

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.; providing definitions; prohibiting
7 governmental entities from adopting or enforcing any
8 legislation that inhibits the construction or
9 installation of housing for legally verified
10 agricultural workers on agricultural land operated as
11 a bona fide farm; requiring that the construction or
12 installation of such housing units on agricultural
13 lands satisfies certain criteria; requiring that local
14 ordinances comply with certain regulations;
15 authorizing governmental entities to adopt local land
16 use 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 a
20 such 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
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.; providing definitions; prohibiting a
44 person from knowingly or willfully performing certain
45 actions on lands classified as agricultural or on
46 private property, state wildlife management lands, or
47 a sport shooting and training range; providing
48 criminal penalties; providing applicability; creating
49 s. 366.20, F.S.; requiring that certain lands acquired
50 or owned by an electric utility be offered for fee

51 simple acquisition by the department before the land
52 may be offered for sale or transferred to a private
53 individual or entity; providing retroactive
54 applicability; amending s. 366.94, F.S.; defining the
55 term "electric vehicle charging station"; authorizing
56 the department to adopt rules; requiring local
57 governmental entities to issue permits for electric
58 vehicle charging stations based on specified standards
59 and provisions of law; requiring that an electric
60 vehicle charger be registered with the department
61 before being placed into service for use by the
62 public; providing the department with certain
63 authority relating to electric vehicle charging
64 stations; providing a penalty; authorizing the
65 department to issue an immediate final order to an
66 electric vehicle charging station under certain
67 circumstances; providing that the department may bring
68 an action to enjoin a violation of specified
69 provisions or rules; requiring the court to issue a
70 temporary or permanent injunction under certain
71 circumstances; amending s. 388.011, F.S.; revising the
72 definition of the terms "board of commissioners" and
73 "district"; defining the term "program"; amending s.
74 388.021, F.S.; making a technical change; amending s.
75 388.181, F.S.; authorizing programs to perform

76 specified actions; amending s. 388.201, F.S.;

77 requiring that the tentative work plan budget covering

78 the proposed operations and requirements for arthropod

79 control measures show the estimated amount to be

80 raised by county, municipality, or district taxes;

81 requiring that county commissioners' or a similar

82 governing body's mosquito control budget be made and

83 adopted pursuant to specified provisions and requiring

84 that summary figures be incorporated into the county

85 budgets as prescribed by the department; amending s.

86 388.241, F.S.; providing that certain rights, powers,

87 and duties be vested in the board of county

88 commissioners or similar governing body of a county,

89 city, or town; amending s. 388.261, F.S.; increasing

90 the amount of state funds, supplies, services, or

91 equipment for a certain number of years for any new

92 program for the control of mosquitos and other

93 arthropods which serves an area not previously served

94 by a county, municipality, or district; amending s.

95 388.271, F.S.; requiring each program participating in

96 arthropod control activities to file a tentative

97 integrated arthropod management plan with the

98 department by a specified date; conforming provisions

99 to changes made by the act; amending s. 388.281, F.S.;

100 requiring that all funds, supplies, and services

101 released to programs be used in accordance with the
102 integrated arthropod management plan and certified
103 budget; requiring that such integrated arthropod
104 management plan and certified budget be approved by
105 both the department and the board of county
106 commissioners and an appropriate representative;
107 conforming provisions to changes made by the act;
108 amending s. 388.291, F.S.; providing that a program
109 may perform certain source reduction measures in any
110 area providing that the department has approved the
111 operating or construction plan as outlined in the
112 integrated arthropod management plan; conforming
113 provisions to changes made by the act; amending s.
114 388.301, F.S.; revising the schedule by which state
115 funds for the control of mosquitos and other
116 arthropods may be paid; amending ss. 388.311 and
117 388.321, F.S.; conforming provisions to changes made
118 by the act; amending s. 388.322, F.S.; requiring the
119 department to maintain a record and inventory of
120 certain property purchased with state funds for
121 arthropod control use; amending s. 388.323, F.S.;
122 providing that certain equipment no longer needed by a
123 program be first offered for sale to other programs
124 engaged in arthropod control at a specified price;
125 requiring that all proceeds from the sale of certain

