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1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 110.205, F.S.;
4 providing that certain positions in the department are
5 exempt from the Career Service System; amending s.
6 163.3162, F.S.; defining terms; prohibiting
7 governmental entities from adopting or enforcing any
8 legislation that inhibits the construction of housing
9 for legally verified agricultural workers on
10 agricultural land operated as a bona fide farm;
11 requiring that the construction or installation of
12 such housing units on agricultural lands satisfies
13 certain criteria; requiring that local ordinances
14 comply with certain regulations; authorizing
15 governmental entities to adopt local land use
16 regulations that are less restrictive; requiring
17 property owners to maintain certain records for a
18 specified timeframe; requiring that use of a housing
19 site be discontinued and authorizing the removal of
20 such a site under certain circumstances; specifying
21 applicability of permit allocation systems in certain
22 areas of critical state concern; authorizing the
23 continued use of housing sites constructed before the
24 effective date of the act if certain conditions are
25 met; requiring the department to adopt certain rules;
26 providing for enforcement; requiring the department to
27 submit certain information to the State Board of
28 Immigration Enforcement on a certain schedule;
29 amending s. 201.25, F.S.; conforming a provision to

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30 changes made by the act; amending s. 253.0341, F.S.;

31 authorizing the department to surplus certain lands

32 determined to be suitable for bona fide agricultural

33 production; requiring the department to consult with

34 the Department of Environmental Protection before

35 making such determination; requiring the Department of

36 Agriculture and Consumer Services to retain a rural-

37 lands-protection easement for all surplus lands and

38 deposit all proceeds into a specified trust fund;

39 requiring the department to provide a report of lands

40 surplus to the board of trustees; providing that

41 certain lands are ineligible to be surplus;

42 providing for retroactive applicability; amending s.

43 330.41, F.S.; defining terms; prohibiting a person

44 from knowingly or willfully performing certain actions

45 on lands classified as agricultural; providing

46 criminal penalties; providing applicability;

47 prohibiting a person from knowingly or willfully

48 performing certain actions on private property, state

49 wildlife management lands, or a sport shooting and

50 training range; providing criminal penalties;

51 providing applicability; creating s. 366.20, F.S.;

52 requiring that certain lands acquired or owned by an

53 electric utility by a certain date be offered for fee

54 simple acquisition by the department before the land

55 may be offered for sale or transfer to a private

56 individual or entity; requiring an electric utility to

57 issue a written intent to sell through certified mail

58 to the Commissioner of Agriculture within a specified

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59 timeframe before offering to sell or transferring
60 certain lands; authorizing the commissioner to issue a
61 written intent to purchase via certified mail within a
62 specified timeframe after receipt of such written
63 intent to sell; requiring the electric utility to be
64 released from certain provisions under certain
65 circumstances; requiring that certain offers accepted
66 and received by the department within a specified
67 timeframe be executed no later than a certain date;
68 requiring the department to adopt rules; amending s.
69 366.94, F.S.; defining the term "electric vehicle
70 charging station"; authorizing the department to adopt
71 rules; requiring local governmental entities to issue
72 permits for electric vehicle charging stations based
73 on specified standards and provisions of law;
74 requiring that an electric vehicle charger be
75 registered with the department before being placed
76 into service for use by the public; providing the
77 department with certain authority relating to electric
78 vehicle charging stations; providing a penalty;
79 authorizing the department to issue an immediate final
80 order to an electric vehicle charging station under
81 certain circumstances; providing that the department
82 may bring an action to enjoin a violation of specified
83 provisions or rules; requiring the court to issue a
84 temporary or permanent injunction under certain
85 circumstances; amending s. 388.011, F.S.; revising the
86 definition of the terms "board of commissioners" and
87 "district"; defining the term "program"; amending s.

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88 388.021, F.S.; making a technical change; amending s.
89 388.181, F.S.; authorizing programs to perform
90 specified actions; amending s. 388.201, F.S.;
91 conforming provisions to changes made by the act;
92 requiring that the tentative work plan budget covering
93 the proposed operations and requirements for arthropod
94 control measures show the estimated amount to be
95 raised by county, municipality, or district taxes;
96 requiring that county commissioners' or a similar
97 governing body's mosquito control budget be made and
98 adopted pursuant to specified provisions and requiring
99 that summary figures be incorporated into the county
100 budgets as prescribed by the department; amending s.
101 388.241, F.S.; providing that certain rights, powers,
102 and duties be vested in the board of county
103 commissioners or similar governing body of a county,
104 or municipality; amending s. 388.261, F.S.; increasing
105 the maximum annual amount that a county, municipality,
106 or district may receive, without contributing matching
107 funds, in state funds, supplies, services, or
108 equipment for a certain number of years for any new
109 program for the control of mosquitos and other
110 arthropods which serves an area not previously served
111 by a county, municipality, or district; conforming a
112 provision to changes made by the act; amending s.
113 388.271, F.S.; requiring each program participating in
114 arthropod control activities to file a tentative
115 integrated arthropod management plan with the
116 department by a specified date; conforming provisions

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117 to changes made by the act; amending s. 388.281, F.S.;
118 requiring that all funds, supplies, and services
119 released to programs be used in accordance with the
120 integrated arthropod management plan and certified
121 budget; requiring that such integrated arthropod
122 management plan and certified budget be approved by
123 both the department and the board of county
124 commissioners or an appropriate representative;
125 conforming provisions to changes made by the act;
126 amending s. 388.291, F.S.; providing that a program
127 may perform certain source reduction measures in any
128 area providing that the department has approved the
129 operating or construction plan as outlined in the
130 integrated arthropod management plan; conforming
131 provisions to changes made by the act; amending s.
132 388.301, F.S.; revising the schedule by which state
133 funds for the control of mosquitos and other
134 arthropods may be paid; conforming provisions to
135 changes made by the act; amending s. 388.311, F.S.;
136 conforming provisions to changes made by the act;
137 amending s. 388.321, F.S.; conforming provisions to
138 changes made by the act; amending s. 388.322, F.S.;
139 requiring the department to maintain a record and
140 inventory of certain property purchased with state
141 funds for arthropod control use; conforming provisions
142 to changes made by the act; amending s. 388.323, F.S.;
143 requiring that certain equipment no longer needed by a
144 program be first offered for sale to other programs
145 engaged in arthropod control at a specified price;

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146 requiring that all proceeds from the sale of certain
147 property owned by a program and purchased using state
148 funds be deposited in the program's state fund
149 account; conforming provisions to changes made by the
150 act; amending s. 388.341, F.S.; requiring a program
151 receiving state aid to submit a monthly report of all
152 expenditures from all funds for arthropod control by a
153 specified timeframe as may be required by the
154 department; conforming provisions to changes made by
155 the act; amending s. 388.351, F.S.; conforming
156 provisions to changes made by the act; amending s.
157 388.361, F.S.; conforming provisions to changes made
158 by the act; amending s. 388.3711, F.S.; revising the
159 department's enforcement powers; amending s. 388.381,
160 F.S.; conforming provisions to changes made by the
161 act; amending s. 388.391, F.S.; conforming provisions
162 to changes made by the act; amending s. 388.401, F.S.;
163 conforming provisions to changes made by the act;
164 amending s. 388.46, F.S.; revising the composition of
165 the Florida Coordinating Council on Mosquito Control;
166 amending s. 403.067, F.S.; providing an exception for
167 inspection requirements for certain agricultural
168 producers; authorizing the department to adopt rules
169 establishing an enrollment in best management
170 practices by rule process; authorizing the department
171 to identify best management practices for specified
172 landowners; requiring the department to perform onsite
173 inspections annually of a certain percentage of all
174 enrollments that meet specified qualifications within

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175 a specified area; providing requirements for such
176 inspections; requiring agricultural producers enrolled
177 by rule in a best management practice to submit
178 nutrient records annually to the department; requiring
179 the department to collect and retain such records;
180 amending s. 403.852, F.S.; defining the term "water
181 quality additive"; amending s. 403.859, F.S.;

182 prohibiting the use of certain additives in a water
183 system which do not meet specified requirements;
184 amending s. 482.111, F.S.; revising requirements for
185 the renewal of a pest control operator's certificate;
186 authorizing a third-party vendor to collect and retain
187 a convenience fee; amending s. 482.141, F.S.;

188 requiring the department to provide in-person and
189 remote testing for the examination through a third-
190 party vendor for an individual seeking pest control
191 operator certification; authorizing a third-party
192 vendor to collect and retain a convenience fee;

193 amending s. 482.155, F.S.; requiring the department to
194 provide in-person and remote testing for the
195 examination through a third-party vendor for an
196 individual seeking limited certification for a
197 governmental pesticide applicator or a private
198 applicator; authorizing a third-party vendor to
199 collect and retain a convenience fee; deleting
200 provisions requiring the department to make such
201 examination readily accessible and available to all
202 applicants on a specified schedule; amending s.
203 482.156, F.S.; requiring the department to provide in-

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204 person and remote testing for the examination through
205 a third-party vendor for an individual seeking a
206 limited certification for commercial landscape
207 maintenance; authorizing a third-party vendor to
208 collect and retain a convenience fee; deleting
209 provisions requiring the department to make such
210 examination readily accessible and available to all
211 applicants on a specified schedule; amending s.
212 482.157, F.S.; revising requirements for issuance of a
213 limited certification for commercial wildlife
214 management personnel; authorizing a third-party vendor
215 to collect and retain a convenience fee; deleting
216 provisions requiring the department to make an
217 examination readily accessible and available to all
218 applicants on a specified schedule; amending s.
219 482.161, F.S.; authorizing the department to take
220 specified disciplinary action upon the issuance of a
221 final order imposing civil penalties or a criminal
222 conviction pursuant to the Federal Insecticide,
223 Fungicide, and Rodenticide Act; amending s. 487.044,
224 F.S.; requiring the department to provide in-person
225 and remote testing through a third-party vendor for
226 the examination of an individual seeking a limited
227 certification for pesticide application; authorizing a
228 third-party vendor to collect and retain a convenience
229 fee; amending s. 487.175, F.S.; providing that the
230 department may suspend, revoke, or deny licensure of a
231 pesticide applicator upon issuance of a final order to
232 a licensee which imposes civil penalties or a criminal

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233 conviction under the Federal Insecticide, Fungicide,
234 and Rodenticide Act; amending s. 496.404, F.S.;
235 defining the terms "foreign country of concern" and
236 "foreign source of concern"; amending s. 496.405,
237 F.S.; revising which documents a charitable
238 organization or sponsor must file before engaging in
239 specified activities; requiring that any changes to
240 such documents be reported to the department on a
241 specified form in a specified timeframe; revising the
242 requirements of the charitable organization's initial
243 registration statement; authorizing the department to
244 investigate or refer to the Florida Elections
245 Commission certain violations of the charitable
246 organization or sponsor; amending s. 496.415, F.S.;
247 prohibiting specified persons from soliciting or
248 accepting anything of value from a foreign source of
249 concern; providing penalties; amending s. 496.417,
250 F.S.; authorizing the department to investigate or
251 refer to the Florida Elections Commission certain
252 violations of a charitable organization or sponsor;
253 amending s. 496.419, F.S.; providing discretionary
254 penalties for a charitable organization or sponsor
255 whose registration is denied or revoked for submitting
256 a false attestation; creating s. 496.431, F.S.;
257 requiring the department to create the Honest Services
258 Registry to provide residents with information
259 relating to charitable organizations; requiring a
260 charitable organization included in the Honest
261 Services Registry to submit an attestation statement

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262 to the department; requiring the department to publish
263 the Honest Services Registry on the department's
264 website; requiring the department to adopt rules;
265 amending s. 500.03, F.S.; revising the definition of
266 the term "cottage food product"; amending s. 500.12,
267 F.S.; providing that the department requires a food
268 permit from any person or business that operates a
269 food establishment; revising exceptions; revising the
270 schedule for renewing certain food permits;
271 authorizing the department to establish a single
272 permit renewal date for certain food establishments;
273 amending s. 500.166, F.S.; requiring certain persons
274 engaged in interstate commerce to retain all records
275 that show certain information for a specified
276 timeframe; amending s. 500.172, F.S.; authorizing the
277 department to facilitate the destruction of certain
278 articles that violate specified provisions;
279 prohibiting certain persons from certain actions
280 without permission from, or in accord with a written
281 agreement with, the department; creating s. 500.75,
282 F.S.; providing that it is unlawful to transport or
283 offer to transport, import into this state, sell or
284 offer for sale, furnish, or give away certain spores
285 or mycelium; providing a penalty; creating s. 500.93,
286 F.S.; defining terms; requiring the department to
287 adopt rules to enforce the Food and Drug
288 Administration's standard of identity for milk, meat,
289 poultry, and poultry products, and eggs and egg
290 products to prohibit the sale of plant-based products

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291 mislabeled as milk, meat, poultry, or poultry
292 products, or egg or egg products; providing contingent
293 effective dates; requiring the department to adopt
294 rules; providing construction; repealing s. 501.135,
295 F.S., relating to consumer unit pricing; amending s.
296 501.912, F.S.; revising the definition of the term
297 "antifreeze"; creating s. 525.19, F.S.; requiring the
298 department to create an annual petroleum registration
299 program for petroleum owners or operators; requiring
300 the department to adopt rules for such registration
301 which include specified information; requiring that
302 the registration program be free for all registrants;
303 authorizing the department to require registrants to
304 provide certain information during a state of
305 emergency; creating s. 526.147, F.S.; creating the
306 Florida Retail Fuel Transfer Switch Modernization
307 Grant Program within the department; requiring the
308 grant program to provide funds up to a certain amount
309 to be used for installation and equipment costs
310 related to installing or modernizing transfer switch
311 infrastructure at retail fuel facilities; requiring
312 the department to award funds based on specified
313 criteria; requiring retail fuel facilities awarded
314 grant funds to comply with specified provisions;
315 requiring such facilities to install a transfer switch
316 with specified capabilities; requiring retail fuel
317 facilities to provide specified documentation before
318 being awarded funding; prohibiting certain facilities
319 from being awarded funding; requiring the department,

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320 in consultation with the Division of Emergency
321 Management, to adopt rules; requiring that such rules
322 include specified information; amending s. 531.48,
323 F.S.; requiring that certain packages bear specified
324 information on the outside of the package; amending s.
325 531.49, F.S.; revising requirements for the
326 advertising of a packaged commodity; amending s.
327 564.06, F.S.; requiring that a certain percentage of
328 revenues collected from certain excise taxes be
329 deposited into the Florida Wine Trust Fund; amending
330 s. 570.07, F.S.; requiring the department to foster
331 and encourage the employment and retention of
332 qualified veterinary pathologists; providing that the
333 department may reimburse the educational expenses of
334 certain veterinary pathologists who enter into a
335 certain agreement with the department; requiring the
336 department to adopt certain rules; requiring the
337 department to extend certain opportunities to public
338 school students enrolled in agricultural education to
339 support Future Farmers of America programming;
340 requiring the department to use contracts procured by
341 agencies; defining the term "agency"; amending s.
342 570.544, F.S.; revising which provisions the director
343 of the Division of Consumer Services must enforce;
344 creating s. 570.546, F.S.; authorizing the department
345 to create a process for the bulk renewal of licenses;
346 authorizing the department to create a process that
347 will allow licensees to align the expiration dates of
348 licenses within a specified program; authorizing the

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349 department to change the expiration date for current
350 licenses for a certain purpose; requiring the
351 department to prorate the licensing fee for certain
352 licenses; requiring the department to adopt rules;
353 creating s. 570.694, F.S.; creating the Florida
354 Aquaculture Foundation as a direct support
355 organization within the department; providing the
356 purpose of the foundation; providing governance for
357 the foundation; authorizing the department to appoint
358 an advisory committee adjunct to the foundation;
359 amending s. 570.822, F.S.; defining the term "declared
360 emergency," rather than "declared natural disaster,"
361 and revising the definition of the term "program";
362 providing that loan funds from the department may be
363 used to restock aquaculture; authorizing the
364 department to renew a loan application under certain
365 circumstances; authorizing the department to defer or
366 waive loan payments under certain circumstances;
367 conforming provisions to changes made by the act;
368 creating s. 570.823, F.S.; defining terms;
369 establishing the silviculture emergency recovery
370 program within the department to administer a grant
371 program to assist certain timber landowners; requiring
372 that such grants be used for certain purposes;
373 requiring that only timber lands located on
374 agricultural property are eligible for the program;
375 requiring the department to coordinate with state
376 agencies to provide financial assistance to timber
377 landowners after a specified declared emergency;

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378 providing construction; authorizing the department to
379 adopt rules to implement this section including
380 emergency rules that may be effective for a specified
381 timeframe; creating s. 570.831, F.S.; requiring,
382 subject to appropriation of funds, the Cattle
383 Enhancement Board, Inc., in coordination with the
384 department, to establish a Florida beef marketing
385 program; providing a purpose for such program;
386 amending s. 581.1843, F.S.; deleting provisions that
387 exclude certain citrus nurseries from certain
388 requirements; deleting provisions relating to
389 regulated areas around the perimeter of commercial
390 citrus nurseries; repealing ss. 593.101, 593.102,
391 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
392 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
393 593.1141, 593.1142, 593.115, 593.116, and 593.117,
394 F.S., relating to the Florida Boll Weevil Eradication
395 Law; definitions; powers and duties of Department of
396 Agriculture and Consumer Services; the entry of
397 premises to carry out boll weevil eradication
398 activities and inspections; reports by persons growing
399 cotton; quarantine areas and the regulation of
400 articles within a boll weevil eradication zone; the
401 regulation of collection, transportation,
402 distribution, and movement of cotton; cooperative
403 programs for persons engaged in growing, processing,
404 marketing, or handling cotton; the department's
405 authority to designate eradication zones, prohibit
406 planting of cotton, and require participation in

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407 eradication program; regulation of the pasturage of
408 livestock, entry by persons, and location of honeybee
409 colonies in eradication zones and other areas;
410 eligibility for certification of cotton growers'
411 organization; the certification of cotton growers'
412 organization; a referendum; an assessment; the
413 department's authority to enter agreements with the
414 Farm Service Agency; liens; mandamus or injunction;
415 penalty for violation; and the handling of moneys
416 received, respectively; amending s. 595.404, F.S.;
417 revising the department's powers and duties regarding
418 school nutrition programs; amending s. 599.002, F.S.;
419 renaming the Viticulture Advisory Council as the
420 Florida Wine Advisory Council; revising the membership
421 of the Florida Wine Advisory Council; conforming
422 provisions to changes made by the act; amending s.
423 599.003, F.S.; renaming the State Viticulture Plan as
424 the State Wine Plan; conforming provisions to changes
425 made by the act; amending s. 599.004, F.S.; making
426 technical changes; providing that wineries that fail
427 to recertify annually or pay a specified licensing fee
428 are subject to certain actions and costs; conforming
429 provisions to changes made by the act; amending s.
430 599.012, F.S.; conforming provisions to changes made
431 by the act; amending s. 616.12, F.S.; deleting
432 provisions requiring a person who operates a minstrel
433 show in connection with any certain public fairs to
434 pay specified license taxes; deleting a provision that
435 exempts such person from paying specified taxes;

