, the FDOT and the surety enter into a takeover agreement, such agreement must require the surety's completion contractor to meet the certificate of qualification requirements of the original contract bid solicitation and that the surety must follow the contract's procedures regarding the payment of subcontractors.

This bill does not appear to have a fiscal impact on state or local government entities.

This bill takes effect July 1, 2026.

II. Present Situation:

Florida Prompt Payment Act

Florida law has several "Prompt Payment Acts" regulating various aspects of payments connected to construction projects and services. Part VII of ch. 218, F.S., addresses payment for local government construction projects. Chapter 255, F.S., governs payments connected to state

agency construction projects, and payments for private construction projects are regulated in chs. 713 and 715, F.S.

Prompt Payment Act for State Construction Projects

Sections 255.0705 - 255.078, F.S., are known as the Florida Prompt Payment Act. This act governs the timely payment for construction services by the state or any agency thereof (public entity).¹ This act also governs payments made by contractors to subcontractors and suppliers when the construction services are in connection with a public entity construction project.

Payment Deadline for Public Entity to Contractor

For public entities contracting with a prime contractor, the public entity must submit the contractor's request to the Chief Financial Officer within 14 days of receiving the payment application.² If a public entity disputes a portion of a payment request, the undisputed portion must be paid by the date required under the contract or by 20 business days after receipt of the request, whichever is earlier.³

When a contractor receives payment from a public entity for labor, services, or materials furnished by subcontractors and suppliers hired by the contractor, the contractor is required to remit payment due to those subcontractors and suppliers within 10 days after the contractor's receipt of payment.⁴ When a subcontractor receives payment from a contractor for labor, services, or materials furnished by subcontractors and suppliers hired by the subcontractor, the subcontractor is required to remit payment due to those subcontractors and suppliers within 7 days after the subcontractor's receipt of payment.⁵

Penalties for Late Payment

All payments due for the purchase of construction services under the Florida Prompt Payment Act and wrongfully withheld by a public entity or prime contractor bear statutorily imposed interest at the rate of 2 percent per month.⁶

Florida Department of Transportation Contracting Authority

Section 337.11, F.S., authorizes the Florida Department of Transportation (FDOT) to enter into contracts for the construction and maintenance of roads and related facilities under its jurisdiction.⁷

¹ Section 255.072, F.S., defines "public entity" to mean the state, or any office, board, bureau, commission, department, branch, division, or institution thereof, but does not include a local governmental entity as defined in s. 218.72, F.S.

² Section 255.074, F.S.

³ Section 255.073(2), F.S.

⁴ Section 255.073(3), F.S.

⁵ *Id.* A contractor or subcontractor is still permitted to dispute, pursuant to the terms of the relevant contract, all or any portion of a payment alleged to be due to another party if the contractor or subcontractor notifies the party whose payment is disputed, in writing, of the amount in dispute and the actions required to cure the dispute. The contractor or subcontractor must pay all undisputed amounts due within the time limits imposed by this subsection.

⁶ Section 255.073(4), F.S.

⁷ Section 337.11(1), F.S.

Every contract let by the FDOT for the performance of work must require the prime contractor, before receiving any progress payment under such contract, to certify that the prime contractor has disbursed to all of its subcontractors and suppliers their pro rata shares of the payment out of previous progress payments received by the prime contractor for all work completed and materials furnished in the previous period,⁸ as FDOT approved payment.⁹ The FDOT may not make any such progress payment before receiving such certification, unless the contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both the FDOT and the affected subcontractors and suppliers.¹⁰

Every contract let by the FDOT for the performance of work must require the prime contractor, within 30 days of receipt of the final progress payment or any other payments received thereafter except the final payment, to pay all of its subcontractors and suppliers their pro rata shares of the payment for all work completed and materials furnished, unless the contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both the FDOT and the affected subcontractors or suppliers within such 30-day period.¹¹

Surety Bonds for FDOT's Construction and Maintenance Contracts

Section 337.18, F.S., requires a surety bond of the successful bidder in an amount equal to the awarded contract price for a FDOT contract. However, in limited circumstances, the FDOT has the discretion to authorize phased bonding or waive all or a portion of the bond requirement.¹²

The FDOT's contracts must provide for the determination of default on the part of any contractor for cause attributable to such contractor. The FDOT is not liable for anticipated profits for unfinished work on a contract which it has determined to be in default.¹³

FDOT Certificate of Qualification

Section 337.14, F.S., requires the FDOT to prequalify any contractor wishing to bid on a contract in excess of \$250,000. Rule 14-22, F.A.C., provides the FDOT's rules regarding obtaining a certificate of qualification.