126 property owned by a program and purchased using state
127 funds be deposited in the program's state fund
128 account; amending s. 388.341, F.S.; requiring a
129 program receiving state aid to submit a monthly report
130 of all expenditures from all funds for arthropod
131 control by a specified timeframe as may be required by
132 the department; amending ss. 388.351 and 388.361,
133 F.S.; conforming provisions to changes made by the
134 act; amending s. 388.3711, F.S.; revising the
135 department's enforcement powers; amending ss. 388.381,
136 388.391, and 388.401, F.S.; conforming provisions to
137 changes made by the act; amending s. 388.46, F.S.;
138 revising the composition of the Florida Coordinating
139 Council on Mosquito Control; amending s. 403.067,
140 F.S.; providing an exception for inspection
141 requirements for certain agricultural producers;
142 authorizing the department to adopt rules establishing
143 an enrollment in best management practices by rule
144 process; authorizing the department to identify best
145 management practices for specified landowners;
146 requiring the department to perform onsite inspections
147 annually of a certain percentage of all enrollments
148 that meet specified qualifications within a specified
149 area; providing requirements for such inspections;
150 requiring agricultural producers enrolled by rule in a

151 best management practice to submit nutrient records
152 annually to the department; requiring the department
153 to collect and retain such records; amending s.
154 403.852, F.S.; defining the term "water quality
155 additive"; amending s. 403.859, F.S.; providing that
156 the use of certain additives in a water system which
157 do not meet the definition of water quality additive
158 or certain other additives is prohibited and violates
159 specified provisions; amending s. 482.111, F.S.;
160 revising requirements for the renewal of a pest
161 control operator's certificate; authorizing a third-
162 party vendor to collect and retain a convenience fee;
163 amending s. 482.141, F.S.; requiring the department to
164 provide in-person and remote testing for the
165 examination through a third-party vendor for an
166 individual seeking pest control operator
167 certification; authorizing a third-party vendor to
168 collect and retain a convenience fee; amending s.
169 482.155, F.S.; requiring the department to provide in-
170 person and remote testing for the examination through
171 a third-party vendor for an individual seeking limited
172 certification for a governmental pesticide applicator
173 or a private applicator; authorizing a third-party
174 vendor to collect and retain a convenience fee;
175 deleting provisions requiring the department to make

176 such examination readily accessible and available to
177 all applicants on a specified schedule; amending s.
178 482.156, F.S.; requiring the department to provide in-
179 person and remote testing for the examination through
180 a third-party vendor for an individual seeking a
181 limited certification for commercial landscape
182 maintenance; authorizing a third-party vendor to
183 collect and retain a convenience fee; removing
184 provisions requiring the department to make such
185 examination readily accessible and available to all
186 applicants on a specified schedule; amending s.
187 482.157, F.S.; revising requirements for issuance of a
188 limited certification for commercial wildlife
189 management personnel; authorizing a third-party vendor
190 to collect and retain a convenience fee; deleting
191 provisions requiring the department to make an
192 examination readily accessible and available to all
193 applicants on a specified schedule; amending s.
194 482.161, F.S.; authorizing the department to take
195 specified disciplinary action upon the issuance of a
196 final order imposing civil penalties or a criminal
197 conviction pursuant to the Federal Insecticide,
198 Fungicide, and Rodenticide Act; amending s. 487.044,
199 F.S.; requiring the department to provide in-person
200 and remote testing through a third-party vendor for

201 the examination of an individual seeking a limited
 202 certification for pesticide application; authorizing a
 203 third-party vendor to collect and retain a convenience
 204 fee; amending s. 487.175, F.S.; providing that the
 205 department may suspend, revoke, or deny licensure of a
 206 pesticide applicator upon issuance of a final order to
 207 a licensee which imposes civil penalties or a criminal
 208 conviction under the Federal Insecticide, Fungicide,
 209 and Rodenticide Act; amending s. 496.404, F.S.;

210 defining the terms "controlling interest," "foreign
 211 country of concern," and "foreign source of concern";
 212 amending s. 496.405, F.S.; revising which documents a
 213 charitable organization or sponsor must file before
 214 engaging in specified activities; requiring that any
 215 changes to such documents be reported to the
 216 department on a specified form in a specified
 217 timeframe; revising the requirements of the charitable
 218 organization's initial registration statement;
 219 authorizing the department to investigate or refer to
 220 the Florida Elections Commission certain violations of
 221 the charitable organization or sponsor; amending s.
 222 496.415, F.S.; prohibiting specified persons from
 223 soliciting or accepting anything of value from a
 224 foreign source of concern; amending s. 496.417, F.S.;