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436 creating s. 687.16, F.S.; providing a short title;
437 defining terms; prohibiting a financial institution
438 from discriminating in the provision of financial
439 services to an agricultural producer based on an ESG
440 factor; providing an inference with regard to a
441 certain violation; providing that the financial
442 institution may overcome the inference by making
443 certain demonstrations regarding its denial or
444 restriction of financial services to an agricultural
445 producer; authorizing the Attorney General to enforce
446 specified provisions; providing that a violation of
447 specified provisions constitutes an unfair and
448 deceptive trade practice; authorizing the Attorney
449 General to investigate and seek remedies for such
450 unfair trade practices; authorizing an aggrieved party
451 to seek an action for damages; amending s. 741.0305,
452 F.S.; conforming a cross-reference; amending s.
453 790.06, F.S.; revising the circumstances under which
454 the department may temporarily suspend a person's
455 license to carry a concealed weapon or concealed
456 firearm or the processing of an application for such
457 license; requiring the department to notify certain
458 licensees or applicants of their right to a hearing;
459 requiring the department to issue an order confirming
460 the end of a suspension within a specified timeframe
461 after an applicant or licensee submits a copy of a
462 specified document to the department; requiring that
463 such document be sent through electronic or certified
464 mail to a specified location; requiring that the

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465 suspension remain in effect upon a certain disposition
466 of a criminal case or injunction; providing
467 construction; providing legislative findings; revising
468 the duties of the department after the date of receipt
469 of a completed application for a license to carry a
470 concealed weapon or concealed firearm; requiring that
471 a license issued under this section be temporarily
472 suspended or revoked if the license was issued in
473 error or if the licensee commits certain actions;
474 amending s. 812.0151, F.S.; revising the elements of
475 third degree and second degree felony retail fuel
476 theft; creating s. 812.136, F.S.; defining terms;
477 providing elements for the crime of mail theft;
478 providing elements of theft of or unauthorized
479 reproduction of a mail depository key or lock;
480 providing criminal penalties; amending s. 934.50,
481 F.S.; deleting certain exceptions from the prohibited
482 uses of drones; providing that a drone may be used for
483 certain purposes by a local governmental entity or
484 person under contract with or acting under the
485 direction of such entity; creating s. 1013.373, F.S.;

486 prohibiting a local government from adopting any
487 measure to limit the activities of public educational
488 facilities or auxiliary facilities constructed by
489 certain organizations; requiring that lands used for
490 agricultural education or for the Future Farmers of
491 America or 4-H activities be considered agricultural
492 lands; reenacting s. 295.07(5)(a), F.S., relating to
493 preference in appointment and retention, to

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494 incorporate the amendment made to s. 110.205, F.S., in
495 a reference thereto; reenacting s. 189.062(1)(a),
496 F.S., relating to special procedures for inactive
497 districts and state aid to counties, to incorporate
498 the amendment made to s. 388.271, F.S., in references
499 thereto; reenacting ss. 482.072(3)(b) and 482.163,
500 F.S., relating to pest control customer contact
501 centers and responsibility for pest control activities
502 of employee, respectively, to incorporate the
503 amendment made to s. 482.161, F.S., in references
504 thereto; reenacting s. 487.156, F.S., relating to
505 governmental agencies, to incorporate the amendment
506 made to s. 487.044, F.S., in a reference thereto;
507 reenacting ss. 496.4055(2) and 496.406(2) and (4),
508 F.S., relating to charitable organization or sponsor
509 board duties and exemption from registration,
510 respectively, to incorporate the amendment made to s.
511 496.405, F.S., in references thereto; reenacting s.
512 500.80(1)(a), F.S., relating to cottage food
513 operations, to incorporate the amendment made to s.
514 500.12, F.S., in a reference thereto; reenacting s.
515 500.121(6), F.S., relating to disciplinary procedures,
516 to incorporate the amendment made to s. 500.172, F.S.,
517 in a reference thereto; reenacting s. 790.061, F.S.,
518 relating to judges and justices, to incorporate the
519 amendment made to s. 790.06, F.S., in a reference
520 thereto; providing effective dates.

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

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

110.205 Career service; exemptions.—

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

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

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

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

3. Positions in The Department of Transportation which are assigned primary duties of serving as regional toll managers and managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

4. Positions in The Department of Environmental Protection which are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in The Department of Health which are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department

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552 Financial Administrator.

553 6. Positions in The Department of Highway Safety and Motor
554 Vehicles which are assigned primary duties of serving as
555 captains in the Florida Highway Patrol.

556 7. Positions in the Department of Agriculture and Consumer
557 Services which are assigned primary duties of serving as
558 captains or majors in the Office of Agricultural Law
559 Enforcement.

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561 Unless otherwise fixed by law, the department shall set the
562 salary and benefits of the positions listed in this paragraph in
563 accordance with the rules established for the Selected Exempt
564 Service.

565 Section 2. Present paragraphs (a) through (d) of subsection
566 (2) of section 163.3162, Florida Statutes, are redesignated as
567 paragraphs (b) through (e), respectively, a new paragraph (a)
568 and paragraphs (f) and (g) are added to that subsection, and
569 subsections (5), (6), and (7) are added to that section, to
570 read:

571 163.3162 Agricultural Lands and Practices.—

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

573 (a) “Department” means the Department of Agriculture and
574 Consumer Services.

575 (f) “Housing site” means the totality of development
576 supporting authorized housing, including buildings, mobile
577 homes, barracks, dormitories used as living quarters, parking
578 areas, common areas such as athletic fields or playgrounds,
579 storage structures, and other related structures.

580 (g) “Legally verified agricultural worker” means a person

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581 who:

582 1. Is lawfully present in the United States;

583 2. Meets the definition of eligible worker pursuant to 29

584 C.F.R. s. 502.10;

585 3. Has been verified through the process provided in s.

586 448.095(2) and is authorized to work at the time of employment;

587 4. Is seasonally or annually employed in bona fide

588 agricultural production;

589 5. Remains lawfully present and authorized to work

590 throughout the duration of that employment; and

591 6. Is not an unauthorized alien as defined in s.

592 448.095(1).

593 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

594 (a) A governmental entity may not adopt or enforce any

595 legislation, regulation, or ordinance to inhibit the

596 construction or installation of housing for legally verified

597 agricultural workers on land classified as agricultural land

598 pursuant to s. 193.461 which is operated as a bona fide farm

599 except as provided in this subsection.

600 (b) Construction or installation of housing units for

601 legally verified agricultural workers on parcels of land

602 classified as agricultural land under s. 193.461 must satisfy

603 all of the following criteria:

604 1. The dwelling units must meet federal, state, and local

605 building standards, including standards of the Department of

606 Health adopted pursuant to ss. 381.008-381.00897 and federal

607 standards for H-2A visa housing. If a written notice of intent

608 is required to be submitted to the Department of Health pursuant

609 to s. 381.0083, the appropriate governmental entity with

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610 jurisdiction over the agricultural lands may also require
611 submittal of a copy of the written notice.

612 2. The housing site must be maintained in a neat, orderly,
613 and safe manner.

614 3. All structures containing dwelling units must be located
615 a minimum of 10 feet apart.

616 4. The square footage of the housing site's climate-
617 controlled facilities may not exceed 1.5 percent of the
618 property's area or 35,000 square feet, whichever is less.

619 5. A housing site must provide front, side, and rear yard
620 setbacks of at least 50 feet. However, an internal project
621 driveway may be located in the required yard space if the yard
622 is adjacent to a public roadway or to property that is under
623 common ownership with the housing site.

624 6. A housing site may not be located less than 100 feet
625 from a property line adjacent to property zoned for residential
626 use. If the housing site is located less than 250 feet from any
627 property line, screening must be provided between the housing
628 site and any residentially developed adjacent parcels that are
629 under different ownership. The screening may be designed in any
630 of the following ways:

631 a. Evergreen plants that, at the time of planting, are at
632 least 6 feet in height and provide an overall screening opacity
633 of 75 percent;

634 b. A masonry wall at least 6 feet in height and finished on
635 all sides with brick, stone, or painted or pigmented stucco;

636 c. A solid wood or PVC fence at least 6 feet in height with
637 the finished side of the fence facing out;

638 d. A row of evergreen shade trees that, at the time of

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639 planting, are at least 10 feet in height, a minimum of 2-inch
640 caliper, and spaced no more than 20 feet apart; or

641 e. A berm made with a combination of the materials listed
642 in sub-subparagraphs a.-d., which is at least 6 feet in height
643 and provides an overall screening opacity of 75 percent at the
644 time of installation.

645 7. All access driveways that serve the housing site must be
646 made of packed shell, gravel, or a similar material that will
647 provide a relatively dust-free surface.

648 (c) Any local ordinance adopted pursuant to this subsection
649 must comply with all state and federal regulations for migrant
650 farmworker housing, as applicable, including rules adopted by
651 the Department of Health pursuant to ss. 381.008-381.00897 and
652 federal regulations under the Migrant and Seasonal Agricultural
653 Worker Protection Act or the H-2A visa program. A governmental
654 entity may adopt local government land use regulations that are
655 less restrictive than this subsection, but which still meet
656 regulations established by the Department of Health pursuant to
657 ss. 381.008-381.00897 and federal regulations under the Migrant
658 and Seasonal Agricultural Worker Protection Act or the H-2A visa
659 program. An ordinance adopted pursuant to this paragraph may not
660 conflict with the definition and requirements of a legally
661 verified agricultural worker.

662 (d) Beginning July 1, 2025, a property owner must maintain
663 records of all approved permits, including successor permits,
664 for migrant labor camps or residential migrant housing as
665 required under s. 381.0081. A property owner must maintain such
666 records for at least 3 years and make the records available for
667 inspection within 14 days after receipt of a request for records

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668 by a governmental entity.

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

671 1. If, for any reason, a housing site is not being used for
672 legally verified agricultural workers for longer than 365 days,
673 any structure used as living quarters must be removed from the
674 housing site within 180 days after receipt of written
675 notification from the county unless the property owner can
676 demonstrate that use of the site for housing legally verified
677 agricultural workers will occur within 90 days after the written
678 notification.

679 2. If the property on which the housing site is located
680 ceases to be classified as agricultural land pursuant to s.
681 193.461.

682 3. If the permit authorized by the Department of Health for
683 the housing site is revoked, all structures must be removed from
684 the housing site within 180 days after receipt of written
685 notification from the county unless the permit is reinstated by
686 the Department of Health.

687 4. If a housing site is found to be occupied by any person
688 who does not meet the definition of a legally verified
689 agricultural worker, or is otherwise unlawfully present in the
690 United States. A property owner who violates this subparagraph
691 is subject to a Class I fine pursuant to s. 570.971, not to
692 exceed \$1,000, for the first violation, and a Class II fine, not
693 to exceed \$5,000, for any subsequent violations. The fines shall
694 be collected by the clerk of the court of the county in which
695 the violation occurred.

696 (f) Notwithstanding this subsection, the construction or

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697 installation of housing for legally verified agricultural
698 workers in the Florida Keys Area of Critical State Concern and
699 the City of Key West Area of Critical State Concern is subject
700 to the permit allocation systems of the Florida Keys Area of
701 Critical State Concern and the City of Key West Area of Critical
702 State Concern, respectively.

703 (g) A housing site that was constructed and in use before
704 July 1, 2024, may continue to be used, and the property owner
705 may not be required by a governmental entity to make changes to
706 meet the requirements of this subsection, unless the housing
707 site will be enlarged, remodeled, renovated, or rehabilitated.
708 The property owner of a housing site authorized under this
709 paragraph must provide regular maintenance and repair, including
710 compliance with health and safety regulations and maintenance
711 standards, for such housing site to ensure the health, safety,
712 and habitability of the housing site.

713 (6) DATA COLLECTION.—The department shall adopt rules
714 providing for:

715 (a) A method for governmental entities to submit reports of
716 property owners who have a housing site for legally verified
717 agriculture workers on lands classified as agricultural land
718 pursuant to s. 193.461, as provided in this section.

719 (b) A method for persons to submit complaints for review
720 and investigation by the department.

721
722 Governmental entities shall provide this information quarterly
723 to the department in a format and timeframe prescribed by rule.

724 (7) ENFORCEMENT.—

725 (a) In addition to the enforcement methods of employment

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726 verification outlined in s. 448.095, the department shall
727 enforce the requirements of subsection (5). Enforcement includes
728 completing routine inspections based on a random sample of data
729 collected by government entities and submitted to the
730 department, the investigation and review of complaints, and the
731 enforcement of violations.

732 (b) The department shall submit the information collected
733 to the State Board of Immigration Enforcement on a quarterly
734 basis, except that the first quarter shall begin 60 days after
735 the first quarterly data report under subsection (6) by a
736 governmental entity is received and reviewed by the department.

737 Section 3. Subsection (3) of section 201.25, Florida
738 Statutes, is amended to read:

739 201.25 Tax exemptions for certain loans.—There shall be
740 exempt from all taxes imposed by this chapter:

741 (3) Any loan made by the Agriculture and Aquaculture
742 Producers Emergency Natural Disaster Recovery Loan Program
743 pursuant to s. 570.822.

744 Section 4. Subsection (19) is added to section 253.0341,
745 Florida Statutes, to read:

746 253.0341 Surplus of state-owned lands.—

747 (19) Notwithstanding any other law or rule, the Department
748 of Agriculture and Consumer Services may surplus lands acquired
749 pursuant to s. 366.20 which are determined to be suitable for
750 bona fide agricultural production, as defined in s. 193.461. The
751 Department of Agriculture and Consumer Services shall consult
752 with the Department of Environmental Protection in the process
753 of making such determination. In the event that lands acquired
754 pursuant to s. 366.20, which are determined to be suitable for

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755 bona fide agricultural production are surplused, the Department
756 of Agriculture and Consumer Services must retain a rural-lands-
757 protection easements pursuant to s. 570.71(3), and all proceeds
758 must be deposited into the Incidental Trust Fund within the
759 Department of Agriculture and Consumer Services for less than
760 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
761 By January 1, 2026, and each January 1 thereafter, the
762 Department of Agriculture and Consumer Services shall provide a
763 report of lands surplused pursuant to this subsection to the
764 board.

765 (a) Any lands designated as a state forest, state park, or
766 wildlife management area are ineligible to be surplused pursuant
767 to this subsection.

768 (b) This subsection is retroactive to January 1, 2009.

769 Section 5. Present paragraphs (a) through (d) and (e) of
770 subsection (2) of section 330.41, Florida Statutes, are
771 redesignated as paragraphs (b) through (e) and (j),
772 respectively, and subsection (6) of that section is redesignated
773 as subsection (8), a new paragraph (a) and paragraphs (f), (g),
774 (h), and (i) are added to subsection (2) of that section and a
775 new subsection (6) and subsection (7) are added to that section,
776 and paragraph (d) of subsection (4) of that section is amended,
777 to read:

778 330.41 Unmanned Aircraft Systems Act.—

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

780 (a) "Commercial property" means real property other than
781 residential property. The term includes, but is not limited to,
782 a property zoned multifamily residential which is comprised of
783 five or more dwelling units, and real property used for

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784 commercial, industrial, or agricultural purposes.

785 (f) "Private property" means any residential or commercial
786 property.

787 (g) "Property owner" means the owner or owners of record of
788 real property. The term includes real property held in trust for
789 the benefit of one or more individuals, in which case the
790 individual or individuals may be considered as the property
791 owner or owners, provided that the trustee provides written
792 consent. The term does not include persons renting, using,
793 living, or otherwise occupying real property.

794 (h) "Residential property" means real property zoned as
795 residential or multifamily residential and composed of four or
796 fewer dwelling units.

797 (i) "Sport shooting and training range" has the same
798 meaning as in s. 790.333(3) (h).

799 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.-

800 (d) This subsection and paragraph (2) (b) ~~paragraph (2) (a)~~
801 shall sunset 60 days after the date that a process pursuant to
802 s. 2209 of the FAA Extension, Safety and Security Act of 2016
803 becomes effective.

804 (6) PROTECTION OF AGRICULTURAL LANDS.-

805 (a) A person may not knowingly or willfully do any of the
806 following on lands classified as agricultural lands pursuant to
807 s. 193.461:

808 1. Operate a drone.

809 2. Allow a drone to make contact with any person or object
810 on the premises of or within the boundaries of such lands.

811 3. Allow a drone to come within a distance close enough to
812 such lands to interfere with or cause a disturbance to

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813 agricultural production.

814 (b) A person who violates paragraph (a) commits a
815 misdemeanor of the second degree, punishable as provided in s.
816 775.082 or s. 775.083. A person who commits a second or
817 subsequent violation commits a misdemeanor of the first degree,
818 punishable as provided in s. 775.082 or s. 775.083.

819 (c) This subsection does not apply to actions identified in
820 paragraph (a) which are committed by:

821 1. The owner of the agricultural lands.

822 2. A person acting under the prior written consent of the
823 owner of the agricultural lands.

824 3. A person or entity acting in compliance with the
825 provisions of s. 934.50.

826 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
827 LANDS.—

828 (a) A person may not knowingly or willfully allow a drone
829 to make contact with private property, state wildlife management
830 lands, or a sport shooting and training range or any person or
831 object on the premises of or within such property with the
832 intent to harass.

833 (b) A person who violates paragraph (a) commits a
834 misdemeanor of the second degree, punishable as provided in s.
835 775.082 or s. 775.083. A person who commits a second or
836 subsequent violation commits a misdemeanor of the first degree,
837 punishable as provided in s. 775.082 or s. 775.083.

838 (c) A person who violates paragraph (a) and records video
839 of the private property, state wildlife management lands, or
840 sport shooting and training range, including any person or
841 object on the premises of or within the private property, state

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842 wildlife management lands, or sport shooting and training range,
843 commits a misdemeanor of the first degree, punishable as
844 provided in s. 775.082 or s. 775.083. A person who commits a
845 second or subsequent violation commits a felony of the third
846 degree, punishable as provided in s. 775.082, s. 775.083, or s.
847 775.084.

848 (d) This subsection does not apply to actions identified in
849 paragraph (a) which are committed by:

850 1. The property owner of the private property or sport
851 shooting and training range, or a person acting under the prior
852 written consent of the property owner.

853 2. A person or entity acting in compliance with the
854 provisions of s. 934.50.

855 Section 6. Effective July 31, 2026, section 366.20, Florida
856 Statutes, is created to read:

857 366.20 Sale and management of lands owned by electric
858 utilities.—

859 (1) Lands acquired by an electric utility, as defined in s.
860 366.02(4), on or after January 1, 2009, which have been
861 classified as agricultural lands pursuant to s. 193.461 at any
862 time in the 5 years preceding the acquisition of the land by the
863 electric utility must be offered for fee simple acquisition by
864 the Department of Agriculture and Consumer Services through the
865 process outlined in subsection (3) before offering for sale or
866 transferring the land to a private individual or entity.

867 (2) Lands owned by an electric utility, as defined in s.
868 366.02(4), on or after January 1, 2009, which were classified as
869 agricultural lands pursuant to s. 193.461 at any time in the 5
870 years preceding the date of acquisition of the land by the

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871 electric utility must be offered for fee simple acquisition by
872 the department through the process outlined in subsection (3)
873 before offering for sale or transferring the land to a private
874 individual or entity.