III. Effect of Proposed Changes:

Section 1 amends s. 337.11, F.S. to require the FDOT to adopt rules establishing circumstances under which it may make direct payments to first-tier subcontractors. Such circumstances must include all of the following:

- The contractor has not requested payment from the FDOT in the past six months.

⁸ Section 337.11(11)(a), F.S. This is less any retainage withheld by the prime contractor pursuant to an agreement with a subcontractor.

⁹ *Id.*

¹⁰ *Id.*

¹¹ Section 337.11(11)(b), F.S.

¹² Section 337.18(1)(a), F.S.

¹³ Section 337.18(2), F.S.

- There is a binding, written subcontract between the contractor and the subcontractor, and the FDOT is in possession of a complete copy of the contract.
- The subcontractor has performed work that is unpaid by the subcontractor, and the FDOT has sufficient documentation of such unpaid work.
- There is no bona fide, documented dispute between the contractor and the subcontractor.

The amounts the FDOT pays to the subcontractor must be deducted from amounts otherwise due to the contractor.

Section 2 amends s. 337.18, F.S., to provide that if, due to a default by the contractor, the FDOT and the surety enter into a takeover agreement such agreement must require the surety's completion contractor to meet the certification of qualification requirements in the original contract's bid solicitation. The bill also requires the surety to follow the contract's procedures regarding the certification of disbursement of payment to subcontractors.

Section 3 provides that this 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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The FDOT's rules specifying circumstances under which it may directly pay subcontractors may have a positive fiscal impact on such subcontractors. However, the fiscal impact is indeterminate.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 337.11 and 337.18.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Transportation on January 20, 2026:

The committee substitute:

- Requires FDOT to adopt rules regarding the circumstances under which it may directly pay first-tier subcontractors; and
- Requires the completion contractor in a takeover agreement to meet the same certification of qualification requirements as in the original contract's bid solicitation.

B. Amendments:

None.

By the Committee on Transportation; and Senator DiCeglie

596-02021-26

20261080c1

A bill to be entitled
An act relating to transportation; amending s. 337.11,
F.S.; requiring the Department of Transportation to
adopt rules establishing circumstances under which it
may make direct payments to a first-tier
subcontractor; requiring that amounts paid to such
subcontractor be deducted from amounts otherwise due
to the contractor; amending s. 337.18, F.S.; requiring
that a takeover agreement between the department and a
surety require the surety's completion contractor to
meet certain requirements and follow certain contract
procedures; providing an effective date.

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

Section 1. Paragraph (d) is added to subsection (11) of
section 337.11, Florida Statutes, to read:

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

(11)

(d)1. The department shall adopt rules establishing
circumstances under which it may make direct payments to a
first-tier subcontractor. Such circumstances must include all of
the following:

a. The contractor has not requested payment from the
department in the past 6 months.

b. There is a binding, written subcontract between the

596-02021-26

20261080c1

30 contractor and the subcontractor, and the department is in
31 possession of a complete copy of the subcontract.

32 c. The subcontractor has performed work that is unpaid by
33 the contractor, and the department has sufficient documentation
34 of such unpaid work.

35 d. There is no bona fide, documented dispute between the
36 contractor and the subcontractor.

37 2. Amounts paid by the department pursuant to rules adopted
38 under this paragraph must be deducted from amounts otherwise due
39 to the contractor.

40 Section 2. Present subsection (6) of section 337.18,
41 Florida Statutes, is redesignated as subsection (7), and a new
42 subsection (6) is added to that section, to read:

43 337.18 Surety bonds for construction or maintenance
44 contracts; requirement with respect to contract award; bond
45 requirements; defaults; damage assessments.—

46 (6) If, due to a default by the contractor, the department
47 and the surety enter into a takeover agreement, such agreement
48 must require the surety's completion contractor to meet the
49 certification of qualification requirements of the original
50 contract bid solicitation and follow the contract's procedures
51 regarding certification of disbursement of payment to
52 subcontractors.