225 authorizing the department to investigate or refer to

226 the Florida Elections Commission certain violations of
227 a charitable organization or sponsor; amending s.
228 496.419, F.S.; providing penalties for a charitable
229 organization or sponsor whose registration is denied
230 or revoked for submitting a false attestation;
231 creating s. 496.431, F.S.; requiring the department to
232 create the Honest Service Registry to provide
233 residents with information relating to charitable
234 organizations; requiring a charitable organization
235 included in the Honest Services Registry to submit an
236 attestation statement to the department; requiring the
237 department to publish the Honest Services Registry on
238 the department's website; requiring the department to
239 adopt rules; amending s. 500.03, F.S.; revising the
240 definition of the term "cottage food product";
241 amending s. 500.12, F.S.; providing that the
242 department requires a food permit from any person or
243 business that operates a food establishment; revising
244 exceptions; revising the schedule for renewing certain
245 food permits; authorizing the department to establish
246 a single permit renewal date for certain food
247 establishments; amending s. 500.166, F.S.; requiring
248 certain persons engaged in interstate commerce to
249 retain all records that show certain information for a
250 specified timeframe; amending s. 500.172, F.S.;

251 authorizing the department to facilitate the
252 destruction of certain articles that violate specified
253 provisions; prohibiting certain persons from certain
254 actions without permission from, or in accord with a
255 written agreement with, the department; creating s.
256 500.75, F.S.; providing that it is unlawful to import,
257 sell, offer for sale, furnish, or give away certain
258 spores or mycelium; providing penalties; creating s.
259 500.93, F.S.; providing definitions; requiring the
260 department to adopt rules to enforce the Food and Drug
261 Administration's standard of identity for milk, meat,
262 poultry, and eggs to prohibit the sale of plant-based
263 products mislabeled as milk, meat, poultry, or eggs;
264 providing contingent effective dates; requiring the
265 department to adopt rules; providing construction;
266 repealing s. 501.135, F.S., relating to consumer unit
267 pricing; amending s. 501.912, F.S.; revising the
268 definition of the term "antifreeze"; creating s.
269 525.19, F.S.; requiring the department to create an
270 annual petroleum registration program for petroleum
271 owners or operators; requiring the department to adopt
272 rules for such registration which include specified
273 information; requiring that the registration program
274 be free for all registrants; authorizing the
275 department to require registrants to provide certain

276 information during a state of emergency; creating s.
277 526.147, F.S.; creating the Florida Retail Fuel
278 Transfer Switch Modernization Grant Program within the
279 department; requiring the grant program to provide
280 funds up to a certain amount to be used for
281 installation and equipment costs relating to
282 installing or modernizing transfer switch
283 infrastructure at retail fuel facilities; requiring
284 the department to award funds based on specified
285 criteria; requiring retail fuel facilities awarded
286 grant funds to comply with specified provisions;
287 requiring such facilities to install a transfer switch
288 with specified capabilities; requiring retail fuel
289 facilities to provide specified documentation before
290 being awarded funding; prohibiting certain facilities
291 from being awarded funding; requiring the department,
292 in consultation with the Division of Emergency
293 Management, to adopt rules; requiring that such rules
294 include specified information; amending s. 531.48,
295 F.S.; requiring that certain packages bear specified
296 information on the outside of the package; amending s.
297 531.49, F.S.; revising requirements for the
298 advertising of a packaged commodity; amending s.
299 564.06, F.S.; conforming a provision to changes made
300 by the act; amending s. 570.07, F.S.; requiring the