875 (3) (a) Within 30 days before offering for sale or
876 transferring lands identified pursuant to subsection (1) or
877 subsection (2) to a private individual or entity, an electric
878 utility must issue a written intent to sell sent through
879 certified mail to the Commissioner of Agriculture.

880 (b) Within 30 days after the date of receipt by certified
881 mail of the written intent by an electric utility to sell or
882 transfer such land, the commissioner may issue a written intent
883 to purchase via certified mail to the electric utility that
884 issued the intent to sell. If the commissioner declines, or does
885 not issue an intent to purchase within the 30 day timeframe, the
886 electric utility is released from the requirements of this
887 section.

888 (4) Offers accepted by the department pursuant to paragraph
889 (3) (b) which are received no later than 6 months before the
890 start of the regular legislative session must be executed no
891 later than July 31 following that regular legislative session.

892 (5) The department shall adopt rules to implement this
893 section.

894 Section 7. Present subsections (3) and (4) of section
895 366.94, Florida Statutes, are redesignated as subsections (4)
896 and (5), respectively, a new subsection (3) is added to that
897 section, and subsection (2) of that section is amended, to read:

898 366.94 Electric vehicle charging.—

899 (2) (a) As used in this section, the term "electric vehicle

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900 charging station” means the area in the immediate vicinity of
901 electric vehicle supply equipment and includes the electric
902 vehicle supply equipment, supporting equipment, and associated
903 parking spaces. The regulation of electric vehicle charging
904 stations is preempted to the state.

905 (b) ~~(a)~~ A local governmental entity may not enact or enforce
906 an ordinance or regulation related to electric vehicle charging
907 stations.

908 (3) (a) ~~(b)~~ The Department of Agriculture and Consumer
909 Services shall adopt rules to implement this subsection and to
910 provide requirements for electric vehicle charging stations to
911 allow for consistency for consumers and the industry.

912 (b) The department may adopt rules to protect the public
913 health, safety, and welfare and establish standards for the
914 placement, design, installation, maintenance, and operation of
915 electric vehicle charging stations.

916 (c) Local governmental entities shall issue permits for
917 electric vehicle charging stations based solely upon standards
918 established by department rule and other applicable provisions
919 of state law. The department shall prescribe by rule the time
920 period for approving or denying permit applications.

921 (d) Before a charger at an electric vehicle charging
922 station is placed into service for use by the public, the
923 charger must be registered with the department on a form
924 prescribed by department rule.

925 (e) The department shall have the authority to inspect
926 electric vehicle charging stations, conduct investigations, and
927 enforce this subsection and any rules adopted thereto. The
928 department may impose one or more of the following penalties

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929 against a person who violates this subsection or any rule
930 adopted under this subsection:

931 1. Issuance of a warning letter.

932 2. Imposition of an administrative fine in the Class II
933 category pursuant to s. 570.971 for each violation.

934 (f) If the department determines that an electric vehicle
935 charging station or any associated equipment presents a threat
936 to the public health, safety, or welfare, the department may
937 issue an immediate final order prohibiting the use of the
938 electric vehicle charging station or any portion thereof.

939 (g) In addition to the remedies provided in this
940 subsection, and notwithstanding the existence of any adequate
941 remedy at law, the department may bring an action to enjoin a
942 violation of this subsection or rules adopted under this
943 subsection in the circuit court of the county in which the
944 violation occurs or is about to occur. Upon demonstration of
945 competent and substantial evidence by the department to the
946 court of the violation or threatened violation, the court shall
947 immediately issue the temporary or permanent injunction sought
948 by the department. The injunction must be issued without bond.

949 Section 8. Present subsections (10) and (11) of section
950 388.011, Florida Statutes, are redesignated as subsections (11)
951 and (12), respectively, a new subsection (10) is added to that
952 section, and subsections (2) and (5) of that section are
953 amended, to read:

954 388.011 Definitions.—As used in this chapter:

955 (2) "Board of commissioners" means the governing body of
956 any mosquito control program ~~district~~, and may include boards of
957 county commissioners, city councils, municipalities, or other

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958 similar governing bodies when context so indicates.

959 (5) "District" means any mosquito control special district
960 established in this state by law for the express purpose of
961 controlling arthropods within boundaries of such ~~said~~ districts.

962 (10) "Program" means any governmental jurisdiction that
963 conducts mosquito control, whether it be a special district,
964 county, or municipality.

965 Section 9. Section 388.021, Florida Statutes, is amended to
966 read:

967 388.021 Creation of mosquito control special districts.—

968 (1) The abatement or suppression of arthropods, whether
969 disease-bearing or merely pestiferous, within any or all
970 counties of this state is advisable and necessary for the
971 maintenance and betterment of the comfort, health, and welfare
972 of the people thereof and is found and declared to be for public
973 purposes. Areas where arthropods incubate, hatch, or occur in
974 significant numbers so as to constitute a public health,
975 welfare, or nuisance problem may be controlled or abated as
976 provided in this chapter or the rules promulgated hereunder.
977 Therefore, any municipality ~~city~~, town, or county, or any
978 portion or portions thereof, whether such portion or portions
979 include incorporated territory or portions of two or more
980 counties in the state, may be created into a special taxing
981 district for the control of arthropods under the provisions of
982 this chapter.

983 (2) It is the legislative intent that ~~those~~ mosquito
984 control districts established prior to July 1, 1980, pursuant to
985 the petition process contained in former s. 388.031, may
986 continue to operate as outlined in this chapter. However, on and

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987 after that date, no mosquito control districts may be created
988 except pursuant to s. 125.01.

989 Section 10. Section 388.181, Florida Statutes, is amended
990 to read:

991 388.181 Power to do all things necessary.—The respective
992 programs ~~districts~~ of the state are hereby fully authorized to
993 do and perform all things necessary to carry out the intent and
994 purposes of this law.

995 Section 11. Subsections (1), (2), (4), and (5) of section
996 388.201, Florida Statutes, are amended to read:

997 388.201 Program ~~District~~ budgets; hearing.—

998 (1) The fiscal year of programs ~~districts~~ operating under
999 ~~the provisions of~~ this chapter shall be the 12-month period
1000 extending from October 1 of one year through September 30 of the
1001 following year. The governing board of the programs ~~district~~
1002 shall before July 15 of each year complete the preparation of a
1003 tentative detailed work plan budget covering its proposed
1004 operations and requirements for arthropod control measures
1005 during the ensuing fiscal year and, for the purpose of
1006 determining eligibility for state aid, shall submit copies as
1007 may be required to the department for review and approval. The
1008 tentative detailed work plan budget must ~~shall~~ set forth,
1009 classified by account number, title and program items, and by
1010 fund from which to be paid, the proposed expenditures of the
1011 program ~~district~~ for construction, for acquisition of land, and
1012 other purposes, for the operation and maintenance of the
1013 program's ~~district's~~ works, the conduct of the program ~~district~~
1014 generally, to which may be added an amount to be held as a
1015 reserve.

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1016 (2) The tentative detailed work plan budget must ~~shall~~ also
1017 show the estimated amount which will appear at the beginning of
1018 the fiscal year as obligated upon commitments made but
1019 uncompleted, ~~There shall be shown~~ the estimated unobligated or
1020 net balance which will be on hand at the beginning of the fiscal
1021 year, and the estimated amount to be raised by county,
1022 municipality, or district taxes and from any and all other
1023 sources for meeting the program's ~~the district's~~ requirements.

1024 (4) The governing board shall:

1025 (a) ~~Shall~~ Consider objections filed against adoption of the
1026 tentative detailed work plan budget and in its discretion may
1027 amend, modify, or change such budget; and

1028 (b) ~~Shall~~ By September 30, adopt and execute on a form
1029 furnished by the department a certified budget for the programs
1030 ~~district~~ which shall be the operating and fiscal guide for the
1031 program district. Certified copies of this budget must ~~shall~~ be
1032 submitted by September 30 to the department for approval.

1033 (5) County commissioners' mosquito and arthropod control
1034 budgets or the budgets of a similar governing body of a county,
1035 city, or town must ~~shall~~ be made and adopted as prescribed by
1036 subsections (1) and (2); summary figures must ~~shall~~ be
1037 incorporated into the county budgets as prescribed by the
1038 Department of Financial Services.

1039 Section 12. Section 388.241, Florida Statutes, is amended
1040 to read:

1041 388.241 Board of county commissioners vested with powers
1042 and duties of board of commissioners in certain counties.-In
1043 those counties or municipalities where there has been no
1044 formation of a separate or special board of commissioners, all

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1045 the rights, powers, and duties of a board of commissioners as
1046 conferred in this chapter shall be vested in the board of county
1047 commissioners or similar governing body of said county or
1048 municipality.

1049 Section 13. Section 388.261, Florida Statutes, is amended
1050 to read:

1051 388.261 State aid to counties, municipalities, and
1052 districts for arthropod control; distribution priorities and
1053 limitations.—

1054 (1) A county, municipality, or district may, without
1055 contributing matching funds, receive state funds, supplies,
1056 services, or equipment in an amount of no more than \$75,000
1057 ~~\$50,000~~ per year for up to 3 years for any new program for the
1058 control of mosquitoes and other arthropods which serves an area
1059 not previously served by the county, municipality, or district.
1060 These funds may be expended for any and all types of control
1061 measures approved by the department.

1062 (2) Every county, municipality, or district budgeting local
1063 funds to be used exclusively for the control of mosquitoes and
1064 other arthropods, under a plan submitted by the county,
1065 municipality, or district and approved by the department, is
1066 eligible to receive state funds and supplies, services, and
1067 equipment on a dollar-for-dollar matching basis to the amount of
1068 local funds budgeted. If state funds appropriated by the
1069 Legislature are insufficient to grant each county, municipality,
1070 or district state funds on a dollar-for-dollar matching basis to
1071 the amount budgeted in local funds, the department must ~~shall~~
1072 distribute the funds as prescribed by rule. Such rules must
1073 ~~shall~~ provide for up to 80 percent of the funds to be

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1074 distributed to programs with local funds for mosquito control
1075 budgets of less than \$1 million, if the county, municipality, or
1076 district meets the eligibility requirements. The funds must
1077 ~~shall~~ be distributed as equally as possible within the category
1078 of counties pursuant to this section. The remaining funds must
1079 ~~shall~~ be distributed as prescribed by rule among the remaining
1080 counties to support mosquito control and to support research,
1081 education, and outreach.

1082 (3) Every county shall be limited to receive a total of
1083 \$120,000 of state funds, exclusive of state funds brought
1084 forward, during any one year.

1085 (4) Up to 20 percent of the annual funds appropriated to
1086 local governments for arthropod control may be used for
1087 arthropod control research or demonstration projects as approved
1088 by the department.

1089 (5) If more than one program ~~local mosquito control agency~~
1090 exists in a county or municipality, the funds must ~~shall~~ be
1091 prorated between the programs ~~agencies~~ based on the population
1092 served by each program ~~agency~~.

1093 (6) The Commissioner of Agriculture may exempt counties,
1094 municipalities, or districts from the requirements in subsection
1095 (1), subsection (2), or subsection (3) when the department
1096 determines state funds, supplies, services, or equipment are
1097 necessary for the immediate control of mosquitoes and other
1098 arthropods that pose a threat to human or animal health.

1099 (7) The department may use state funds appropriated for a
1100 county, municipality, or district under subsection (1) or
1101 subsection (2) to provide state mosquito or other arthropod
1102 control equipment, supplies, or services when requested by a

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1103 county, municipality, or district eligible to receive state
1104 funds under s. 388.271.

1105 (8) The department is authorized to use up to 5 percent of
1106 the funds appropriated annually by the Legislature under this
1107 section to provide technical assistance to the counties, and
1108 municipalities, or districts, or to purchase equipment,
1109 supplies, or services necessary to administer the provisions of
1110 this chapter.

1111 Section 14. Subsections (1) and (2) of section 388.271,
1112 Florida Statutes, are amended to read:

1113 388.271 Prerequisites to participation.—

1114 (1) When state funds are involved, it is the duty of the
1115 department to guide, review, approve, and coordinate the
1116 activities of all county and municipal governments and special
1117 districts receiving state funds in furtherance of the goal of
1118 integrated arthropod control. Each program ~~county~~ eligible to
1119 participate may, and each district must, begin participation on
1120 October 1 of any year by filing with the department not later
1121 than July 15 a tentative integrated arthropod management plan
1122 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
1123 the control of arthropods. Following approval of the plan and
1124 budget by the department, a copy ~~two copies~~ of the program's
1125 ~~county's or district's~~ certified budget based on the approved
1126 integrated arthropod management ~~work~~ plan and detailed ~~work plan~~
1127 budget must ~~shall~~ be submitted to the department by September 30
1128 ~~following~~. State funds, supplies, and services must ~~shall~~ be
1129 made available to such program ~~county or district~~ by and through
1130 the department ~~immediately~~ upon release of funds by the
1131 Executive Office of the Governor.

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1132 (2) All purchases of supplies, materials, and equipment by
1133 programs must ~~counties or districts shall~~ be made in accordance
1134 with the laws governing purchases by boards of county
1135 commissioners or similar governing bodies, except that programs
1136 ~~districts~~ with special laws relative to competitive bidding
1137 shall make purchases in accordance therewith.

1138 Section 15. Subsections (1) and (3) of section 388.281,
1139 Florida Statutes, are amended to read:

1140 388.281 Use of state matching funds.—

1141 (1) All funds, supplies, and services released to programs
1142 ~~counties and districts~~ hereunder must ~~shall~~ be used in
1143 accordance with the integrated arthropod management ~~detailed~~
1144 ~~work~~ plan and certified budget approved by both the department
1145 and the board of commissioners or an appropriate representative
1146 ~~county or district~~. The integrated arthropod management plan and
1147 budget may be amended at any time upon prior approval of the
1148 department.

1149 (3) In any program ~~county or district~~ where the arthropod
1150 problem has been eliminated, or reduced to such an extent that
1151 it does not constitute a health, comfort, or economic problem as
1152 determined by the department, the maximum amount of state funds
1153 available under this chapter shall be reduced to the amount
1154 necessary to meet actual need.

1155 Section 16. Subsections (1) and (2) of section 388.291,
1156 Florida Statutes, are amended to read:

1157 388.291 Source reduction measures; supervision by
1158 department.—

1159 (1) Any program ~~county or district~~ may perform source
1160 reduction measures in conformity with good engineering practices

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1161 in any area, provided that the department cooperating with the
1162 county, municipality, or district has approved the operating or
1163 construction plan as outlined in the integrated arthropod
1164 management plan and that it has been determined by criteria
1165 contained in rule that the area or areas to be controlled would
1166 produce arthropods in significant numbers to constitute a health
1167 or nuisance problem.

1168 (2) The program ~~county or district~~ shall manage the
1169 detailed business affairs and supervise the ~~said~~ work, and the
1170 department shall advise the programs ~~districts~~ as to the best
1171 and most effective measures to be used in bringing about better
1172 temporary control and the permanent elimination of breeding
1173 conditions. The department may at its discretion discontinue any
1174 state aid provided hereunder in the event it finds the jointly
1175 agreed upon program is not being followed or is not efficiently
1176 and effectively administered.

1177 Section 17. Section 388.301, Florida Statutes, is amended
1178 to read:

1179 388.301 Payment of state funds; supplies and services.—
1180 State funds shall be payable ~~quarterly~~, in accordance with the
1181 rules of the department, upon requisition by the department to
1182 the Chief Financial Officer. The department is authorized to
1183 furnish insecticides, chemicals, materials, equipment, vehicles,
1184 and personnel in lieu of state funds where mass purchasing may
1185 save funds for the state, or where it would be more practical
1186 and economical to use equipment, supplies, and services between
1187 two or more programs ~~counties or districts~~.

1188 Section 18. Section 388.311, Florida Statutes, is amended
1189 to read:

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1190 388.311 Carry over of state funds and local funds.—State
1191 and local funds budgeted for the control of mosquitoes and other
1192 arthropods shall be carried over at the end of the program's
1193 ~~county or district's~~ fiscal year, and rebudgeted for such
1194 control measures the following fiscal year.

1195 Section 19. Section 388.321, Florida Statutes, is amended
1196 to read:

1197 388.321 Equipment to become property of a program ~~the~~
1198 ~~county or district~~.—All equipment purchased under this chapter
1199 with state funds made available directly to a program ~~the county~~
1200 ~~or district~~ shall become the property of the program ~~county or~~
1201 ~~district~~ unless otherwise provided, and may be traded in on
1202 other equipment, or sold, when no longer needed by the program
1203 ~~county or district~~.

1204 Section 20. Section 388.322, Florida Statutes, is amended
1205 to read:

1206 388.322 Record and inventory of certain property.—A record
1207 and inventory of certain property purchased with state funds for
1208 arthropod control use owned by the program ~~district shall~~
1209 be maintained in accordance with s. 274.02.

1210 Section 21. Section 388.323, Florida Statutes, is amended
1211 to read:

1212 388.323 Disposal of surplus property.—Surplus property
1213 shall be disposed of according to the provisions set forth in s.
1214 274.05 with the following exceptions:

1215 (1) Serviceable equipment purchased using state funds for
1216 arthropod control use no longer needed by a program ~~county~~
1217 ~~or district shall~~ first be offered to any ~~or all~~ other programs
1218 ~~counties or districts~~ engaged in arthropod control at a price

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1219 established by the board of commissioners owning the equipment.

1220 (2) The alternative procedure for disposal of surplus
1221 property, as prescribed in s. 274.06, must ~~shall~~ be followed if
1222 it is determined that no other program ~~county or district~~
1223 engaged in arthropod control has need for the equipment.

1224 (3) All proceeds from the sale of any real or tangible
1225 personal property owned by the program and purchased using state
1226 funds ~~county or district~~ shall be deposited in the program's
1227 ~~county's or district's~~ state fund account unless otherwise
1228 specifically designated by the department.

1229 Section 22. Section 388.341, Florida Statutes, is amended
1230 to read:

1231 388.341 Reports of expenditures and accomplishments.—Each
1232 program receiving state aid ~~county and district participating~~
1233 under ~~the provisions of~~ this chapter shall within 30 days after
1234 the end of each month submit to the department a monthly report
1235 for the preceding month of expenditures from all funds for
1236 arthropod control, and each program participating under this
1237 chapter shall provide such reports of activities and
1238 accomplishments as may be required by the department.

1239 Section 23. Section 388.351, Florida Statutes, is amended
1240 to read:

1241 388.351 Transfer of equipment, personnel, and supplies
1242 during an emergency.—The department, upon notifying a program
1243 ~~county or district~~ and obtaining its approval, is authorized to
1244 transfer equipment, materials, and personnel from one program
1245 ~~district~~ to another in the event of an emergency brought about
1246 by an arthropod-borne epidemic or other disaster requiring
1247 emergency control.