53 Section 3. This act shall take effect July 1, 2026.

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 Rules

BILL: SB 7022

INTRODUCER: Education Pre-K - 12 Committee

SUBJECT: Public Records/Examination and Assessment Instruments

DATE: February 9, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Brick</u>	<u>Bouck</u>		ED Submitted as Comm. Bill/Fav
1.	<u>McVaney</u>	<u>McVaney</u>	<u>GO</u>	Favorable
2.	<u>Brick</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

I. Summary:

SB 7022 expands the public records exemption for examination and assessment instruments by adding public schools, district school boards, university boards of trustees, the State Board of Education, and the Board of Governors as additional records custodians, beyond Florida College System institutions, state universities, and the Department of Education. The bill also repeals a duplicative exemption and provides that the exemption may not be construed to limit a student or parent's rights relating to student records and education records.

The bill narrows and clarifies rulemaking and regulation authority by revising the duties of the State Board of Education and the Board of Governors: instead of adopting provisions governing access, maintenance, and destruction of exempt examination and assessment instruments, they will now adopt rules and regulations limited to establishing retention schedules and disposal processes for those exempt records.

The bill extends the scheduled repeal of the exemption from October 2, 2026, to October 2, 2031. If the bill does not become law, the exemption is scheduled to stand repealed on October 2, 2026. Because the bill expands an existing public records exemption, it requires a two-thirds vote of the members present and voting for final passage.

The bill is not expected to impact state and local government revenues and expenditures.

The bill takes effect upon becoming a law.

II. Present Situation:

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ This applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

Chapter 119, F.S., known as the Public Records Act, constitutes the main body of public records laws.³ The Public Records Act states that:

[i]t is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.⁴

The Public Records Act typically contains general exemptions that apply across agencies. Agency- or program-specific exemptions often are placed in the substantive statutes relating to that particular agency or program.

The Public Records Act does not apply to legislative or judicial records.⁵ Legislative records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislature are codified primarily in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to “perpetuate, communicate, or formalize knowledge of some type.”⁶

The Florida Statutes specify conditions under which public access to governmental records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any state or local government public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁷ A violation of the Public Records Act may result in civil or criminal liability.⁸

¹ FLA. CONST. art. I, s. 24(a).

² *Id.*; see also *Sarasota Citizens for Responsible Gov’t v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

³ Public records laws are found throughout the Florida Statutes.

⁴ Section 119.01(1), F.S.

⁵ *Locke v. Hawkes*, 595 So. 2d 32, 34 (Fla. 1992); *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995).

⁶ *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁷ Section 119.07(1)(a), F.S.

⁸ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

Only the Legislature may create an exemption to public records requirements.⁹ An exemption must be created by general law and must specifically state the public necessity justifying the exemption.¹⁰ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹¹ and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹²

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.¹³ Records designated as “confidential and exempt” are not subject to inspection by the public and may only be released under the circumstances defined by statute.¹⁴ Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹⁵

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act (the Act), prescribe a legislative review process for newly created or substantially amended public records or open meetings exemptions,¹⁶ with specified exceptions.¹⁷ The Act requires the repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment; in order to save an exemption from repeal, the Legislature must reenact the exemption or repeal the sunset date.¹⁸ In practice, many exemptions are continued by repealing the sunset date, rather than reenacting the exemption.

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.¹⁹ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivision to effectively and efficiently administer a program, and administration would be significantly impaired without the exemption;²⁰

⁹ FLA. CONST. art. I, s. 24(c).

¹⁰ *Id.*

¹¹ The bill may, however, contain multiple exemptions that relate to one subject.

¹² FLA. CONST. art. I, s. 24(c).

¹³ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

¹⁴ *Id.*

¹⁵ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

¹⁶ Section 119.15, F.S. Section 119.15(4)(b), F.S., provides that an exemption is considered substantially amended if it is expanded to include more records or information or to include meetings.

¹⁷ Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

¹⁸ Section 119.15(3), F.S.

¹⁹ Section 119.15(6)(b), F.S.

²⁰ Section 119.15(6)(b)1., F.S.