301 department to foster and encourage the employment and
302 retention of qualified veterinary pathologists;
303 providing that the department may reimburse the
304 educational expenses of certain veterinary
305 pathologists who enter into a certain agreement with
306 the department; requiring the department to adopt
307 certain rules; requiring the department to extend
308 certain opportunities to public school students
309 enrolled in agricultural education to support Future
310 Farmers of America programming; requiring the
311 department to use contracts procured by agencies;
312 defining the term "agency"; amending s. 570.544, F.S.;
313 revising which provisions the director of the Division
314 of Consumer Services must enforce; creating s.
315 570.546, F.S.; authorizing the department to create a
316 process for the bulk renewal of licenses; authorizing
317 the department to create a process that will allow
318 licensees to align the expiration dates of licenses
319 within a specified program; authorizing the department
320 to change the expiration date for current licenses for
321 a certain purpose; requiring the department to prorate
322 the licensing fee for certain licenses; requiring the
323 department to adopt rules; amending s. 570.694, F.S.;
324 creating the Florida Aquaculture Foundation as a
325 direct support organization within the department;

326 providing the purpose of the foundation; providing
327 governance for the foundation; authorizing the
328 department to appoint an advisory committee adjunct to
329 the foundation; amending s. 570.822, F.S.; revising
330 the definition of the terms "declared natural
331 disaster" and "program"; providing that loan funds
332 from the department may be used to restock
333 aquaculture; authorizing the department to renew a
334 loan application under certain circumstances;
335 authorizing the department to defer or waive loan
336 payments under certain circumstances; creating s.
337 570.823, F.S.; providing definitions; establishing the
338 silviculture emergency recovery program within the
339 department to administer a grant program to assist
340 certain timber landowners; requiring that such grants
341 be used for certain purposes; requiring that only
342 timber lands located on agricultural property are
343 eligible for the program; requiring the department to
344 coordinate with state agencies to provide financial
345 assistance to timber landowners after a specified
346 declared emergency; providing construction;
347 authorizing the department to adopt rules; providing
348 construction; amending s. 581.1843, F.S.; removing
349 provisions that exclude certain citrus nurseries from
350 certain requirements and that regulate areas around

351 the perimeter of commercial citrus nurseries;
352 repealing ss. 593.101, 593.102, 593.103, 593.104,
353 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,
354 593.111, 593.112, 593.113, 593.114, 593.1141,
355 593.1142, 593.115, 593.116, and 593.117, F.S.,
356 relating to the Florida Boll Weevil Eradication Law;
357 definitions; powers and duties of Department of
358 Agriculture and Consumer Services; the entry of
359 premises to carry out boll weevil eradication
360 activities and inspections; reports by persons growing
361 cotton; quarantine areas and the regulation of
362 articles within a boll weevil eradication zone; the
363 regulation of collection, transportation,
364 distribution, and movement of cotton; cooperative
365 programs for persons engaged in growing, processing,
366 marketing, or handling cotton; the department's
367 authority to designate eradication zones, prohibit
368 planting of cotton, and require participation in
369 eradication program; regulation of the pasturage of
370 livestock, entry by persons, and location of honeybee
371 colonies in eradication zones and other areas;
372 eligibility for certification of cotton growers'
373 organization; the certification of cotton growers'
374 organization; a referendum; an assessment; the
375 department's authority to enter agreements with the

376 Farm Service Agency; liens; mandamus or injunction;
377 penalty for violation; and the handling of moneys
378 received, respectively; amending s. 595.404, F.S.;
379 revising the department's powers and duties regarding
380 school nutrition programs; amending s. 599.002, F.S.;
381 renaming the Viticulture Advisory Council as the
382 Florida Wine Advisory Council; revising the membership
383 of the Florida Wine Advisory Council; amending s.
384 599.003, F.S.; renaming the State Viticulture Plan as
385 the State Wine Plan; amending s. 599.004, F.S.;
386 providing that wineries that fail to recertify
387 annually or pay a specified licensing fee are subject
388 to certain actions and costs; amending s. 599.012,
389 F.S.; conforming provisions to changes made by the
390 act; amending s. 616.12, F.S.; removing provisions
391 requiring a person who operates a minstrel show in
392 connection with any certain public fairs to pay
393 specified license taxes; removing a provision that
394 exempts such person from paying specified taxes;
395 creating s. 687.16, F.S.; providing a short title;
396 providing definitions; prohibiting a financial
397 institution from discriminating in the provision of
398 financial services to an agricultural producer based
399 on an ESG factor; providing an inference with regard
400 to a certain violation; providing that the financial