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1248 Section 24. Subsection (7) of section 388.361, Florida
1249 Statutes, is amended to read:

1250 388.361 Department authority and rules; administration.—

1251 (7) The department shall have the authority to collect,
1252 detect, suppress, and control mosquitoes and other arthropods
1253 that are determined by the State Health Officer to pose a threat
1254 to public health, or determined by the Commissioner of
1255 Agriculture to pose a threat to animal health, wherever they may
1256 occur on public or private land in this state, and to do all
1257 things necessary in the exercise of such authority. Prior to the
1258 start of treatments for the control of mosquitoes or other
1259 arthropods, the department shall consult with the mosquito
1260 control programs ~~districts~~ in the proposed treatment areas, the
1261 Department of Health, the Department of Environmental
1262 Protection, and the Fish and Wildlife Conservation Commission
1263 regarding the proposed locations, dates, and methods to be used.

1264 Section 25. Subsections (2) and (3) of section 388.3711,
1265 Florida Statutes, are amended to read:

1266 388.3711 Enforcement.—

1267 (2) The department may issue a written warning, impose a
1268 fine; deny, suspend, or revoke any license or certification, ~~or~~
1269 the disbursal of state aid; or deny participation, in accordance
1270 with the provisions of chapter 120, upon any one or more of the
1271 following grounds as may be applicable:

1272 (a) Violation of any rule of the department or provision of
1273 this chapter.

1274 (b) Violation of FIFRA or any relevant EPA rule or
1275 regulation pertaining to the use of arthropod control pesticides
1276 by the licensee.

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1277 (c) Failure to give the department, or any authorized
1278 representative thereof, true information upon request regarding
1279 methods and materials used, work performed, or other information
1280 essential to the administration of this chapter.

1281 (3) The department may, if it finds a violation is of such
1282 nature or circumstances that imposition of a fine, or denial,
1283 revocation, or suspension of a certification or license or
1284 disbursal of state aid would be detrimental to the public or be
1285 unnecessarily harsh under the circumstances, in its discretion,
1286 place the offending party on probation for a period of not more
1287 than 2 years. If the department determines that the terms of
1288 such probation have been violated, it may reinstitute license or
1289 certification or state aid denial, suspension, or revocation
1290 proceedings.

1291 Section 26. Section 388.381, Florida Statutes, is amended
1292 to read:

1293 388.381 Cooperation by programs ~~counties and district.~~—Any
1294 program conducting county or district carrying on an arthropod
1295 control ~~program~~ may cooperate with another county, district, or
1296 municipality in carrying out work ~~a program~~ for the control of
1297 mosquitoes and other arthropods, by agreement as to the program
1298 and reimbursement thereof, when approved by the department.

1299 Section 27. Section 388.391, Florida Statutes, is amended
1300 to read:

1301 388.391 Control measures in municipalities and portions of
1302 counties located outside boundaries of programs ~~districts.~~—Any
1303 program ~~district~~ whose operation is limited to a portion of the
1304 county in which it is located may perform any control measures
1305 authorized by this chapter in any municipality located in the

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1306 same county or in any portions of the same county, where there
1307 is no established program district, when requested to do so by
1308 the municipality or county, pursuant to s. 388.381.

1309 Section 28. Section 388.401, Florida Statutes, is amended
1310 to read:

1311 388.401 Penalty for damage to property or operations.—
1312 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
1313 any program county or district created under this or other
1314 chapters, or any works constructed, maintained, or controlled by
1315 such program county or district, or who obstructs ~~shall obstruct~~
1316 or causes ~~cause~~ to be obstructed any of the operations of such
1317 program county or district, or who ~~shall~~ knowingly or willfully
1318 violates ~~violate~~ any provisions of this chapter or any rule or
1319 regulation promulgated by any board of commissioners of any
1320 program, commits ~~county or district shall be guilty of a~~
1321 misdemeanor of the second degree, punishable as provided in s.
1322 775.082 or s. 775.083.

1323 Section 29. Paragraph (a) of subsection (2) of section
1324 388.46, Florida Statutes, is amended to read:

1325 388.46 Florida Coordinating Council on Mosquito Control;
1326 establishment; membership; organization; responsibilities.—

1327 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1328 (a) *Membership*.—The Florida Coordinating Council on
1329 Mosquito Control shall be composed ~~comprised~~ of the following
1330 representatives or their authorized designees:

- 1331 1. The Secretary of Environmental Protection.
- 1332 2. The State Surgeon General.
- 1333 3. The executive director of the Fish and Wildlife
1334 Conservation Commission.

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- 1335 4. The state epidemiologist.
- 1336 5. The Commissioner of Agriculture.
- 1337 6. The Board of Trustees of the Internal Improvement Trust
- 1338 Fund.
- 1339 7. Representatives from:
- 1340 a. The University of Florida, Institute of Food and
- 1341 Agricultural Sciences, Florida Medical Entomological Research
- 1342 Laboratory.
- 1343 b. The United States Environmental Protection Agency.
- 1344 c. The United States Department of Agriculture, Center of
- 1345 Medical, Agricultural, and Veterinary Entomology ~~Insects~~
- 1346 Affecting Man Laboratory.
- 1347 d. The United States Fish and Wildlife Service.
- 1348 8. Four ~~Two~~ mosquito control directors to be nominated by
- 1349 the Florida Mosquito Control Association, two representatives of
- 1350 Florida environmental groups, and two private citizens who are
- 1351 property owners whose lands are regularly subject to mosquito
- 1352 control operations, to be appointed to 4-year terms by the
- 1353 Commissioner of Agriculture and serve until his or her successor
- 1354 is appointed.

1355 Section 30. Paragraph (d) of subsection (7) of section

1356 403.067, Florida Statutes, is amended to read:

1357 403.067 Establishment and implementation of total maximum

1358 daily loads.—

1359 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1360 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1361 (d) *Enforcement and verification of basin management action*

1362 *plans and management strategies*.—

1363 1. Basin management action plans are enforceable pursuant

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1364 to this section and ss. 403.121, 403.141, and 403.161.
1365 Management strategies, including best management practices and
1366 water quality monitoring, are enforceable under this chapter.

1367 2. No later than January 1, 2017:

1368 a. The department, in consultation with the water
1369 management districts and the Department of Agriculture and
1370 Consumer Services, shall initiate rulemaking to adopt procedures
1371 to verify implementation of water quality monitoring required in
1372 lieu of implementation of best management practices or other
1373 measures pursuant to sub-subparagraph (b)2.g.;

1374 b. The department, in consultation with the water
1375 management districts and the Department of Agriculture and
1376 Consumer Services, shall initiate rulemaking to adopt procedures
1377 to verify implementation of nonagricultural interim measures,
1378 best management practices, or other measures adopted by rule
1379 pursuant to subparagraph (c)1.; and

1380 c. The Department of Agriculture and Consumer Services, in
1381 consultation with the water management districts and the
1382 department, shall initiate rulemaking to adopt procedures to
1383 verify implementation of agricultural interim measures, best
1384 management practices, or other measures adopted by rule pursuant
1385 to subparagraph (c)2.

1386

1387 The rules required under this subparagraph shall include
1388 enforcement procedures applicable to the landowner, discharger,
1389 or other responsible person required to implement applicable
1390 management strategies, including best management practices or
1391 water quality monitoring as a result of noncompliance.

1392 3. At least every 2 years, the Department of Agriculture

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1393 and Consumer Services shall perform onsite inspections of each
1394 agricultural producer that enrolls in a best management
1395 practice, except those enrolled by rule in subparagraph 4., to
1396 ensure that such practice is being properly implemented. Such
1397 verification must include a collection and review of the best
1398 management practice documentation from the previous 2 years
1399 required by rules adopted pursuant to subparagraph (c)2.,
1400 including, but not limited to, nitrogen and phosphorus
1401 ~~fertilizer~~ application records, which must be collected and
1402 retained pursuant to subparagraphs (c)3., 4., and 6. The
1403 Department of Agriculture and Consumer Services shall initially
1404 prioritize the inspection of agricultural producers located in
1405 the basin management action plans for Lake Okeechobee, the
1406 Indian River Lagoon, the Caloosahatchee River and Estuary, and
1407 Silver Springs.

1408 4. The Department of Agriculture and Consumer Services is
1409 authorized to adopt rules establishing an enrollment in best
1410 management practices by rule process that agricultural pollutant
1411 sources and agricultural producers may use in lieu of the best
1412 management practices adopted in paragraph (c) and identify best
1413 management practices for landowners of parcels which meet the
1414 following requirements:

1415 a. A parcel not more than 25 acres in size;

1416 b. A parcel designated as agricultural land use by the
1417 county in which it is located or the parcel is granted
1418 agricultural tax classification by the county property appraiser
1419 of the county in which it is located;

1420 c. A parcel with water use not exceeding 100,000 gallons
1421 per day on average unless the entire use is met using recycled

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1422 water from wet detention treatment ponds or reuse water;

1423 d. A parcel where the agricultural activity on the parcel
1424 is not a vegetable crop, an agronomic crop, a nursery, or a
1425 dairy operation;

1426 e. A parcel not abutting an impaired water body identified
1427 in subsection (4); and

1428 f. A parcel not part of a larger operation that is enrolled
1429 in the Department of Agriculture and Consumer Services best
1430 management practices or conducting water quality monitoring
1431 prescribed by the department or a water management district.

1432
1433 Such requirements must specify design or performance criteria
1434 that, if applied, would result in compliance with appropriate
1435 water quality standards. The Department of Agriculture and
1436 Consumer Services is authorized to adopt additional eligibility
1437 criteria for landowners or producers to use enrollment by rule
1438 and to revoke enrollment by rule.

1439 5. The Department of Agriculture and Consumer Services
1440 shall annually perform onsite inspections of 20 percent for all
1441 enrollments that meet the qualifications pursuant to
1442 subparagraph 4. by rule within basin management action plan
1443 areas, to ensure that practices are being properly implemented.
1444 Such inspections must include a collection and review of the
1445 identified best management practice documentation from the
1446 previous 2 years required by rules adopted pursuant to
1447 subparagraph (c)2. All agricultural producers enrolled by rule
1448 in a best management practice must annually submit nutrient
1449 records, including nitrogen and phosphorus application records
1450 for the previous calendar year, to the Department of Agriculture

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1451 and Consumer Services as required by rules adopted pursuant to
1452 subparagraph (c)2. The Department of Agriculture and Consumer
1453 Services shall collect and retain these nutrient records
1454 pursuant to subparagraphs (c)3., 4., and 6.

1455 Section 31. Subsection (19) is added to section 403.852,
1456 Florida Statutes, to read:

1457 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1458 403.850-403.864:

1459 (19) "Water quality additive" means any chemical, additive,
1460 or substance that is used in a public water system for the
1461 purpose of:

1462 (a) Meeting or surpassing primary or secondary drinking
1463 water standards;

1464 (b) Preventing, reducing, or removing contaminants; or

1465 (c) Improving water quality.

1466 Section 32. Subsection (8) is added to section 403.859,
1467 Florida Statutes, to read:

1468 403.859 Prohibited acts.—The following acts and the causing
1469 thereof are prohibited and are violations of this act:

1470 (8) The use of any additive in a public water system which
1471 does not meet the definition of a water quality additive as
1472 defined in s. 403.852(19).

1473 Section 33. Subsection (10) of section 482.111, Florida
1474 Statutes, is amended to read:

1475 482.111 Pest control operator's certificate.—

1476 (10) In order to renew a certificate, the certificateholder
1477 must complete 2 hours of approved continuing education on
1478 legislation, safety, pesticide labeling, and integrated pest
1479 management and 2 hours of approved continuing education in each

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1480 category of her or his certificate or must pass an examination
1481 that the department shall provide in person and remotely through
1482 a third-party vendor. The third-party vendor may collect and
1483 retain a convenience fee given by the department. The department
1484 may not renew a certificate if the continuing education or
1485 examination requirement is not met.

1486 (a) Courses or programs, to be considered for credit, must
1487 include one or more of the following topics:

1488 1. The law and rules of this state pertaining to pest
1489 control.

1490 2. Precautions necessary to safeguard life, health, and
1491 property in the conducting of pest control and the application
1492 of pesticides.

1493 3. Pests, their habits, recognition of the damage they
1494 cause, and identification of them by accepted common name.

1495 4. Current accepted industry practices in the conducting of
1496 fumigation, termites and other wood-destroying organisms pest
1497 control, lawn and ornamental pest control, and household pest
1498 control.

1499 5. How to read labels, a review of current state and
1500 federal laws on labeling, and a review of changes in or
1501 additions to labels used in pest control.

1502 6. Integrated pest management.

1503 (b) The certificateholder must submit with her or his
1504 application for renewal a statement certifying that she or he
1505 has completed the required number of hours of continuing
1506 education. The statement must be on a form prescribed by the
1507 department and must identify at least the date, location,
1508 provider, and subject of the training and must provide such

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1509 other information as required by the department.

1510 (c) The department shall charge the same fee for
1511 examination as provided in s. 482.141(2).

1512 Section 34. Subsection (1) of section 482.141, Florida
1513 Statutes, is amended to read:

1514 482.141 Examinations.—

1515 (1) Each individual seeking certification must
1516 satisfactorily pass an examination which must be written but
1517 ~~which~~ may include practical demonstration. The department shall
1518 provide in-person and remote testing through a third-party
1519 vendor. A third-party vendor may collect and retain a
1520 convenience fee hold at least two examinations each year. An
1521 applicant may seek certification in one or more categories.

1522 Section 35. Paragraph (b) of subsection (1) of section
1523 482.155, Florida Statutes, is amended to read:

1524 482.155 Limited certification for governmental pesticide
1525 applicators or private applicators.—

1526 (1)

1527 (b) A person seeking limited certification under this
1528 subsection must pass an examination that the department shall
1529 provide in person and remotely through a third-party vendor. The
1530 third-party vendor may collect and retain a convenience fee
1531 ~~given or approved by the department.~~ Each application for
1532 examination must be accompanied by an examination fee set by the
1533 department, in an amount of not more than \$150 or less than \$50;
1534 and a recertification fee of \$25 every 4 years. Until rules
1535 setting these fees are adopted by the department, the
1536 examination fee is \$50. Application for recertification must be
1537 accompanied by proof of having completed 4 classroom hours of

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1538 acceptable continuing education. The limited certificate expires
1539 4 years after the date of issuance. If the certificateholder
1540 fails to renew his or her certificate and provide proof of
1541 completion of the required continuing education units within 60
1542 days after the expiration date, the certificateholder may be
1543 recertified only after reexamination. The department shall make
1544 available ~~provide~~ the appropriate reference material and ~~make~~
1545 ~~the examination readily accessible and available to all~~
1546 ~~applicants at least quarterly or as necessary in each county.~~

1547 Section 36. Subsection (2) of section 482.156, Florida
1548 Statutes, is amended to read:

1549 482.156 Limited certification for commercial landscape
1550 maintenance personnel.—

1551 (2) (a) A person seeking limited certification under this
1552 section must pass an examination that the department shall
1553 provide in person and remotely through a third-party vendor. The
1554 third-party vendor may collect and retain a convenience fee
1555 ~~given by the department~~. Each application for examination must
1556 be accompanied by an examination fee set by rule of the
1557 department, in an amount of not more than \$150 or less than \$50.
1558 Before the department issues a limited certification under this
1559 section, each person applying for the certification must furnish
1560 proof of having a certificate of insurance which states that the
1561 employer meets the requirements for minimum financial
1562 responsibility for bodily injury and property damage required by
1563 s. 482.071(4).

1564 (b) The department shall make available ~~provide~~ the
1565 appropriate reference materials for the examination and provide
1566 in-person and remote testing through a third-party vendor. A

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1567 ~~third-party vendor may collect and retain a convenience fee make~~
1568 ~~the examination readily accessible and available to applicants~~
1569 ~~at least quarterly or as necessary in each county.~~

1570 Section 37. Subsection (2) of section 482.157, Florida
1571 Statutes, is amended to read:

1572 482.157 Limited certification for commercial wildlife
1573 management personnel.—

1574 (2) The department shall issue a limited certificate to an
1575 applicant who:

1576 (a) Submits an application and examination fee of at least
1577 \$150, but not more than \$300, as prescribed by the department by
1578 rule;

1579 (b) Passes an examination that the department shall provide
1580 in person and remotely through a third-party vendor. The third-
1581 party vendor may collect and retain a convenience fee
1582 ~~administered by the department.~~ The department shall make
1583 available ~~provide~~ the appropriate study materials for the
1584 examination ~~and make the examination readily available to~~
1585 ~~applicants in each county as necessary, but not less frequently~~
1586 ~~than quarterly;~~ and

1587 (c) Provides proof, including a certificate of insurance,
1588 that the applicant has met the minimum bodily injury and
1589 property damage insurance requirements in s. 482.071(4).

1590 Section 38. Paragraph (m) is added to subsection (1) of
1591 section 482.161, Florida Statutes, to read:

1592 482.161 Disciplinary grounds and actions; reinstatement.—

1593 (1) The department may issue a written warning to or impose
1594 a fine against, or deny the application for licensure or
1595 licensure renewal of, a licensee, certified operator, limited

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1596 certificateholder, identification cardholder, or special
1597 identification cardholder or any other person, or may suspend,
1598 revoke, or deny the issuance or renewal of any license,
1599 certificate, limited certificate, identification card, or
1600 special identification card that is within the scope of this
1601 chapter, in accordance with chapter 120, upon any of the
1602 following grounds:

1603 (m) Issuance of a final order imposing civil penalties
1604 under subsection 14(a) of the Federal Insecticide, Fungicide,
1605 and Rodenticide Act (FIFRA) or a criminal conviction under
1606 subsection 14(b) of FIFRA.

1607 Section 39. Subsection (2) of section 487.044, Florida
1608 Statutes, is amended to read:

1609 487.044 Certification; examination.—

1610 (2) The department shall require each applicant for a
1611 certified applicator's license to demonstrate competence by a
1612 written or oral examination in which the applicant must
1613 demonstrate adequate knowledge concerning the proper use and
1614 application of restricted-use pesticides in each classification
1615 for which application for license is made. The department shall
1616 provide in-person and remote testing through a third-party
1617 vendor. A third-party vendor may collect and retain a
1618 convenience fee. The examination may be prepared, administered,
1619 and evaluated by the department. Each applicant for a certified
1620 applicator's license must ~~shall~~ demonstrate minimum competence
1621 as to:

1622 (a) The proper use of the equipment.

1623 (b) The environmental hazards that may be involved in
1624 applying restricted-use pesticides.

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1625 (c) Calculating the concentration of restricted-use
1626 pesticides to be used in particular circumstances.

1627 (d) Identification of common pests to be controlled and the
1628 damages caused by such pests.

1629 (e) Protective clothing and respiratory equipment required
1630 during the handling and application of restricted-use
1631 pesticides.

1632 (f) General precautions to be followed in the disposal of
1633 containers, as well as the cleaning and decontamination of the
1634 equipment which the applicant proposes to use.

1635 (g) Applicable state and federal pesticide laws, rules, and
1636 regulations.

1637 (h) General safety precautions.

1638 Section 40. Subsection (6) is added to section 487.175,
1639 Florida Statutes, to read:

1640 487.175 Penalties; administrative fine; injunction.—

1641 (6) Licensure may be suspended, revoked, or denied by the
1642 department, upon the issuance of a final order to a licensee
1643 imposing civil penalties under subsection 14(a) of the Federal
1644 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1645 criminal conviction under subsection 14(b) of FIFRA.