- It protects sensitive, personal information, the release of which would be defamatory or would jeopardize an individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;²¹ or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.²²

The Act also requires specified questions to be considered during the review process.²³ In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If, in reenacting an exemption or repealing the sunset date, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are again required.²⁴ If the exemption is reenacted or saved from repeal without substantive changes or if the exemption is narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.²⁵

Education Governance

The State Board of Education has such supervision of the system of free public education as is provided by law and is the chief implementing and coordinating body of public education in Florida, except for the State University System; the State Board of Education has authority to adopt rules to implement laws conferring duties upon it.²⁶

District school boards operate, control, and supervise all free public schools in their respective districts and may exercise any power except as expressly prohibited by the State Constitution or general law.²⁷ District school boards require the district school superintendent, as secretary, to keep minutes and records necessary to set forth clearly all actions and proceedings of the school board, and the superintendent keeps such other records as may be necessary to provide complete information regarding the district school system.²⁸

²¹ Section 119.15(6)(b)2., F.S.

²² Section 119.15(6)(b)3., F.S.

²³ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means?
If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

²⁴ FLA. CONST. art. I, s. 24(c).

²⁵ Section 119.15(7), F.S.

²⁶ FLA. CONST. art. IX, s. 2; s. 1001.02(1), F.S.

²⁷ FLA. CONST. art. IX, s. 4(b); s. 1001.32(2), F.S.

²⁸ Section 1001.42(1), F.S.; s. 1001.51(3), F.S.

Each institution within the Florida College System is governed by a local board of trustees.²⁹ Each Florida College System institution's board of trustees is constituted as a body corporate and is vested with responsibility to govern the institution and make cost-effective policy decisions appropriate to the institution's mission.³⁰

The Board of Governors has authority to regulate the State University System and may adopt regulations when expressly authorized or required by law.³¹ Each local constituent university is administered by a university board of trustees.³²

Confidentiality of Assessment Instruments

The public record exemption under review makes confidential and exempt from public records inspection and copying requirements all examination or assessment instruments, including developmental materials and workpapers directly related thereto, which are prepared by, prescribed, or administered by a Florida College System institution, a state university, or the Department of Education.³³ In addition, the exemption specifically protects from disclosure the following types of examinations and assessments:³⁴

- Statewide student assessment programs for public schools and the coordinated screening and progress monitoring system (ss. 1008.22 and 1008.25, F.S.).
- Educator certification examinations and assessments (s. 1012.56, F.S.).
- English language examinations and assessments for public schools (s. 1003.56, F.S.).
- Assessments prescribed for students in Department of Juvenile Justice Education programs (s. 1003.52, F.S.).
- Florida Civic Literacy Exam (s. 1007.25, F.S.).
- Examinations and assessments given under the Florida Partnership for Minority and Underrepresented Student Achievement, which include the PSAT/NMSQT, CLT10, and PreACT (s. 1007.35, F.S.).

Provisions governing access, maintenance, and destruction of such instruments and related materials are required to be prescribed by rules of the State Board of Education and the Board of Governors, as applicable.³⁵

This exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.³⁶

²⁹ Section 1001.60(3), F.S.

³⁰ Sections 1001.63 and 1001.64(1)-(2), F.S.

³¹ FLA. CONST. art. IX, s. 7; s. 1001.706(1)(a)-(b), F.S.

³² FLA. CONST. art. IX, s. 7(c); s. 1001.71(1), F.S.

³³ Section 1008.23(2)(a), F.S.

³⁴ Section 1008.23(1), F.S.

³⁵ Section 1008.23(1) and (2)(b), F.S.

³⁶ Section 1008.23(3), F.S.

Open Government Sunset Review Findings and Recommendations

In August 2025, the Senate Education Pre-K–12 Committee and the House Government Operations Subcommittee jointly sent an Open Government Sunset Review questionnaire to the 12 institutions of the State University System, the 28 institutions of the Florida College System, and 67 school districts. The survey sought information regarding the need to maintain the exemption related to examination and assessment instruments.

All of the respondents recommended that the exemption remain in effect to maintain the integrity of examination and assessment instruments. Several school districts reported spending funds to develop assessments used to evaluate teachers and students and requested that the exemption also apply to examination and assessment instruments prepared by a district school board.