401 institution may overcome the inference by making
402 certain demonstrations regarding its denial or
403 restriction of financial services to an agricultural
404 producer; authorizing the Attorney General to enforce
405 specified provisions; providing that a violation of
406 specified provisions constitutes an unfair and
407 deceptive trade practice; authorizing the Attorney
408 General to investigate and seek remedies for such
409 unfair trade practices; authorizing an aggrieved party
410 to seek an action for damages; amending s. 741.0305,
411 F.S.; conforming a cross-reference; amending s.
412 790.06, F.S.; revising the circumstances under which
413 the department may temporarily suspend a person's
414 license to carry a concealed weapon or concealed
415 firearm or the processing of an application for such
416 license; requiring the department to notify certain
417 licensees or applicants of his or her right to a
418 hearing; requiring that the hearing regarding such
419 suspension of license be for a limited purpose;
420 requiring the department to issue an order lifting the
421 suspension of an applicant's license upon a certain
422 disposition of the criminal case; requiring that the
423 suspension remain in effect upon a certain disposition
424 of the criminal case; providing construction;
425 providing legislative findings; revising the duties of

426 the department after the date of receipt of a
427 completed application for a license to carry a
428 concealed weapon or concealed firearm; requiring that
429 a license issued under this section be temporarily
430 suspended or revoked if the license was issued in
431 error or if the licensee commits certain actions;
432 amending s. 812.0151, F.S.; revising the elements of
433 third degree and second degree felony retail fuel
434 theft; creating s. 812.136, F.S.; providing
435 definitions; providing elements for the crime of mail
436 theft; providing elements of theft of or unauthorized
437 reproduction of a mail depository key or lock;
438 providing criminal penalties; amending s. 934.50,
439 F.S.; removing certain exceptions from the prohibited
440 uses of drones; creating s. 1013.373, F.S.;

441 prohibiting a local government from adopting any
442 measure to limit the activities of public educational
443 facilities or auxiliary facilities constructed by
444 certain organizations; requiring that lands used for
445 agricultural education or for the Future Farmers of
446 America or 4-H activities be considered agricultural
447 lands; reenacting s. 295.07(5)(a), F.S., relating to
448 preference in appointment and retention, to
449 incorporate the amendment made to s. 110.205, F.S., in
450 a reference thereto; reenacting ss. 125.01(1)(r),

451 163.3162(3)(a), (b), (c), and (d), 163.3163(3)(c),
 452 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
 453 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
 454 403.182(11)(a), 403.9337(4), 472.029(2)(d),
 455 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
 456 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
 457 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
 458 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
 459 F.S., relating to powers and duties; agricultural
 460 lands and practices; applications for development
 461 permits; community planning act; legal status of
 462 comprehensive plan; authority for providing
 463 improvements and levying and collecting special
 464 assessments against property benefited; preparation
 465 and serving of returns; assessment of obsolete
 466 agricultural equipment; storage tax; exemptions; local
 467 pollution control programs; the Model Ordinance for
 468 Florida-Friendly Fertilizer Use on Urban Landscapes;
 469 authorization to enter lands of third parties;
 470 veterinary telehealth; ownership and control of
 471 veterinary medical patient records; exemptions;
 472 agritourism; agritourism participation impact on land
 473 classification; best management practices for
 474 wildlife; qualifications and tenure of supervisors;
 475 location of apiaries; nonresidential farm buildings;

476 urban agriculture pilot projects; definitions;
477 domestic violence; definitions; and the Florida Right
478 to Farm Act, respectively, to incorporate the
479 amendment made to s. 193.461, F.S., in references
480 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
481 F.S., relating to special procedures for inactive
482 districts and state aid to counties and districts for
483 arthropod control, respectively, to incorporate the
484 amendment made to s. 388.271, F.S., in references
485 thereto; reenacting ss. 482.072(3)(b) and 482.163,
486 F.S., relating to pest control customer contact
487 centers and responsibility for pest control activities
488 of employee, respectively, to incorporate the
489 amendment made to s. 482.161, F.S., in references
490 thereto; reenacting s. 487.156, F.S., relating to
491 governmental agencies, to incorporate the amendment
492 made to s. 487.044, F.S., in a reference thereto;
493 reenacting ss. 496.4055(2) and 496.406(2) and (4),
494 F.S., relating to charitable organization or sponsor
495 board duties and exemption from registration,
496 respectively, to incorporate the amendment made to s.
497 496.405, F.S., in references thereto; reenacting s.
498 500.80(1)(a), F.S., relating to cottage food
499 operations, to incorporate the amendment made to s.
500 500.12, F.S., in a reference thereto; reenacting s.