1646 Section 41. Present subsections (13) through (28) of
1647 section 496.404, Florida Statutes, are redesignated as
1648 subsections (15) through (30), respectively, and new subsections
1649 (13) and (14) are added to that section, to read:

1650 496.404 Definitions.—As used in ss. 496.401-496.424, the
1651 term:

1652 (13) "Foreign country of concern" has the same meaning as
1653 in s. 286.101(1)(b).

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1654 (14) "Foreign source of concern" means any of the
1655 following:

1656 (a) The government or any official of the government of a
1657 foreign country of concern;

1658 (b) A political party or member of a political party or any
1659 subdivision of a political party in a foreign country of
1660 concern;

1661 (c) A partnership, an association, a corporation, an
1662 organization, or other combination of persons organized under
1663 the laws of or having its principal place of business in a
1664 foreign country of concern, or a subsidiary of such entity;

1665 (d) Any person who is domiciled in a foreign country of
1666 concern and is not a citizen or lawful permanent citizen of the
1667 United States;

1668 (e) An agent, including a subsidiary or an affiliate of a
1669 foreign legal entity, acting on behalf of a foreign source of
1670 concern; or

1671 (f) An entity in which a person, entity, or collection of
1672 persons or entities described in paragraphs (a)-(e) has a
1673 controlling interest. As used in this paragraph, the term
1674 "controlling interest" means the possession of the power to
1675 direct or cause the direction of the management or policies of
1676 an entity, whether through ownership of securities, by contract,
1677 or otherwise. A person or an entity that directly or indirectly
1678 has the right to vote 25 percent or more of the voting interest
1679 of the company or is entitled to 25 percent or more of its
1680 profits is presumed to possess a controlling interest.

1681 Section 42. Present paragraphs (d) through (g) of
1682 subsection (2) of section 496.405, Florida Statutes, are

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1683 redesignated as paragraphs (f) through (i), respectively, new
1684 paragraphs (d) and (e) are added to that subsection, subsection
1685 (11) is added to that section, and subsection (1) and paragraph
1686 (b) of subsection (7) of that section are amended, to read:

1687 496.405 Registration statements by charitable organizations
1688 and sponsors.—

1689 (1) A charitable organization or sponsor, unless exempted
1690 pursuant to s. 496.406, which intends to solicit contributions
1691 in or from this state by any means or have funds solicited on
1692 its behalf by any other person, charitable organization,
1693 sponsor, commercial co-venturer, or professional solicitor, or
1694 that participates in a charitable sales promotion or sponsor
1695 sales promotion, must, before engaging in any of these
1696 activities, file an initial registration statement, which
1697 includes an attestation statement, and a renewal statement
1698 annually thereafter, with the department.

1699 (a) Except as provided in paragraph (b), any changes in the
1700 information submitted on the initial registration statement or
1701 the last renewal statement must be updated annually on a renewal
1702 statement provided by the department on or before the date that
1703 marks 1 year after the date the department approved the initial
1704 registration statement as provided in this section. The
1705 department shall annually provide a renewal statement to each
1706 registrant by mail or by electronic mail at least 30 days before
1707 the renewal date.

1708 (b) Any changes to the information submitted to the
1709 department pursuant to paragraph (2)(f) ~~(2)(d)~~ on the initial
1710 registration statement, which includes an attestation statement,
1711 or the last renewal statement must be reported to the department

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1712 on a form prescribed by the department within 10 days after the
1713 change occurs.

1714 (c) A charitable organization or sponsor that is required
1715 to file an initial registration statement or annual renewal
1716 statement may not, before approval of its statement by the
1717 department in accordance with subsection (7), solicit
1718 contributions or have contributions solicited on its behalf by
1719 any other person, charitable organization, sponsor, commercial
1720 co-venturer, or professional solicitor or participate in a
1721 charitable sales promotion or sponsor sales promotion.

1722 (d) The registration of a charitable organization or
1723 sponsor may not continue in effect and shall expire without
1724 further action of the department under either of the following
1725 circumstances:

1726 1. After the date the charitable organization or sponsor
1727 should have filed, but failed to file, its renewal statement in
1728 accordance with this section.

1729 2. For failure to provide a financial statement within any
1730 extension period provided under s. 496.407.

1731 (2) The initial registration statement must be submitted on
1732 a form prescribed by the department, signed by an authorized
1733 official of the charitable organization or sponsor who shall
1734 certify that the registration statement is true and correct, and
1735 include the following information or material:

1736 (d) An attestation statement, which must be submitted on a
1737 form prescribed by the department and signed by an authorized
1738 official of the charitable organization who shall certify and
1739 attest that the charitable organization, if engaged in
1740 activities that would require registration pursuant to chapter

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1741 106, is registered with the Department of State, pursuant to
1742 chapter 106.

1743 (e) An attestation statement on a form prescribed by the
1744 department, signed by an authorized official of the charitable
1745 organization who shall certify and attest that the charitable
1746 organization, if prohibited by applicable federal or state law,
1747 is not engaged in activities that would require registration
1748 with the Department of State pursuant to chapter 106.

1749 (7)

1750 (b) If a charitable organization or sponsor discloses
1751 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1752 in the initial registration statement or annual renewal
1753 statement, the time limits set forth in paragraph (a) are
1754 waived, and the department shall process such initial
1755 registration statement or annual renewal statement in accordance
1756 with the time limits set forth in chapter 120. The registration
1757 of a charitable organization or sponsor shall be automatically
1758 suspended for failure to disclose any information specified in
1759 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1760 required information is submitted to the department.

1761 (11) The department may investigate and refer a charitable
1762 organization or sponsor to the Florida Elections Commission for
1763 investigation of violations pursuant to chapters 104 and 106.

1764 Section 43. Subsection (20) is added to section 496.415,
1765 Florida Statutes, to read:

1766 496.415 Prohibited acts.—It is unlawful for any person in
1767 connection with the planning, conduct, or execution of any
1768 solicitation or charitable or sponsor sales promotion to:

1769 (20) Solicit or accept contributions or anything of value

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1770 from a foreign source of concern.

1771 (a) For a first violation of this subsection, this
1772 prohibited act is considered involuntary, and shall result in no
1773 punitive action from the department if the charitable
1774 organization satisfies all of the following requirements:

1775 1. Provides the department with a solicitation or
1776 contribution form containing an attestation from such foreign
1777 source or country of concern in which the person, country, or
1778 entity falsely certifies that they are not a foreign country of
1779 concern as defined in s. 496.404(13) or a foreign source of
1780 concern as defined in s. 496.404(14);

1781 2. Provides the department with a copy of a refund to the
1782 foreign source or country of concern within 30 days after
1783 notification by the department of the prohibited act; and

1784 3. Provides the department with a plan of action to prevent
1785 the acceptance of contributions from a foreign country or source
1786 of concern in future solicitation activities by the charitable
1787 organization.

1788 (b) A second or subsequent violation of this subsection is
1789 considered voluntary, and the charitable organization or sponsor
1790 is subject to the penalties specified in s. 496.419(5) at the
1791 discretion of the department.

1792 Section 44. Section 496.417, Florida Statutes, is amended
1793 to read:

1794 496.417 Criminal penalties.—Except as otherwise provided in
1795 ss. 496.401-496.424, and in addition to any administrative or
1796 civil penalties, any person who willfully and knowingly violates
1797 ss. 496.401-496.424 commits a felony of the third degree,
1798 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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1799 For a second or subsequent conviction, such violation
1800 constitutes a felony of the second degree, punishable as
1801 provided in s. 775.082, s. 775.083, or s. 775.084. The
1802 department may also investigate and refer a charitable
1803 organization or sponsor to the Florida Elections Commission for
1804 investigation of violations pursuant to chapters 104 and 106.

1805 Section 45. Subsection (11) is added to section 496.419,
1806 Florida Statutes, to read:

1807 496.419 Powers of the department.—

1808 (11) A charitable organization or sponsor whose
1809 registration is denied or revoked for submitting a false
1810 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
1811 subject to the penalties specified in subsection (5) at the
1812 discretion of the department.

1813 Section 46. Section 496.431, Florida Statutes, is created
1814 to read:

1815 496.431 Honest Services Registry.—

1816 (1) The department shall create the Honest Services
1817 Registry to provide the residents of this state with the
1818 information necessary to make an informed choice when deciding
1819 which charitable organizations to support.

1820 (2) To be included on the Honest Services Registry, a
1821 charitable organization must, at a minimum, submit to the
1822 department an attestation statement on a form prescribed by the
1823 department, verified as provided in s. 92.525, attesting to all
1824 of the following:

1825 (a) That the organization does not solicit or accept,
1826 directly or indirectly, contributions, funding, support, or
1827 services from a foreign source of concern.

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1828 (b) That the organization's messaging and content are not
1829 directly or indirectly produced or influenced by a foreign
1830 source of concern.

1831 (3) The department shall publish the Honest Services
1832 Registry on the department's website.

1833 (4) The department shall adopt rules to implement this
1834 section.

1835 Section 47. Paragraph (j) of subsection (1) of section
1836 500.03, Florida Statutes, is amended to read:

1837 500.03 Definitions; construction; applicability.—

1838 (1) For the purpose of this chapter, the term:

1839 (j) "Cottage food product" means food that is not time or
1840 temperature controlled for safety or a potentially hazardous
1841 food as defined by department rule which is sold by a cottage
1842 food operation in accordance with s. 500.80.

1843 Section 48. Paragraphs (a) and (b) of subsection (1) of
1844 section 500.12, Florida Statutes, are amended to read:

1845 500.12 Food permits; building permits.—

1846 (1)(a) A food permit from the department is required of any
1847 person or business that ~~who~~ operates a food establishment,
1848 except:

1849 1. Persons or businesses operating minor food outlets that
1850 sell food that is commercially prepackaged, not potentially
1851 hazardous, not age restricted, and not time or temperature
1852 controlled for safety, if the shelf space for those items does
1853 not exceed 12 total linear feet and no other food is sold by the
1854 person or business minor food outlet.

1855 2. Persons subject to continuous, onsite federal or state
1856 inspection.

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1857 3. Persons selling only legumes in the shell, either
1858 parched, roasted, or boiled.

1859 4. Persons selling sugar cane or sorghum syrup that has
1860 been boiled and bottled on a premise located within this state.
1861 Such bottles must contain a label listing the producer's name
1862 and street address, all added ingredients, the net weight or
1863 volume of the product, and a statement that reads, "This product
1864 has not been produced in a facility permitted by the Florida
1865 Department of Agriculture and Consumer Services."

1866 (b) Each food establishment regulated under this chapter
1867 must apply for and receive a food permit before operation
1868 begins. An application for a food permit from the department
1869 must be accompanied by a fee in an amount determined by
1870 department rule. The department shall adopt by rule a schedule
1871 of fees to be paid by each food establishment as a condition of
1872 issuance or renewal of a food permit. Such fees may not exceed
1873 \$650 and must be used solely for the recovery of costs for the
1874 services provided, except that the fee accompanying an
1875 application for a food permit for operating a bottled water
1876 plant may not exceed \$1,000 and the fee accompanying an
1877 application for a food permit for operating a packaged ice plant
1878 may not exceed \$250. The fee for operating a bottled water plant
1879 or a packaged ice plant must be set by rule of the department.
1880 Food permits are not transferable from one person or physical
1881 location to another. Food permits must be renewed in accordance
1882 with subparagraphs 1.-3. If an application for renewal of a food
1883 permit is not received by the department on or before its due
1884 date, a late fee not exceeding \$100 must be paid in addition to
1885 the food permit fee before the department may issue the food

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1886 permit. The moneys collected must be deposited in the General
1887 Inspection Trust Fund.

1888 1. A food permit issued to a new food establishment ~~on or~~
1889 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1890 date of issuance and must be renewed annually on or before that
1891 date thereafter.

1892 2. ~~Effective January 1, 2024,~~ A food permit issued before
1893 September 1, 2023, expires on the month and day the initial
1894 permit was issued to the food establishment and must be renewed
1895 annually on or before that date thereafter. The department may
1896 charge a prorated permit fee for purposes of this subparagraph.

1897 3. The department may establish a single permit renewal
1898 date for multiple food establishments owned by the same entity
1899 ~~The owner of 100 or more permitted food establishment locations~~
1900 ~~may elect to set the expiration of food permits for such~~
1901 ~~establishments as December 31 of each calendar year.~~

1902 Section 49. Section 500.166, Florida Statutes, is amended
1903 to read:

1904 500.166 Records of interstate shipment.—For the purpose of
1905 enforcing this chapter, carriers engaged in interstate commerce
1906 and persons receiving food in interstate commerce shall retain
1907 all records for 3 years from the date of the record showing the
1908 movement in interstate commerce of any food, and the quantity,
1909 shipper and consignee thereof and, upon the request by an
1910 officer or employee duly designated by the department, permit
1911 the officer or employee to have access to and to copy all
1912 records showing the movement in interstate commerce of any food,
1913 and the quantity, shipper, and consignee thereof.

1914 Section 50. Subsection (1) of section 500.172, Florida

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1915 Statutes, is amended to read:

1916 500.172 Embargoing, detaining, destroying of food, food
1917 processing equipment, or areas that are in violation.—

1918 (1) When the department, or its duly authorized agent who
1919 has received appropriate education and training regarding the
1920 legal requirements of this chapter, finds or has probable cause
1921 to believe that any food, food processing equipment, food
1922 processing area, or food storage area is in violation of this
1923 chapter or any rule adopted under this chapter so as to be
1924 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1925 within the meaning of this chapter, an agent of the department
1926 may issue and enforce a stop-sale, stop-use, removal, or hold
1927 order, which order gives notice that such article, processing
1928 equipment, processing area, or storage area is or is suspected
1929 of being in violation and has been detained or embargoed and
1930 which order warns all persons not to remove, use, or dispose of
1931 such article, processing equipment, processing area, or storage
1932 area by sale or otherwise until permission for removal, use, or
1933 disposal is given by the department or the court. The department
1934 is authorized to enter into a written agreement with the owner
1935 of such food, food processing equipment, food processing area,
1936 or food storage area, or otherwise facilitate the destruction of
1937 any article found or suspected by the department to be in
1938 violation of this section. A person may not remove, use, or
1939 dispose of such detained or embargoed article, processing
1940 equipment, processing area, or storage area by sale or otherwise
1941 without such permission from or in accordance with a written
1942 agreement with the department.

1943 Section 51. Section 500.75, Florida Statutes, is created to

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1944 read:

1945 500.75 Mushroom spores and mycelium; offenses.—It is
1946 unlawful to transport or offer to transport, import into this
1947 state, sell or offer for sale, furnish, or give away spores or
1948 mycelium capable of producing mushrooms or other material which
1949 will contain a controlled substance, including psilocybin or
1950 psilocyn, during its lifecycle. A person who violates this
1951 section commits a misdemeanor of the first degree, punishable as
1952 provided in s. 775.082 or s. 775.083.

1953 Section 52. Section 500.93, Florida Statutes, is created to
1954 read:

1955 500.93 Mislabeling of plant-based products as milk, meat,
1956 or poultry.—

1957 (1) As used in this section, the term:

1958 (a) "Egg" or "egg product" has the same meaning as in 21
1959 U.S.C. s. 1033 and the Egg Products Inspection Act.

1960 (b) "FDA" means the United States Food and Drug
1961 Administration.

1962 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1963 the Federal Meat Inspection Act.

1964 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1965 and the Grade "A" pasteurized milk ordinance.

1966 (e) "Poultry" or "poultry product" has the same meaning as
1967 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1968 (2) (a) In accordance with the established standard of
1969 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1970 "A" pasteurized milk ordinance, the department shall adopt rules
1971 to enforce the FDA's standard of identity for milk, as adopted
1972 in state law, to prohibit the sale of plant-based products

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1973 mislabeled as milk in this state.

1974 (b) This subsection is effective upon the enactment into
1975 law of a mandatory labeling requirement to prohibit the sale of
1976 plant-based products mislabeled as milk that is consistent with
1977 this section by any 11 of the group of 14 states composed of
1978 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1979 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1980 Texas, Virginia, and West Virginia.

1981 (3) (a) In accordance with the established standard of
1982 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1983 Meat Inspection Act, and both poultry and poultry products
1984 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1985 Act, the department shall adopt rules to enforce the FDA's
1986 standard of identity for meat, poultry, and poultry products as
1987 adopted in this section, to prohibit the sale of plant-based
1988 products mislabeled as meat, poultry, or poultry products in
1989 this state.

1990 (b) This subsection is effective upon the enactment into
1991 law of a mandatory labeling requirement to prohibit the sale of
1992 plant-based products mislabeled as meat, poultry, or poultry
1993 products which is consistent with this section by any 11 of the
1994 group of 14 states composed of Alabama, Arkansas, Florida,
1995 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1996 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1997 (4) (a) In accordance with the established standard of
1998 identity for eggs and egg products as defined in 21 U.S.C. s.
1999 1033 and the Egg Products Inspection Act, the department shall
2000 adopt rules to enforce the FDA's standard of identity for eggs
2001 and egg products, as adopted in state law, to prohibit the sale

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2002 of plant-based products mislabeled as egg or egg products in
2003 this state.

2004 (b) This subsection is effective upon the enactment into
2005 law of a mandatory labeling requirement to prohibit the sale of
2006 plant-based products mislabeled as egg or egg products that is
2007 consistent with this section by any 11 of the group of 14 states
2008 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
2009 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
2010 Tennessee, Texas, Virginia, and West Virginia.

2011 (5) The Department of Agriculture and Consumer Services
2012 shall notify the Division of Law Revision upon the enactment
2013 into law by any 11 of the group of 14 states composed of
2014 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
2015 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
2016 Texas, Virginia, and West Virginia of the mandatory labeling
2017 requirements pursuant to subsections (2) and (3).

2018 (6) The department shall adopt rules to implement this
2019 section.

2020 (7) This section may not be construed to limit the
2021 department's authority to enforce laws and regulations.

2022 Section 53. Section 501.135, Florida Statutes, is repealed.

2023 Section 54. Subsection (1) of section 501.912, Florida
2024 Statutes, is amended to read:

2025 501.912 Definitions.—As used in ss. 501.91-501.923:

2026 (1) "Antifreeze" means any substance or preparation,
2027 including, but not limited to, coolant, antifreeze-coolant,
2028 antifreeze and summer coolant, or summer coolant, that is sold,
2029 distributed, or intended for use:

2030 (a) As the cooling liquid, or to be added to the cooling

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2031 liquid, in the cooling system of ~~internal combustion engines of~~
2032 motor vehicles to prevent freezing of the cooling liquid or to
2033 lower its freezing point; or

2034 (b) To raise the boiling point of water, aid in vehicle
2035 component cooling, or for the prevention of engine overheating,
2036 whether or not the liquid is used as a year-round cooling system
2037 fluid.