Student and Parent Rights Regarding Education Records

Student and parent rights with respect to education records created, maintained, or used by public educational institutions and agencies are protected in accordance with the Family Educational Rights and Privacy Act (FERPA), the implementing regulations, and Florida law.³⁷ Compliance with FERPA is tied to the eligibility of public educational institutions and agencies to receive federal funds and participate in federal programs.³⁸

Test instruments or question booklets that do not identify a student and do not contain personally identifiable information are not education records subject to FERPA access provisions.³⁹ Completed test instruments or question booklets that contain information identifying a particular student constitute education records subject to FERPA. When an answer sheet is separate from a question booklet that is not directly related to a student, the answer sheet generally constitutes the education record. When a question booklet includes both the questions and the student's responses, the booklet constitutes an education record.⁴⁰

III. Effect of Proposed Changes:

The bill amends s. 1008.23(2)(a), F.S., to provide that all examination and assessment instruments, including developmental materials and workpapers directly related thereto, are confidential and exempt from public records inspection and copying requirements when held by any of the following entities, rather than when such instruments are prepared, prescribed, or administered by a Florida College System institution, a state university, or the Department of Education:

- A public school.
- A district school board.
- A Florida College System institution.

³⁷ Section 1002.22(2), F.S.

³⁸ Section 1002.22(2), F.S.

³⁹ U.S. Department of Education, Student Privacy Policy Office, *Letter to Britt Silver, Esq., Ingermann Smith, L.L.P., re: Test Protocols and FERPA* (Aug. 7, 1998), 2, available at https://studentprivacy.ed.gov/sites/default/files/resource_document/file/Letter_to_Attorney_in_New_York_Regarding_Test_Protocols_and_FERPA_August1998.pdf.

⁴⁰ *Id.*

- A state university.
- A board of trustees.
- The Department of Education.
- The State Board of Education.
- The Board of Governors.

The bill deletes the duplicative exemption codified in s. 1008.23(1), F.S., that applies only to examination and assessment instruments prepared, prescribed, or administered pursuant to specified statutes, including provisions relating to statewide student assessment, student progression, and educator certification examinations.

Retention Schedules and Disposal Process

The bill requires the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, establishing retention schedules and a disposal process for the exempt records. The bill deletes language requiring rules and regulations governing “access, maintenance, and destruction” of the instruments and related materials.

Authorized and Required Disclosures of Exempt Information

The bill authorizes any covered entity to disclose confidential and exempt instruments and related materials to any other covered entity. The bill also requires a public school, district school board, Florida College System institution, or state university to provide the confidential and exempt information to the Department of Education, the State Board of Education, or the Board of Governors upon request.

Construction of Student and Parent Rights

The bill provides that the exemption may not be construed to limit, abridge, or infringe student and parent rights regarding student records and education records under state law.

Open Government Sunset Review Public Necessity

The bill extends the scheduled repeal of the exemption from October 2, 2026, to October 2, 2031.

The bill includes a public necessity statement finding that disclosure would facilitate cheating and academic dishonesty, compromise the validity and reliability of assessments, and undermine the fair measurement of student learning and program effectiveness.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill expands the exemption for records relating to certain examinations and assessments, thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption from the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to:

- Prevent cheating and academic dishonesty by maintaining the confidentiality of examination and assessment instruments and related secure materials.
- Protect the validity and reliability of examinations and assessments by preventing public disclosure of test items, prompts, answer keys, scoring rubrics, item specifications, and related developmental materials and workpapers.
- Preserve fair measurement of student learning and program effectiveness through secure administration of recurring assessments.
- Avoid significant public expenditures that would be required to replace compromised instruments and rebuild secure item banks.

