

HB 1245

2026

A bill to be entitled  
An act relating to biosolids management; amending s. 403.0855, F.S.; prohibiting the land application of Class AA biosolids fertilizer and compost products from exceeding the agronomic rate; requiring the land application site operator to maintain application records; authorizing bulk Class AA biosolids or biosolids products to be distributed or marketed as fertilizer and land applied if specified requirements are met; defining the term "bona fide sale"; authorizing bulk Class AA biosolids compost products to be distributed or marketed as soil amendments and land applied if specified requirements are met; providing an exception; requiring that certain bulk Class AA biosolids compost and fertilizer products be land applied at land application sites approved by the Department of Environmental Protection; providing applicability; requiring the University of Florida's Institute of Food and Agricultural Sciences to publish and make publicly available recommended agronomic rates for the reuse of bulk Class AA biosolids fertilizer and compost products; providing an effective date.

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

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27       **Section 1. Subsections (7) through (13) are added to**  
28       **section 403.0855, Florida Statutes, to read:**

29       403.0855 Biosolids management.—

30       (7) The land application of bulk Class AA biosolids  
31       fertilizer and compost products may not exceed the agronomic  
32       rate, as that term is defined in 40 C.F.R. s. 503.11, to the  
33       extent that such application constitutes disposal, considering  
34       the slow-release nature of nitrogen and phosphorus in biosolids-  
35       derived products. Application records must be maintained by the  
36       land application site operator.

37       (8) (a) Bulk Class AA biosolids or biosolids products may  
38       be distributed or marketed as fertilizer in accordance with  
39       chapter 576, and may be land applied if such biosolids and  
40       products are transferred pursuant to a bona fide sale as  
41       fertilizer and meet all applicable labeling and registration  
42       requirements.

43       (b) As used in this section, the term "bona fide sale"  
44       means a sale in which monetary consideration is paid for the  
45       biosolids fertilizer or biosolids compost product, and the  
46       amount paid bears a reasonable relationship to the fair market  
47       value of comparable marketable fertilizer or soil-amendment  
48       products. A nominal charge, an exchange arrangement, a transfer  
49       made to offset disposal costs, or a transfer in which the  
50       biosolids treatment facility compensates the recipient does not

51 constitute a bona fide sale. A transaction does not constitute a  
52 bona fide sale if its price, structure, or associated payments  
53 are arranged for the purpose of avoiding compliance with  
54 paragraph (a) or subsection (9).

55 (9) (a) Bulk Class AA biosolids compost products may be  
56 distributed or marketed as soil amendments in accordance with  
57 chapter 576 and may be land applied if such products are  
58 transferred pursuant to a bona fide sale and meet all applicable  
59 labeling and registration requirements.

60 (b) Class AA biosolids compost products are not required  
61 to be distributed or marketed as a soil amendment or a  
62 fertilizer if the Class AA biosolids compost product is enrolled  
63 and certified under the United States Composting Council's Seal  
64 of Testing Assurance program.

65 (10) Bulk Class AA biosolids compost and fertilizer  
66 products that are not distributed, marketed, or sold through a  
67 bona fide sale as a fertilizer or soil amendment may only be  
68 land applied at land application sites expressly approved by the  
69 Department of Environmental Protection. This subsection does not  
70 apply to Class AA biosolids compost products enrolled and  
71 certified under the United States Composting Council's Seal of  
72 Testing Assurance program.

73 (11) The requirement for a bona fide sale does not apply  
74 to biosolids treatment facilities that own or control the land  
75 where the bulk Class AA fertilizer or compost biosolids products

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76 are being land applied; however, bulk Class AA products that are  
77 land applied on land owned or controlled by a biosolids  
78 treatment facility must still meet all applicable registration  
79 and labeling requirements prior to land application.

80 (12) Subsections (8), (9), and (10) do not apply to sales  
81 or exchanges between importers, manufacturers, or licensees  
82 under s. 576.141.

83 (13) The University of Florida's Institute of Food and  
84 Agricultural Sciences shall, on a biennial basis, publish and  
85 make publicly available the recommended agronomic rates for the  
86 beneficial reuse of bulk Class AA biosolids fertilizer and  
87 compost products based on predominant application practices.

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