2038 Section 55. Section 525.19, Florida Statutes, is created to
2039 read:

2040 525.19 Petroleum registration.—

2041 (1) The department shall create an annual petroleum
2042 registration program for petroleum owners or operators and shall
2043 adopt rules detailing the requirements for such registration
2044 that include, at minimum:

- 2045 (a) The name of the petroleum owner or operator;
2046 (b) The address of the petroleum owner or operator;
2047 (c) The phone number of the petroleum owner or operator;
2048 (d) The e-mail address of the petroleum owner or operator;
2049 (e) Requirements for the transfer switch;
2050 (f) Fuel and petroleum infrastructure; and
2051 (g) Fuel and petroleum inventory and delivery information.

2052 (2) The registration program must be free for all
2053 registrants.

2054 (3) The department has the authority to require registrants
2055 to provide updates related to the status of infrastructure,
2056 inventory, and delivery information during a state of emergency
2057 as declared by an executive order issued by the Governor.

2058 Section 56. Section 526.147, Florida Statutes, is created
2059 to read:

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2060 526.147 Florida Retail Fuel Transfer Switch Modernization
2061 Grant Program.—

2062 (1) (a) There is created, subject to appropriation, the
2063 Florida Retail Fuel Transfer Switch Modernization Grant Program
2064 within the Department of Agriculture and Consumer Services.

2065 (b) The grant program shall provide grant funds, not to
2066 exceed \$10,000 per retail fuel facility, to be used for
2067 installation and equipment costs related to installing or
2068 modernizing transfer switch infrastructure at retail fuel
2069 facilities to allow for the continuity of fueling operations
2070 under generated power.

2071 (c) The department shall award funds based upon the
2072 following criteria:

2073 1. Up to \$10,000, of costs for transfer switch purchase and
2074 installation for retail fuel locations in fiscally constrained
2075 counties as designated under s. 218.67(1).

2076 2. Up to \$5,000, of costs for transfer switch purchase and
2077 installation for all other retail fuel locations.

2078 (d) Retail fuel facilities which are awarded grant funds
2079 must comply with s. 526.143 and must install a transfer switch
2080 capable of operating all fuel pumps, dispensing equipment, life
2081 safety systems, and payment acceptance equipment using an
2082 alternative generated power source.

2083 (e) Before being awarded funding from the department,
2084 retail fuel facilities must provide documentation on transfer
2085 switch installation and required generator sizing to the
2086 department.

2087 (f) Marinas and fueling facilities with fewer than four
2088 fueling positions are excluded from being awarded funding

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2089 through this program.

2090 (g) Fueling facilities subject to s. 526.143(2) are
2091 excluded from being awarded funding through this program.

2092 (2) The department, in consultation with the Division of
2093 Emergency Management, shall adopt rules to implement and
2094 administer this section, including establishing grant
2095 application processes for the Florida Retail Fuel Transfer
2096 Switch Modernization Grant Program. The rules must include
2097 application deadlines and establish the supporting documentation
2098 necessary to be provided to the department.

2099 Section 57. Section 531.48, Florida Statutes, is amended to
2100 read:

2101 531.48 Declarations of unit price on random packages.—In
2102 addition to the declarations required by s. 531.47, any package
2103 being one of a lot containing random weights of the same
2104 commodity must ~~and bearing the total selling price of the~~
2105 ~~package shall~~ bear on the outside of the package a plain and
2106 conspicuous declaration of the price per single unit of weight
2107 and the total retail price of the package, as defined by
2108 department rule.

2109 Section 58. Section 531.49, Florida Statutes, is amended to
2110 read:

2111 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
2112 commodity ~~is advertised in any manner with the retail price~~
2113 ~~stated, there shall be~~ closely and conspicuously associated with
2114 the retail price must have a declaration of quantity as is
2115 required by law or rule to appear on the package.

2116 Section 59. Subsection (10) of section 564.06, Florida
2117 Statutes, is amended to read:

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2118 564.06 Excise taxes on wines and beverages.—

2119 (10) Fifty percent of all revenues collected from the
2120 excise taxes imposed by this section on wine produced by
2121 manufacturers in this state from products grown in the state
2122 must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund
2123 established pursuant to s. 599.012.

2124 Section 60. Present subsections (44), (45), and (46) of
2125 section 570.07, Florida Statutes, are redesignated as
2126 subsections (47), (48), and (49), respectively, and new
2127 subsections (44), (45), and (46) are added to that section, to
2128 read:

2129 570.07 Department of Agriculture and Consumer Services;
2130 functions, powers, and duties.—The department shall have and
2131 exercise the following functions, powers, and duties:

2132 (44) (a) To foster and encourage the employment and
2133 retention of qualified veterinary pathologists. The department
2134 may reimburse the educational expenses of qualified veterinary
2135 pathologists who enter into an agreement with the department to
2136 retain employment for a specified period of time.

2137 (b) The department shall adopt rules to administer this
2138 subsection.

2139 (45) Subject to appropriation, to extend state and national
2140 Future Farmers of America opportunities to any public school
2141 student enrolled in agricultural education, at little or no cost
2142 to the student or school district, and to support statewide
2143 Future Farmers of America programming that helps such students
2144 develop their potential for premier leadership, personal growth,
2145 and career success.

2146 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use

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2147 contracts procured by another agency.

2148 (b) As used in this subsection, the term "agency" has the
2149 same meaning as provided in s. 287.012.

2150 Section 61. Subsection (2) of section 570.544, Florida
2151 Statutes, is amended to read:

2152 570.544 Division of Consumer Services; director; powers;
2153 processing of complaints; records.—

2154 (2) The director shall supervise, direct, and coordinate
2155 the activities of the division and shall, under the direction of
2156 the department, enforce the provisions of ss. 366.94 and ss.
2157 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
2158 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2159 Section 62. Section 570.546, Florida Statutes, is created
2160 to read:

2161 570.546 Licensing.—

2162 (1) The department is authorized to:

2163 (a) Create a process for the bulk renewal of licenses which
2164 will allow licensees the ability, upon request, to submit all
2165 license applications of the same type, notwithstanding any
2166 provisions of law applicable to each application process.

2167 (b) Create a process that will allow licensees, upon
2168 request, to align the expiration dates of licenses within a
2169 statutory program.

2170 (c) Change the expiration dates for current licensees for
2171 the purpose of reducing large numbers of license expirations
2172 that occur during the same month.

2173 (2) The department shall prorate any licensing fee for
2174 which the term of the license was reduced for the purposes of
2175 alignment.

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2176 (3) The department shall adopt rules to implement this
2177 section.

2178 Section 63. Section 570.694, Florida Statutes, is created
2179 to read:

2180 570.694 Florida Aquaculture Foundation.—

2181 (1) The Florida Aquaculture Foundation is established as a
2182 direct-support organization within the Department of Agriculture
2183 and Consumer Services. The purpose of the foundation is to:

2184 (a) Conduct programs and activities related to the
2185 assistance, promotion, and furtherance of aquaculture and
2186 aquaculture producers in this state.

2187 (b) Identify and pursue methods to provide statewide
2188 resources and materials for these programs.

2189 (2) The foundation shall be governed by s. 570.691.

2190 (3) The department is authorized to appoint an advisory
2191 committee adjunct to the foundation pursuant to s. 570.232.

2192 Section 64. Section 570.822, Florida Statutes, is amended
2193 to read:

2194 570.822 Agriculture and Aquaculture Producers Emergency
2195 ~~Natural Disaster~~ Recovery Loan Program.—

2196 (1) DEFINITIONS.—As used in this section, the term:

2197 (a) "Bona fide farm operation" means a farm operation
2198 engaged in a good faith commercial agricultural use of land on
2199 land classified as agricultural pursuant to s. 193.461 or on
2200 sovereign submerged land that is leased to the applicant by the
2201 department pursuant to s. 597.010 and that produces agricultural
2202 products within the definition of agriculture under s. 570.02.

2203 (b) "Declared emergency ~~natural disaster~~" means an
2204 emergency ~~a natural disaster~~ for which a state of emergency is

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2205 declared pursuant to s. 252.36 or s. 570.07(21).

2206 (c) "Department" means the Department of Agriculture and
2207 Consumer Services.

2208 (d) "Essential physical property" means fences; equipment;
2209 structural production facilities, such as shade houses and
2210 greenhouses; or other agriculture or aquaculture facilities or
2211 infrastructure.

2212 (e) "Program" means the Agriculture and Aquaculture
2213 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2214 (2) USE OF LOAN FUNDS; LOAN TERMS.—

2215 (a) The program is established within the department to
2216 make loans to agriculture and aquaculture producers that have
2217 experienced damage or destruction from a declared emergency
2218 ~~natural disaster~~. Loan funds may be used to restore, repair, or
2219 replace essential physical property or remove vegetative debris
2220 from essential physical property, or restock aquaculture. A
2221 structure or building constructed using loan proceeds must
2222 comply with storm-hardening standards for nonresidential farm
2223 buildings as defined in s. 604.50(2). The department shall adopt
2224 such standards by rule.

2225 (b) The department may make a low-interest or interest-free
2226 loan to an eligible applicant. The maximum amount that an
2227 applicant may receive during the application period for a loan
2228 is \$500,000. An applicant may not receive more than one loan per
2229 application period and no more than two loans per year or no
2230 more than five loans in any 3-year period. A loan term is 10
2231 years.

2232 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
2233 applicant must:

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2234 (a) Own or lease a bona fide farm operation that is located
2235 in a county named in a declared emergency ~~natural disaster~~ and
2236 that was damaged or destroyed as a result of such declared
2237 emergency ~~natural disaster~~.

2238 (b) Maintain complete and acceptable farm records, pursuant
2239 to criteria published by the department, and present them as
2240 proof of production levels and bona fide farm operations.

2241 (4) LOAN APPLICATION AND AGREEMENT.—

2242 (a) Requests for loans must be made by application to the
2243 department. Upon a determination that funding for loans is
2244 available, the department shall publicly notice an application
2245 period for the declared emergency ~~natural disaster~~, beginning
2246 within 60 days after the date of the declared emergency ~~natural~~
2247 ~~disaster~~ and running up to 1 year after the date of the declared
2248 emergency ~~natural disaster~~ or until all available loan funds are
2249 exhausted, whichever occurs first. The application period may be
2250 renewed upon a determination from the department and pursuant to
2251 an active declared emergency.

2252 (b) An applicant must demonstrate the need for financial
2253 assistance and an ability to repay or meet a standard credit
2254 rating determined by the department.

2255 (c) Loans must be made pursuant to written agreements
2256 specifying the terms and conditions agreed to by the approved
2257 applicant and the department. The loan agreement must specify
2258 that the loan is due upon sale if the property or other
2259 collateral for the loan is sold.

2260 (d) An approved applicant must agree to stay in production
2261 for the duration of the loan. A loan is not assumable.

2262 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured

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2263 by a lien, subordinate only to any mortgage held by a financial
2264 institution as defined in s. 655.005, on property or other
2265 collateral as set forth in the loan agreement. The specific type
2266 of collateral required may vary depending upon the loan purpose,
2267 repayment ability, and the particular circumstances of the
2268 applicant. The department shall record the lien in public
2269 records in the county where the property is located and, in the
2270 case of personal property, perfect the security interest by
2271 filing appropriate Uniform Commercial Code forms with the
2272 Florida Secured Transaction Registry as required pursuant to
2273 chapter 679.

2274 (6) LOAN REPAYMENT.—

2275 (a) A loan is due and payable in accordance with the terms
2276 of the loan agreement.

2277 (b) The department shall defer payments for the first 3
2278 years of the loan. After 3 years, the department shall reduce
2279 the principal balance annually through the end of the loan term
2280 such that the original principal balance is reduced by 30
2281 percent. If the principal balance is repaid before the end of
2282 the 10th year, the applicant may not be required to pay more
2283 than 70 percent of the original principal balance. The approved
2284 applicant must continue to be actively engaged in production in
2285 order to receive the original principal balance reductions and
2286 must continue to meet the loan agreement terms to the
2287 satisfaction of the department.

2288 (c) An approved applicant may make payments on the loan at
2289 any time without penalty. Early repayment is encouraged as other
2290 funding sources or revenues become available to the approved
2291 applicant.

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2292 (d) All repayments of principal and interest, if
2293 applicable, received by the department in a fiscal year must be
2294 returned to the loan fund and made available for loans to other
2295 applicants in the next application period.

2296 (e) The department may periodically review an approved
2297 applicant to determine whether he or she continues to be in
2298 compliance with the terms of the loan agreement. If the
2299 department finds that an applicant is no longer in production or
2300 has otherwise violated the loan agreement, the department may
2301 seek repayment of the full original principal balance
2302 outstanding, including any interest or costs, as applicable, and
2303 excluding any applied or anticipated original principal balance
2304 reductions.

2305 (f) The department may defer or waive loan payments if at
2306 any time during the repayment period of a loan, the approved
2307 applicant experiences a significant hardship such as crop loss
2308 from a weather-related event or from impacts from a natural
2309 disaster or declared emergency.

2310 (7) ADMINISTRATION.—

2311 (a) The department shall create and maintain a separate
2312 account in the General Inspection Trust Fund as a fund for the
2313 program. All repayments must be returned to the loan fund and
2314 made available as provided in this section. Notwithstanding s.
2315 216.301, funds appropriated for the loan program are not subject
2316 to reversion. The department shall manage the fund, establishing
2317 loan practices that must include, but are not limited to,
2318 procedures for establishing loan interest rates, uses of
2319 funding, application procedures, and application review
2320 procedures. The department is authorized to contract with a

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2321 third-party administrator to administer the program and manage
2322 the loan fund. A contract for a third-party administrator that
2323 includes management of the loan fund must, at a minimum, require
2324 maintenance of the loan fund to ensure that the program may
2325 operate in a revolving manner.

2326 (b) The department shall coordinate with other state
2327 agencies and other entities to ensure to the greatest extent
2328 possible that agriculture and aquaculture producers in this
2329 state have access to the maximum financial assistance available
2330 following a declared emergency ~~natural-disaster~~. The
2331 coordination must endeavor to ensure that there is no
2332 duplication of financial assistance between the loan program and
2333 other funding sources, such as any federal or other state
2334 programs, including public assistance requests to the Federal
2335 Emergency Management Agency or financial assistance from the
2336 United States Department of Agriculture, which could render the
2337 approved applicant ineligible for other financial assistance.

2338 (8) PUBLIC RECORDS EXEMPTION.—

2339 (a) The following information held by the department
2340 pursuant to its administration of the program is exempt from s.
2341 119.07(1) and s. 24(a), Art. I of the State Constitution:

2342 1. Tax returns.

2343 2. Credit history information, credit reports, and credit
2344 scores.

2345 (b) This subsection does not prohibit the disclosure of
2346 information held by the department pursuant to its
2347 administration of the program in an aggregated and anonymized
2348 format.

2349 (c) This subsection is subject to the Open Government

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2350 Sunset Review Act in accordance with s. 119.15 and shall stand
2351 repealed on October 2, 2029, unless reviewed and saved from
2352 repeal through reenactment by the Legislature.

2353 (9) RULES.—The department shall adopt rules to implement
2354 this section.

2355 (10) REPORTS.—By December 1, 2024, and each December 1
2356 thereafter, the department shall provide a report on program
2357 activities during the previous fiscal year to the President of
2358 the Senate and the Speaker of the House of Representatives. The
2359 report must include information on noticed application periods,
2360 the number and value of loans awarded under the program for each
2361 application period, the number and value of loans outstanding,
2362 the number and value of any loan repayments received, and an
2363 anticipated repayment schedule for all loans.

2364 (11) SUNSET.—This section expires July 1, 2043, unless
2365 reviewed and saved from repeal through reenactment by the
2366 Legislature.

2367 Section 65. Section 570.823, Florida Statutes, is created
2368 to read:

2369 570.823 Silviculture emergency recovery program.—

2370 (1) DEFINITIONS.—As used in this section, the term:

2371 (a) "Bona fide farm operation" means a farm operation
2372 engaged in a good faith commercial agricultural use of land on
2373 land classified as agricultural pursuant to s. 193.461 that
2374 produces agricultural products within the definition of
2375 agriculture under s. 570.02.

2376 (b) "Declared emergency" means an emergency for which a
2377 state of emergency is declared pursuant to s. 252.36 or s.
2378 570.07(21).

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2379 (c) "Department" means the Department of Agriculture and
2380 Consumer Services.

2381 (d) "Program" means the silviculture emergency recovery
2382 program.

2383 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2384 (a) The silviculture emergency recovery program is
2385 established within the department to administer a grant program
2386 to assist timber landowners whose timber land was damaged as a
2387 result of a declared emergency. Grants provided to eligible
2388 timber landowners must be used for:

2389 1. Timber stand restoration, including downed tree removal
2390 on land which will retain the existing trees on site which are
2391 lightly or completely undamaged;

2392 2. Site preparation, and tree replanting; or

2393 3. Road and trail clearing on private timber lands to
2394 provide emergency access and facilitate salvage operations.

2395 (b) Only timber land located on lands classified as
2396 agricultural lands under s. 193.461 are eligible for the
2397 program.

2398 (c) The department shall coordinate with state agencies and
2399 other entities to ensure to the greatest extent possible that
2400 timber landowners have access to the maximum financial
2401 assistance available following a specified declared emergency.
2402 The coordination must endeavor to ensure that there is no
2403 duplication of financial assistance between these funds and
2404 other funding sources, such as any federal or other state
2405 programs, including public assistance requests to the Federal
2406 Emergency Management Agency or financial assistance from the
2407 United States Department of Agriculture, which would render the

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2408 approved applicant ineligible for other financial assistance.

2409 (d) The department is authorized to adopt rules to
2410 implement this section, including emergency rules.

2411 Notwithstanding any other provision of law, emergency rules
2412 adopted pursuant to this subsection are effective for 6 months
2413 after adoption and may be renewed during the pendency of
2414 procedures to adopt permanent rules addressing the subject of
2415 the emergency rules.

2416 Section 66. Section 570.831, Florida Statutes, is created
2417 to read:

2418 570.831 Florida beef marketing program.—The Cattle
2419 Enhancement Board, Inc., in coordination with the department,
2420 shall, subject to appropriation, establish a Florida beef
2421 marketing program to conduct research designed to expand the
2422 uses of beef and beef products and strengthen the market
2423 position of Florida's cattle industry through marketing
2424 campaigns and promotions within this state and the nation.

2425 Section 67. Subsections (2) and (5) of section 581.1843,
2426 Florida Statutes, are amended to read:

2427 581.1843 Citrus nursery stock propagation and production
2428 and the establishment of regulated areas around citrus
2429 nurseries.—

2430 (2) Effective January 1, 2007, it is unlawful for any
2431 person to propagate for sale or movement any citrus nursery
2432 stock that was not propagated or grown on a site and within a
2433 protective structure approved by the department ~~and that is not~~
2434 ~~at least 1 mile away from commercial citrus groves. A citrus~~
2435 ~~nursery registered with the department prior to April 1, 2006,~~
2436 ~~shall not be required to comply with the 1-mile setback from~~

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2437 ~~commercial citrus groves while continuously operating at the~~
2438 ~~same location for which it was registered.~~ However, the nursery
2439 shall be required to propagate citrus within a protective
2440 structure approved by the department. Effective January 1, 2008,
2441 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
2442 that was not produced in a protective structure approved by the
2443 department.