This bill exempts from public inspection and copying requirements only examinations and assessments, including developmental materials and workpapers directly related thereto, which are held by a district school board, Florida College System institution, a state university, or the Florida Department of Education. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The private sector will continue to be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

The government sector will continue to incur costs related to the review and redaction of exempt records associated with responding to public records requests.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 1008.23 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By the Committee on Education Pre-K - 12

581-02047-26

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A bill to be entitled
An act relating to public records; amending s.
1008.23, F.S.; deleting a duplicative exemption from
public records requirements for certain examination
and assessment instruments; expanding an exemption
from public records requirements for examination and
assessment instruments to include such instruments
when held by certain entities; requiring the State
Board of Education and the Board of Governors to adopt
rules and regulations, respectively, governing the
retention and disposal process for specified records;
deleting a provision requiring the State Board of
Education and the Board of Governors to adopt certain
rules and regulations, respectively, governing access
to records; authorizing specified entities to disclose
exempt information to certain entities; requiring
specified entities to disclose confidential and exempt
information in certain circumstances; providing
construction; extending the scheduled repeal of the
exemption; providing a statement of public necessity;
providing an effective date.

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

Section 1. Section 1008.23, Florida Statutes, is amended to
read:

1008.23 Confidentiality of assessment instruments.—

(1) ~~All examination and assessment instruments, including
developmental materials and workpapers directly related thereto,~~

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which are prepared, prescribed, or administered pursuant to ss. 1002.69, 1003.52, 1003.56, 1007.25, 1007.35, 1008.22, 1008.25, and 1012.56 shall be confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Provisions governing access, maintenance, and destruction of such instruments and related materials shall be prescribed by rules of the State Board of Education.

(2)(a) All examination and assessment instruments, including developmental materials and workpapers directly related thereto, which are held ~~prepared, prescribed, or administered~~ by a public school, a district school board, a Florida College System institution, a state university, a board of trustees, or the Department of Education, the State Board of Education, or the Board of Governors shall be confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, establishing retention schedules and a disposal process for the records described in paragraph (a) ~~Provisions governing access, maintenance, and destruction of the instruments and related materials identified under paragraph (a) shall be prescribed by rules of the State Board of Education and regulations of the Board of Governors, respectively.~~

(c)1. An entity listed in paragraph (a) may disclose the information made confidential and exempt from public records inspection and copying requirements by this section to any other entity listed in that paragraph.

2. A public school, district school board, Florida College

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59 system institution, or state university must, upon request,
60 disclose the information made confidential and exempt from
61 public records inspection and copying requirements by this
62 section to the Department of Education, the State Board of
63 Education, or the Board of Governors.

64 (d) Nothing in this section shall be construed to limit,
65 abridge, or infringe on the rights of students and parents with
66 respect to student records and education records pursuant to ss.
67 1002.20 and 1002.22.

68 (2)(3) This section is subject to the Open Government
69 Sunset Review Act in accordance with s. 119.15 and shall stand
70 repealed on October 2, 2031 ~~2026~~, unless reviewed and saved from
71 repeal through reenactment by the Legislature.

72 Section 2. The Legislature finds that it is a public
73 necessity that examination and assessment instruments, including
74 developmental materials and workpapers directly related thereto,
75 which are held by a public school, a district school board, a
76 Florida College System institution, a state university, a board
77 of trustees, the Department of Education, the State Board of
78 Education, or the Board of Governors be made confidential and
79 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
80 Article I of the State Constitution. Public schools and district
81 school boards routinely develop, license, and administer
82 recurring classroom, course, school, and district assessments,
83 frequently drawing upon secure item banks and developmental
84 materials used across schools and administrations. Public
85 disclosure of test items, prompts, answer keys, scoring rubrics,
86 item specifications, field-testing materials, and related
87 developmental workpapers would enable cheating and academic

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dishonesty, compromise the validity and reliability of local
assessments, undermine fair measurement of student learning and
program effectiveness, and necessitate significant public
expenditures to replace compromised instruments and rebuild
secure item banks. The boards of trustees of Florida College
System institutions and universities as well the State Board of
Education and the Board of Governors oversee institutions that
develop, license, and administer examinations and assessment
instruments and in that role receive such information, which, if
made public, would enable cheating and academic dishonesty,
compromise the validity and reliability of examinations and
assessments, undermine fair measurement of student learning and
program effectiveness, and necessitate significant public
expenditures to replace compromised instruments and rebuild
secure item banks. As such, the Legislature finds that the harm
that may result from the release of such examination and
assessment instruments outweighs any public benefit that may be
derived from disclosure.

Section 3. This act shall take effect upon becoming a law.