2444 ~~(5) The department shall establish regulated areas around~~
2445 ~~the perimeter of commercial citrus nurseries that were~~
2446 ~~established on sites after April 1, 2006, not to exceed a radius~~
2447 ~~of 1 mile. The planting of citrus in an established regulated~~
2448 ~~area is prohibited. The planting of citrus within a 1-mile~~
2449 ~~radius of commercial citrus nurseries that were established on~~
2450 ~~sites prior to April 1, 2006, must be approved by the~~
2451 ~~department. Citrus plants planted within a regulated area prior~~
2452 ~~to the establishment of the regulated area may remain in the~~
2453 ~~regulated area unless the department determines the citrus~~
2454 ~~plants to be infected or infested with citrus canker or citrus~~
2455 ~~greening. The department shall require the removal of infected~~
2456 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2457 ~~has sprouted by natural means in regulated areas. The property~~
2458 ~~owner shall be responsible for the removal of citrus planted~~
2459 ~~without proper approval. Notice of the removal of citrus trees,~~
2460 ~~by immediate final order of the department, shall be provided to~~
2461 ~~the owner of the property on which the trees are located. An~~
2462 ~~immediate final order issued by the department under this~~
2463 ~~section shall notify the property owner that the citrus trees,~~
2464 ~~which are the subject of the immediate final order, must be~~
2465 ~~removed and destroyed unless the property owner, no later than~~

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2466 ~~10 days after delivery of the immediate final order, requests~~
2467 ~~and obtains a stay of the immediate final order from the~~
2468 ~~district court of appeal with jurisdiction to review such~~
2469 ~~requests. The property owner shall not be required to seek a~~
2470 ~~stay from the department of the immediate final order prior to~~
2471 ~~seeking a stay from the district court of appeal.~~

2472 Section 68. Sections 593.101, 593.102, 593.103, 593.104,
2473 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
2474 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
2475 and 593.117, Florida Statutes, are repealed.

2476 Section 69. Subsection (11) of section 595.404, Florida
2477 Statutes, is amended to read:

2478 595.404 School food and other nutrition programs; powers
2479 and duties of the department.—The department has the following
2480 powers and duties:

2481 (11) To adopt and implement an appeal process by rule, as
2482 required by federal regulations, for applicants and participants
2483 under the programs implemented pursuant to this chapter,
2484 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
2485 ~~120.569 and 120.57-120.595.~~

2486 Section 70. Section 599.002, Florida Statutes, is amended
2487 to read:

2488 599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

2489 (1) There is created within the Department of Agriculture
2490 and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory
2491 Council, to be composed ~~consist~~ of eight members as follows: the
2492 president of the Florida Wine and Grape Growers Association
2493 ~~Florida Grape Growers' Association~~ or a designee thereof; a
2494 representative from the Institute of Food and Agricultural

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2495 Sciences; a representative from the viticultural science program
2496 at Florida Agricultural and Mechanical University; and five
2497 additional commercial members, to be appointed for a 2-year term
2498 each by the Commissioner of Agriculture, including a wine
2499 producer, a fresh fruit producer, a nonwine product (juice,
2500 jelly, pie fillings, etc.) producer, and a viticultural nursery
2501 operator.

2502 (2) The meetings, powers and duties, procedures, and
2503 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
2504 shall be pursuant to s. 570.232.

2505 (3) The primary responsibilities of the Florida Wine
2506 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
2507 of Agriculture, annually, the industry's recommendations for
2508 wine and viticultural research, promotion, and education and, as
2509 necessary, the industry's recommendations for revisions to the
2510 State Wine ~~Viticulture~~ Plan.

2511 Section 71. Section 599.003, Florida Statutes, is amended
2512 to read:

2513 599.003 State Wine ~~Viticulture~~ Plan.—

2514 (1) The Commissioner of Agriculture, in consultation with
2515 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and
2516 coordinate the implementation of the State Wine ~~Viticulture~~
2517 Plan, which shall identify problems and constraints of the wine
2518 and viticulture industry, propose possible solutions to those
2519 problems, and develop planning mechanisms for the orderly growth
2520 of the industry, including:

2521 (a) Criteria for wine and viticultural research, service,
2522 and management priorities.

2523 (b) Additional proposed legislation that may be required.

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2524 (c) Plans and goals to improve research and service
2525 capabilities at Florida Agricultural and Mechanical University
2526 and the University of Florida in their efforts to address
2527 current and future needs of the industry.

2528 (d) The potential for viticulture products in terms of
2529 market and needs for development.

2530 (e) Evaluation of wine policy alternatives, including, but
2531 not limited to, continued improvement in wine quality, blending
2532 considerations, promotion and advertising, labeling and vineyard
2533 designations, and development of production and marketing
2534 strategies.

2535 (f) Evaluation of production and fresh fruit policy
2536 alternatives, including, but not limited to, setting minimum
2537 grades and standards, promotion and advertising, development of
2538 production and marketing strategies, and setting minimum
2539 standards on types and quality of nursery plants.

2540 (g) Evaluation of policy alternatives for nonwine processed
2541 products, including, but not limited to, setting minimum quality
2542 standards and development of production and marketing
2543 strategies.

2544 (h) Research and service priorities for further development
2545 of the wine and viticulture industry.

2546 (i) The identification of state agencies and public and
2547 private institutions concerned with research, education,
2548 extension, services, planning, promotion, and marketing
2549 functions related to wine and viticultural development and the
2550 delineation of contributions and responsibilities.

2551 (j) Business planning, investment potential, financial
2552 risks, and economics of production and utilization.

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2553 (2) A revision and update of the State Wine ~~Viticulture~~
2554 Plan must ~~shall~~ be submitted biennially to the President of the
2555 Senate, the Speaker of the House of Representatives, and the
2556 chairs of appropriate committees of the Senate and House of
2557 Representatives, and a progress report and budget request must
2558 ~~shall~~ be submitted annually.

2559 Section 72. Paragraph (a) of subsection (2) and subsection
2560 (3) of section 599.004, Florida Statutes, are amended, and
2561 paragraph (d) is added to subsection (2) of that section, to
2562 read:

2563 599.004 Florida Farm Winery Program; registration; logo;
2564 fees.—

2565 (2) (a) The department, in coordination with the Florida
2566 Wine ~~Viticulture~~ Advisory Council, shall develop and designate
2567 by rule a Florida Farm Winery logo, emblem, and directional sign
2568 to guide the public to certified Florida Farm Wineries ~~Winery~~
2569 ~~tourist attractions~~. The logo and emblem of certified Florida
2570 Farm Winery signs must ~~shall~~ be uniform.

2571 (d) Wineries that fail to recertify annually or pay the
2572 licensing fee required in paragraph (c) are subject to having
2573 the signs referenced in paragraph (b) removed and will be
2574 responsible for all costs incurred by the Department of
2575 Transportation in connection with the removal.

2576 (3) All fees collected, except as otherwise provided by
2577 this section, shall be deposited into the Florida Wine
2578 ~~Viticulture~~ Trust Fund and used to develop consumer information
2579 on the native characteristics and proper use of wines.

2580 Section 73. Section 599.012, Florida Statutes, is amended
2581 to read:

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2582 599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.-

2583 (1) There is established the Florida Wine ~~Viticulture~~ Trust

2584 Fund within the Department of Agriculture and Consumer Services.

2585 The department shall use the moneys deposited in the trust fund

2586 pursuant to subsection (2) to do all the following:

2587 (a) Develop and coordinate the implementation of the State

2588 Viticulture Plan.

2589 (b) Promote viticulture products manufactured from products

2590 grown in the state.

2591 (c) Provide grants for viticultural research.

2592 (2) Fifty percent of the revenues collected from the excise

2593 taxes imposed under s. 564.06 on wine produced by manufacturers

2594 in this state from products grown in the state will be deposited

2595 in the Florida Wine ~~Viticulture~~ Trust Fund in accordance with

2596 that section.

2597 Section 74. Subsection (1) of section 616.12, Florida

2598 Statutes, is amended to read:

2599 616.12 Licenses upon certain shows; distribution of fees;

2600 exemptions.-

2601 (1) Each person who operates any traveling show,

2602 exhibition, amusement enterprise, carnival, vaudeville, exhibit,

2603 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding

2604 device, dramatic repertoire, other show or amusement, or

2605 concession, including a concession operating in a tent,

2606 enclosure, or other temporary structure, within the grounds of,

2607 and in connection with, any annual public fair held by a fair

2608 association shall pay the license taxes provided by law.

2609 However, if the association satisfies the requirements of this

2610 chapter, including securing the required fair permit from the

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2611 department, the license taxes and local business tax authorized
2612 in chapter 205 are waived and the department shall issue a tax
2613 exemption certificate. The department shall adopt the proper
2614 forms and rules to administer this section, including the
2615 necessary tax exemption certificate, showing that the fair
2616 association has met all requirements and that the traveling
2617 show, exhibition, amusement enterprise, carnival, vaudeville,
2618 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2619 riding device, dramatic repertoire, other show or amusement, or
2620 concession is exempt.

2621 Section 75. Section 687.16, Florida Statutes, is created to
2622 read:

2623 687.16 Florida Farmer Financial Protection Act.—

2624 (1) SHORT TITLE.—This section may be cited as the "Florida
2625 Farmer Financial Protection Act."

2626 (2) DEFINITIONS.—As used in this section, the term:

2627 (a) "Agriculture producer" means a person or company
2628 authorized to do business in this state and engaged in the
2629 production of goods derived from plants or animals, including,
2630 but not limited to, the growing of crops, silviculture, animal
2631 husbandry, or the production of livestock or dairy products.

2632 (b) "Agritourism activity" has the same meaning as provided
2633 in s. 570.86.

2634 (c) "Commissioner" means the Commissioner of Agriculture.

2635 (d) "Company" means a for-profit organization, association,
2636 corporation, partnership, joint venture, sole proprietorship,
2637 limited partnership, limited liability partnership, or limited
2638 liability company, including a wholly owned subsidiary,
2639 majority-owned subsidiary, parent company, or affiliate of those

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2640 entities or business associations authorized to do business in
2641 this state.

2642 (e) "Denies or restricts" means refusing to provide
2643 services, terminating existing services, or restricting or
2644 burdening the scope or nature of services offered or provided.

2645 (f) "Discriminate in the provision of financial services"
2646 means to deny or restrict services and thereby decline to
2647 provide financial services.

2648 (g) "ESG factor" means any factor or consideration that is
2649 collateral to or not reasonably likely to affect or impact
2650 financial risk and includes the promotion, furtherance, or
2651 achievement of environmental, social, or political goals,
2652 objectives, or outcomes, which may include the agriculture
2653 producer's greenhouse gas emissions, use of fossil-fuel derived
2654 fertilizer, or use of fossil-fuel powered machinery.

2655 (h) "Farm" means the land, buildings, support facilities,
2656 machinery, and other appurtenances used in the production of
2657 farm or aquaculture products.

2658 (i) "Financial institution" means a company defined under
2659 s. 655.005(1)(h) and (i), which has total assets of more than
2660 \$100 million. A financial institution includes any affiliate as
2661 defined in s. 655.005(1)(a) or subsidiary company as defined in
2662 s. 655.005(1)(x), even if such affiliate or subsidiary company
2663 is also a financial institution.

2664 (j) "Financial service" means any product or service that
2665 is of a financial nature and is offered by a financial
2666 institution.

2667 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2668 (a) A financial institution may not discriminate in the

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2669 provision of financial services to an agriculture producer
2670 based, in whole or in part, upon an ESG factor.

2671 (b) If a financial institution has made any ESG commitment
2672 related to agriculture, there is an inference that the
2673 institution's denial or restriction of a financial service to an
2674 agriculture producer violates paragraph (a).

2675 (c) A financial institution may overcome the inference in
2676 paragraph (b) by demonstrating that its denial or restriction of
2677 a financial service was based solely on documented risk
2678 analysis, and not on any ESG factor.

2679 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2680 General, in consultation with the Office of Financial
2681 Regulation, is authorized to enforce subsection (3). Any
2682 violation of subsection (3) constitutes an unfair trade practice
2683 under part II of chapter 501 and the Attorney General is
2684 authorized to investigate and seek remedies as provided in
2685 general law. Actions for damages may be sought by an aggrieved
2686 party.

2687 Section 76. Paragraph (a) of subsection (3) of section
2688 741.0305, Florida Statutes, is amended to read:

2689 741.0305 Marriage fee reduction for completion of
2690 premarital preparation course.—

2691 (3)(a) All individuals electing to participate in a
2692 premarital preparation course shall choose from the following
2693 list of qualified instructors:

- 2694 1. A psychologist licensed under chapter 490.
- 2695 2. A clinical social worker licensed under chapter 491.
- 2696 3. A marriage and family therapist licensed under chapter
2697 491.

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2698 4. A mental health counselor licensed under chapter 491.

2699 5. An official representative of a religious institution
2700 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2701 representative has relevant training.

2702 6. Any other provider designated by a judicial circuit,
2703 including, but not limited to, school counselors who are
2704 certified to offer such courses. Each judicial circuit may
2705 establish a roster of area course providers, including those who
2706 offer the course on a sliding fee scale or for free.

2707 Section 77. Paragraph (h) of subsection (2), subsection
2708 (3), paragraph (c) of subsection (6), and subsection (10) of
2709 section 790.06, Florida Statutes, are amended to read:

2710 790.06 License to carry concealed weapon or concealed
2711 firearm.—

2712 (2) The Department of Agriculture and Consumer Services
2713 shall issue a license if the applicant:

2714 (h) Demonstrates competence with a firearm by any one of
2715 the following:

2716 1. Completion of any hunter education or hunter safety
2717 course approved by the Fish and Wildlife Conservation Commission
2718 or a similar agency of another state;

2719 2. Completion of any National Rifle Association firearms
2720 safety or training course;

2721 3. Completion of any firearms safety or training course or
2722 class available to the general public offered by a law
2723 enforcement agency, junior college, college, or private or
2724 public institution or organization or firearms training school,
2725 using instructors certified by the National Rifle Association,
2726 Criminal Justice Standards and Training Commission, or the

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2727 Department of Agriculture and Consumer Services;

2728 4. Completion of any law enforcement firearms safety or
2729 training course or class offered for security guards,
2730 investigators, special deputies, or any division or subdivision
2731 of a law enforcement agency or security enforcement;

2732 5. Presents evidence of equivalent experience with a
2733 firearm through participation in organized shooting competition
2734 or United States military service;

2735 6. Is licensed or has been licensed to carry a concealed
2736 weapon or concealed firearm in this state or a county or
2737 municipality of this state, unless such license has been revoked
2738 for cause; or

2739 7. Completion of any firearms training or safety course or
2740 class conducted by a state-certified or National Rifle
2741 Association certified firearms instructor;

2742

2743 A photocopy of a certificate of completion of any of the courses
2744 or classes; an affidavit from the instructor, school, club,
2745 organization, or group that conducted or taught such course or
2746 class attesting to the completion of the course or class by the
2747 applicant; or a copy of any document that shows completion of
2748 the course or class or evidences participation in firearms
2749 competition shall constitute evidence of qualification under
2750 this paragraph. A person who conducts a course pursuant to
2751 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2752 an instructor, attests to the completion of such courses, must
2753 maintain records certifying that he or she observed the student
2754 safely handle and discharge the firearm in his or her physical
2755 presence and that the discharge of the firearm included live

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2756 fire using a firearm and ammunition as defined in s. 790.001;

2757 (3)(a) The Department of Agriculture and Consumer Services

2758 shall deny a license if the applicant has been found guilty of,

2759 had adjudication of guilt withheld for, or had imposition of

2760 sentence suspended for one or more crimes of violence

2761 constituting a misdemeanor, unless 3 years have elapsed since

2762 probation or any other conditions set by the court have been

2763 fulfilled or the record has been sealed or expunged. The

2764 Department of Agriculture and Consumer Services shall revoke a

2765 license if the licensee has been found guilty of, had

2766 adjudication of guilt withheld for, or had imposition of

2767 sentence suspended for one or more crimes of violence within the

2768 preceding 3 years. The department shall, upon notification by a

2769 law enforcement agency, a court, clerk's office, or the Florida

2770 Department of Law Enforcement ~~and subsequent written~~

2771 ~~verification~~, temporarily suspend a license or the processing of

2772 an application for a license if the licensee or applicant is

2773 arrested or formally charged with a crime that would disqualify

2774 such person from having a license under this section, until

2775 final disposition of the case. The department shall suspend a

2776 license or the processing of an application for a license if the

2777 licensee or applicant is issued an injunction that restrains the

2778 licensee or applicant from committing acts of domestic violence

2779 or acts of repeat violence. The department shall notify the

2780 licensee or applicant suspended under this section of his or her

2781 right to a hearing pursuant to chapter 120. If the criminal case

2782 or injunction results in a nondisqualifying disposition and the

2783 applicant or licensee is otherwise eligible, the suspension

2784 shall end. The department must issue an order confirming the end

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2785 of the suspension within 90 days after the applicant or
2786 licensee's submission to the department of a copy of the final
2787 resolution of the criminal case or injunction. The copy provided
2788 to the department must be sent through electronic or certified
2789 mail to a location that shall be specified on the notice of
2790 suspension received by the licensee or applicant. If the
2791 criminal case or injunction results in a disqualifying
2792 disposition, the suspension must remain in effect and the
2793 department must proceed with denial or revocation proceedings
2794 pursuant to chapter 120.

2795 (b) This subsection may not be construed to limit,
2796 restrict, or inhibit the constitutional right to bear arms and
2797 carry a concealed weapon in this state. The Legislature finds it
2798 a matter of public policy and public safety that it is necessary
2799 to ensure that potentially disqualifying information about an
2800 applicant or licensee is investigated and processed in a timely
2801 manner by the department pursuant to this section. The
2802 Legislature intends to clarify that suspensions pursuant to this
2803 section are temporary, and the department has the duty to make
2804 an eligibility determination and issue a license in the time
2805 frame prescribed in this subsection.

2806 (6)

2807 (c) The Department of Agriculture and Consumer Services
2808 shall, within 90 days after the date of receipt of the items
2809 listed in subsection (5):

2810 1. Issue the license; or

2811 2. Deny the application based solely on the ground that the
2812 applicant fails to qualify under the criteria listed in
2813 subsection (2) or subsection (3). If the Department of

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2814 Agriculture and Consumer Services denies the application, it
2815 shall notify the applicant in writing, stating the ground for
2816 denial and informing the applicant of any right to a hearing
2817 pursuant to chapter 120.

2818 3. In the event the result of the criminal history
2819 screening identifies ~~department receives~~ criminal history
2820 information related to a crime that may disqualify the applicant
2821 but does not contain with no final disposition of the crime or
2822 lacks sufficient information to make an eligibility
2823 determination on a crime which may disqualify the applicant, the
2824 time limitation prescribed by this paragraph may be extended for
2825 up to an additional 45 days after the receipt of the information
2826 suspended until receipt of the final disposition or proof of
2827 restoration of civil and firearm rights. The department may make
2828 a request for information to the jurisdiction where the criminal
2829 history information originated but must issue a license if it
2830 does not obtain a disposition or sufficient information to make
2831 an eligibility determination within the additional 45 days if
2832 the applicant is otherwise eligible. The department may take any
2833 action authorized in this section if it receives disqualifying
2834 criminal history information during the additional 45-day review
2835 period or after issuance of a license.

2836 (10) A license issued under this section must ~~shall~~ be
2837 temporarily suspended as provided for in subparagraph (6)(c)3.,
2838 or revoked pursuant to chapter 120 if the license was issued in
2839 error or if the licensee:

2840 (a) Is found to be ineligible under the criteria set forth
2841 in subsection (2);

2842 (b) Develops or sustains a physical infirmity which

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2843 prevents the safe handling of a weapon or firearm;

2844 (c) Is convicted of a felony which would make the licensee
2845 ineligible to possess a firearm pursuant to s. 790.23;

2846 (d) Is found guilty of a crime under chapter 893, or
2847 similar laws of any other state, relating to controlled
2848 substances;

2849 (e) Is committed as a substance abuser under chapter 397,
2850 or is deemed a habitual offender under s. 856.011(3), or similar
2851 laws of any other state;

2852 (f) Is convicted of a second violation of s. 316.193, or a
2853 similar law of another state, within 3 years after a first
2854 conviction of such section or similar law of another state, even
2855 though the first violation may have occurred before the date on
2856 which the application was submitted;

2857 (g) Is adjudicated an incapacitated person under s.
2858 744.331, or similar laws of any other state; or

2859 (h) Is committed to a mental institution under chapter 394,
2860 or similar laws of any other state.

2861

2862 Notwithstanding s. 120.60(5), service of a notice of the
2863 suspension or revocation of a concealed weapon or concealed
2864 firearm license must be given by either certified mail, return
2865 receipt requested, to the licensee at his or her last known
2866 mailing address furnished to the Department of Agriculture and
2867 Consumer Services, or by personal service. If a notice given by
2868 certified mail is returned as undeliverable, a second attempt
2869 must be made to provide notice to the licensee at that address,
2870 by either first-class mail in an envelope, postage prepaid,
2871 addressed to the licensee at his or her last known mailing

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2872 address furnished to the department, or, if the licensee has
2873 provided an e-mail address to the department, by e-mail. Such
2874 mailing by the department constitutes notice, and any failure by
2875 the licensee to receive such notice does not stay the effective
2876 date or term of the suspension or revocation. A request for
2877 hearing must be filed with the department within 21 days after
2878 notice is received by personal delivery, or within 26 days after
2879 the date the department deposits the notice in the United States
2880 mail (21 days plus 5 days for mailing). The department shall
2881 document its attempts to provide notice, and such documentation
2882 is admissible in the courts of this state and constitutes
2883 sufficient proof that notice was given.

2884 Section 78. Subsection (2) of section 812.0151, Florida
2885 Statutes, is amended to read:

2886 812.0151 Retail fuel theft.—

2887 (2) (a) A person commits a felony of the third degree,
2888 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2889 if he or she willfully, knowingly, and without authorization:

2890 1. Breaches a retail fuel dispenser or accesses any
2891 internal portion of a retail fuel dispenser; or

2892 2. Possesses any device constructed for the purpose of
2893 fraudulently altering, manipulating, or interrupting the normal
2894 functioning of a retail fuel dispenser.

2895 (b) A person commits a felony of the second degree,
2896 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2897 if he or she willfully, knowingly, and without authorization:

2898 1. Physically tampers with, manipulates, removes, replaces,
2899 or interrupts any mechanical or electronic component located on
2900 ~~within~~ the internal or external portion of a retail fuel

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2901 dispenser; or

2902 2. Uses any form of electronic communication to
2903 fraudulently alter, manipulate, or interrupt the normal
2904 functioning of a retail fuel dispenser.

2905 (c) A person commits a felony of the third degree,
2906 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2907 if he or she:

2908 1. Obtains fuel as a result of violating paragraph (a) or
2909 paragraph (b); ~~or~~

2910 2. Modifies a vehicle's factory installed fuel tank or
2911 possesses any item used to hold fuel which was not fitted to a
2912 vehicle or conveyance at the time of manufacture with the intent
2913 to use such fuel tank or item to hold or transport fuel obtained
2914 as a result of violating paragraph (a) or paragraph (b); or

2915 3. Possesses or uses any form of a payment instrument that
2916 can be used, alone or in conjunction with another access device,
2917 to authorize a fuel transaction or obtain fuel, including, but
2918 not limited to, a plastic payment card with a magnetic stripe or
2919 a chip encoded with account information or both, with the intent
2920 to defraud the fuel retailer, the authorized payment instrument
2921 financial account holder, or the banking institution that issued
2922 the payment instrument financial account.

2923 Section 79. Section 812.136, Florida Statutes, is created
2924 to read:

2925 812.136 Mail theft.—

2926 (1) As used in this section, unless the context otherwise
2927 requires:

2928 (a) "Mail" means any letter, postal card, parcel, envelope,
2929 package, bag, or any other sealed article addressed to another,

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2930 along with its contents.

2931 (b) "Mail depository" means a mail box, letter box, mail
2932 route, or mail receptacle of a postal service, an office of a
2933 postal service, or mail carrier of a postal service, or a
2934 vehicle of a postal service or any other authorized receptacle.

2935 (c) "Postal service" means the United States Postal Service
2936 or its contractors, or any commercial courier that delivers
2937 mail.

2938 (2) Any of the following acts constitutes mail theft:

2939 (a) Knowingly removing mail from a mail depository or
2940 taking mail from a mail carrier of a postal service with an
2941 intent to either temporarily or permanently:

2942 1. Deprive the intended recipient of such mail of his or
2943 her right to the mail.

2944 2. Appropriate the mail to his or her own use or the use of
2945 any person not entitled to the use of such mail.

2946 (b) Knowingly obtaining custody of mail by fraud or
2947 deception with an intent to either temporarily or permanently:

2948 1. Deprive the intended recipient of such mail of his or
2949 her right to the mail.

2950 2. Appropriate the mail to his or her own use or the use of
2951 any person not entitled to the use of the mail.

2952 (c) Selling, receiving, possessing, transferring, buying,
2953 or concealing mail in violation of paragraph (a) or paragraph
2954 (b) of this subsection, while knowing or having reason to know
2955 the mail was obtained illegally.

2956 (3) Any of the following constitutes theft of or
2957 unauthorized reproduction of a mail depository key or lock:

2958 (a) Knowingly obtaining or using, or endeavoring to obtain

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2959 or use, any key or lock used by a postal service for a mail
2960 depository with the intent to either temporarily or permanently:

2961 1. Deprive the owner of such key or lock of his or her
2962 right to such key or lock.

2963 2. Appropriate the key or lock to his or her own use or the
2964 use of any person not entitled to the use of such key or lock.

2965 (b) Knowingly and unlawfully making, forging, or
2966 counterfeiting any such key or possessing any such key or lock
2967 adopted by a postal service with the intent to unlawfully or
2968 improperly use, sell, or otherwise dispose of the key or lock,
2969 or to cause the key or lock to be unlawfully or improperly used,
2970 sold, or otherwise disposed.

2971 (c) Selling, receiving, possessing, transferring, buying,
2972 or concealing a key or lock obtained in violation of paragraph
2973 (a) or paragraph (b) while knowing or having reason to know such
2974 key or lock was obtained illegally.

2975 (4) (a) Except as provided in paragraph (b), a violation of
2976 this section is a misdemeanor of the first degree, punishable as
2977 provided in s. 775.082 or s. 775.083.

2978 (b) A second or subsequent violation of this section is a
2979 felony of the third degree, punishable as provided in s. 775.082
2980 or s. 775.084.

2981 Section 80. Paragraph (i) of subsection (4) of section
2982 934.50, Florida Statutes, is amended, and a new paragraph (q) is
2983 added to that subsection, to read:

2984 934.50 Searches and seizure using a drone.—

2985 (4) EXCEPTIONS.—This section does not prohibit the use of a
2986 drone:

2987 ~~(i) By a person or an entity engaged in a business or~~

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2988 ~~profession licensed by the state, or by an agent, employee, or~~
2989 ~~contractor thereof, if the drone is used only to perform~~
2990 ~~reasonable tasks within the scope of practice or activities~~
2991 ~~permitted under such person's or entity's license. However, this~~
2992 ~~exception does not apply to a profession in which the licensee's~~
2993 ~~authorized scope of practice includes obtaining information~~
2994 ~~about the identity, habits, conduct, movements, whereabouts,~~
2995 ~~affiliations, associations, transactions, reputation, or~~
2996 ~~eharaacter of any society, person, or group of persons.~~

2997 (q) By a local governmental entity, or a person under
2998 contract with or acting under the direction of such entity, for
2999 the purpose of managing and eradicating plant or animal diseases
3000 or activities consistent with chapters 369, 388, and 487.

3001 Section 81. Section 1013.373, Florida Statutes, is created
3002 to read:

3003 1013.373 Educational facilities used for agricultural
3004 education.—

3005 (1) Notwithstanding any other provision of law, a local
3006 government may not adopt any ordinance, regulation, rule, or
3007 policy to prohibit, restrict, regulate, or otherwise limit any
3008 activities of public educational facilities and auxiliary
3009 facilities constructed by a board for agricultural education,
3010 for Future Farmers of America or 4-H activities, or the storage
3011 of any animal or equipment therein.

3012 (2) Lands used for agricultural education or for Future
3013 Farmers of America or 4-H activities are considered agricultural
3014 lands pursuant to s. 193.461 and subject to s. 823.14.

3015 Section 82. For the purpose of incorporating the amendment
3016 made by this act to section 110.205, Florida Statutes, in a

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3017 reference thereto, paragraph (a) of subsection (5) of section
3018 295.07, Florida Statutes, is reenacted to read:

3019 295.07 Preference in appointment and retention.—

3020 (5) The following positions are exempt from this section:

3021 (a) Those positions that are exempt from the state Career
3022 Service System under s. 110.205(2); however, all positions under
3023 the University Support Personnel System of the State University
3024 System as well as all Career Service System positions under the
3025 Florida College System and the School for the Deaf and the
3026 Blind, or the equivalent of such positions at state
3027 universities, Florida College System institutions, or the School
3028 for the Deaf and the Blind, are not exempt.

3029 Section 83. For the purpose of incorporating the amendment
3030 made by this act to section 388.271, Florida Statutes, in a
3031 reference thereto, paragraph (a) of subsection (1) of section
3032 189.062, Florida Statutes, is reenacted to read:

3033 189.062 Special procedures for inactive districts.—

3034 (1) The department shall declare inactive any special
3035 district in this state by documenting that:

3036 (a) The special district meets one of the following
3037 criteria:

3038 1. The registered agent of the district, the chair of the
3039 governing body of the district, or the governing body of the
3040 appropriate local general-purpose government notifies the
3041 department in writing that the district has taken no action for
3042 2 or more years;

3043 2. The registered agent of the district, the chair of the
3044 governing body of the district, or the governing body of the
3045 appropriate local general-purpose government notifies the

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3046 department in writing that the district has not had a governing
3047 body or a sufficient number of governing body members to
3048 constitute a quorum for 2 or more years;

3049 3. The registered agent of the district, the chair of the
3050 governing body of the district, or the governing body of the
3051 appropriate local general-purpose government fails to respond to
3052 an inquiry by the department within 21 days;

3053 4. The department determines, pursuant to s. 189.067, that
3054 the district has failed to file any of the reports listed in s.
3055 189.066;

3056 5. The district has not had a registered office and agent
3057 on file with the department for 1 or more years;

3058 6. The governing body of a special district provides
3059 documentation to the department that it has unanimously adopted
3060 a resolution declaring the special district inactive. The
3061 special district is responsible for payment of any expenses
3062 associated with its dissolution;

3063 7. The district is an independent special district or a
3064 community redevelopment district created under part III of
3065 chapter 163 that has reported no revenue, no expenditures, and
3066 no debt under s. 189.016(9) or s. 218.32 for at least 5
3067 consecutive fiscal years beginning no earlier than October 1,
3068 2018. This subparagraph does not apply to a community
3069 development district established under chapter 190 or to any
3070 independent special district operating pursuant to a special act
3071 that provides that any amendment to chapter 190 to grant
3072 additional powers constitutes a power of that district; or

3073 8. For a mosquito control district created pursuant to
3074 chapter 388, the department has received notice from the

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3075 Department of Agriculture and Consumer Services that the
3076 district has failed to file a tentative work plan and tentative
3077 detailed work plan budget as required by s. 388.271.

3078 Section 84. For the purpose of incorporating the amendment
3079 made by this act to section 482.161, Florida Statutes, in a
3080 reference thereto, paragraph (b) of subsection (3) of section
3081 482.072, Florida Statutes, is reenacted to read:

3082 482.072 Pest control customer contact centers.—

3083 (3)

3084 (b) Notwithstanding any other provision of this section:

3085 1. A customer contact center licensee is subject to
3086 disciplinary action under s. 482.161 for a violation of this
3087 section or a rule adopted under this section committed by a
3088 person who solicits pest control services or provides customer
3089 service in a customer contact center.

3090 2. A pest control business licensee may be subject to
3091 disciplinary action under s. 482.161 for a violation of this
3092 section or a rule adopted under this section committed by a
3093 person who solicits pest control services or provides customer
3094 service in a customer contact center operated by a licensee if
3095 the licensee participates in the violation.

3096 Section 85. For the purpose of incorporating the amendment
3097 made by this act to section 482.161, Florida Statutes, in a
3098 reference thereto, section 482.163, Florida Statutes, is
3099 reenacted to read:

3100 482.163 Responsibility for pest control activities of
3101 employee.—Proper performance of pest control activities by a
3102 pest control business employee is the responsibility not only of
3103 the employee but also of the certified operator in charge, and

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3104 the certified operator in charge may be disciplined pursuant to
3105 the provisions of s. 482.161 for the pest control activities of
3106 an employee. A licensee may not automatically be considered
3107 responsible for violations made by an employee. However, the
3108 licensee may not knowingly encourage, aid, or abet violations of
3109 this chapter.

3110 Section 86. For the purpose of incorporating the amendment
3111 made by this act to section 487.044, Florida Statutes, in a
3112 reference thereto, section 487.156, Florida Statutes, is
3113 reenacted to read:

3114 487.156 Governmental agencies.—All governmental agencies
3115 shall be subject to the provisions of this part and rules
3116 adopted under this part. Public applicators using or supervising
3117 the use of restricted-use pesticides shall be subject to
3118 examination as provided in s. 487.044.

3119 Section 87. For the purpose of incorporating the amendment
3120 made by this act to section 496.405, Florida Statutes, in a
3121 reference thereto, subsection (2) of section 496.4055, Florida
3122 Statutes, is reenacted to read:

3123 496.4055 Charitable organization or sponsor board duties.—

3124 (2) The board of directors, or an authorized committee
3125 thereof, of a charitable organization or sponsor required to
3126 register with the department under s. 496.405 shall adopt a
3127 policy regarding conflict of interest transactions. The policy
3128 shall require annual certification of compliance with the policy
3129 by all directors, officers, and trustees of the charitable
3130 organization. A copy of the annual certification shall be
3131 submitted to the department with the annual registration
3132 statement required by s. 496.405.

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3133 Section 88. For the purpose of incorporating the amendment
3134 made by this act to section 496.405, Florida Statutes, in
3135 references thereto, subsections (2) and (4) of section 496.406,
3136 Florida Statutes, are reenacted to read:

3137 496.406 Exemption from registration.—

3138 (2) Before soliciting contributions, a charitable
3139 organization or sponsor claiming to be exempt from the
3140 registration requirements of s. 496.405 under paragraph (1) (d)
3141 must submit annually to the department, on forms prescribed by
3142 the department:

3143 (a) The name, street address, and telephone number of the
3144 charitable organization or sponsor, the name under which it
3145 intends to solicit contributions, the purpose for which it is
3146 organized, and the purpose or purposes for which the
3147 contributions to be solicited will be used.

3148 (b) The tax exempt status of the organization.

3149 (c) The date on which the organization's fiscal year ends.

3150 (d) The names, street addresses, and telephone numbers of
3151 the individuals or officers who have final responsibility for
3152 the custody of the contributions and who will be responsible for
3153 the final distribution of the contributions.

3154 (e) A financial statement of support, revenue, and expenses
3155 and a statement of functional expenses that must include, but
3156 not be limited to, expenses in the following categories:
3157 program, management and general, and fundraising. In lieu of the
3158 financial statement, a charitable organization or sponsor may
3159 submit a copy of its Internal Revenue Service Form 990 and all
3160 attached schedules or Internal Revenue Service Form 990-EZ and
3161 Schedule O.

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3162 (4) Exemption from the registration requirements of s.
3163 496.405 does not limit the applicability of other provisions of
3164 this section to a charitable organization or sponsor.

3165 Section 89. For the purpose of incorporating the amendment
3166 made by this act to section 500.12, Florida Statutes, in a
3167 reference thereto, paragraph (a) of subsection (1) of section
3168 500.80, Florida Statutes, is reenacted to read:

3169 500.80 Cottage food operations.—

3170 (1)(a) A cottage food operation must comply with the
3171 applicable requirements of this chapter but is exempt from the
3172 permitting requirements of s. 500.12 if the cottage food
3173 operation complies with this section and has annual gross sales
3174 of cottage food products that do not exceed \$250,000.

3175 Section 90. For the purpose of incorporating the amendment
3176 made by this act to section 500.172, Florida Statutes, in a
3177 reference thereto, subsection (6) of section 500.121, Florida
3178 Statutes, is reenacted to read:

3179 500.121 Disciplinary procedures.—

3180 (6) If the department determines that a food offered in a
3181 food establishment is labeled with nutrient claims that are in
3182 violation of this chapter, the department shall retest or
3183 reexamine the product within 90 days after notification to the
3184 manufacturer and to the firm at which the product was collected.
3185 If the product is again found in violation, the department shall
3186 test or examine the product for a third time within 60 days
3187 after the second notification. The product manufacturer shall
3188 reimburse the department for the cost of the third test or
3189 examination. If the product is found in violation for a third
3190 time, the department shall exercise its authority under s.

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3191 500.172 and issue a stop-sale or stop-use order. The department
3192 may impose additional sanctions for violations of this
3193 subsection.

3194 Section 91. For the purpose of incorporating the amendment
3195 made by this act to section 790.06, Florida Statutes, in a
3196 reference thereto, section 790.061, Florida Statutes, is
3197 reenacted to read:

3198 790.061 Judges and justices; exceptions from licensure
3199 provisions.—A county court judge, circuit court judge, district
3200 court of appeal judge, justice of the supreme court, federal
3201 district court judge, or federal court of appeals judge serving
3202 in this state is not required to comply with the provisions of
3203 s. 790.06 in order to receive a license to carry a concealed
3204 weapon or firearm, except that any such justice or judge must
3205 comply with the provisions of s. 790.06(2)(h). The Department of
3206 Agriculture and Consumer Services shall issue a license to carry
3207 a concealed weapon or firearm to any such justice or judge upon
3208 demonstration of competence of the justice or judge pursuant to
3209 s. 790.06(2)(h).

3210 Section 92. Except as otherwise expressly provided in this
3211 act, this act shall take effect July 1, 2025.