501 500.121(6), F.S., relating to disciplinary procedures,
 502 to incorporate the amendment made to s. 500.172, F.S.,
 503 in a reference thereto; reenacting s. 790.061, F.S.,
 504 relating to judges and justices, to incorporate the
 505 amendment made to s. 790.06, F.S., in a reference
 506 thereto; providing an effective date.

507

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

509

510 **Section 1. Paragraph (m) of subsection (2) of section**
 511 **110.205, Florida Statutes, is amended to read:**

512 110.205 Career service; exemptions.—

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

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

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

524 2. Positions in The Department of Corrections which are
 525 assigned primary duties of serving as the warden, assistant

526 warden, colonel, or major of an institution or that are assigned
527 primary duties of serving as the circuit administrator or deputy
528 circuit administrator.

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

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

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

539 6. Positions in The Department of Highway Safety and Motor
540 Vehicles which are assigned primary duties of serving as
541 captains in the Florida Highway Patrol.

542 7. Positions in the Department of Agriculture and Consumer
543 Services which are assigned primary duties of serving as
544 captains or majors in the Office of Agricultural Law
545 Enforcement.

546
547 Unless otherwise fixed by law, the department shall set the
548 salary and benefits of the positions listed in this paragraph in
549 accordance with the rules established for the Selected Exempt
550 Service.

551 **Section 2. Paragraphs (a) through (d) of subsection (2) of**
552 **section 163.3162, Florida Statutes, are redesignated as**
553 **paragraphs (b) through (e), respectively, new paragraphs (a),**
554 **(f), and (g) are added to that subsection, and subsections (5),**
555 **(6), and (7) are added to that section, to read:**

556 163.3162 Agricultural Lands and Practices.—

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

558 (a) "Department" means the Department of Agriculture and
559 Consumer Services.

560 (f) "Housing site" means the totality of development
561 supporting authorized housing, including buildings; mobile
562 homes; barracks; dormitories used as living quarters; parking
563 areas; common areas such as athletic fields or playgrounds;
564 storage structures; and other related structures.

565 (g) "Legally verified agricultural worker" means a person
566 who:

567 1. Is lawfully present in the United States;

568 2. Meets the definition of eligible worker pursuant to 29
569 C.F.R. s. 502.10;

570 3. Has been verified through the process provided in s.
571 448.095(2) and is authorized to work at the time of employment;

572 4. Is seasonally or annually employed in a bona fide
573 agricultural production;

574 5. Remains lawfully present and authorized to work
575 throughout the duration of that employment; and

576 6. Is not an unauthorized alien as defined in s.
577 448.095(1).

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

579 (a) A governmental entity may not adopt or enforce any
580 legislation, regulation, or ordinance to inhibit the
581 construction or installation of housing for legally verified
582 agricultural workers on land classified as agricultural land
583 pursuant to s. 193.461 which is operated as a bona fide farm
584 except as provided in this subsection.

585 (b) Construction or installation of housing units for
586 legally verified agricultural workers on parcels of land
587 classified as agricultural land under s. 193.461 must satisfy
588 all of the following criteria:

589 1. The dwelling units must meet federal, state, and local
590 building standards, including standards of the Department of
591 Health adopted pursuant to ss. 381.008-381.00897 and federal
592 standards for H-2A visa housing. If written notice of intent is
593 required to be submitted to the Department of Health pursuant to
594 s. 381.0083, the appropriate governmental entity with
595 jurisdiction over the agricultural lands may also require
596 submittal of a copy of the written notice.

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

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

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

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

609 6. A housing site may not be located less than 100 feet
610 from a property line adjacent to property zoned for residential
611 use. If the housing site is located less than 250 feet from any
612 property line, screening must be provided between the housing
613 site and any residentially developed adjacent parcels that are
614 under different ownership. The screening may be designed in any
615 of the following ways:

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

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

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

623 d. A row of evergreen shade trees that, at the time of
624 planting, are at least 10 feet in height, a minimum of 2-inch
625 caliper, and spaced no more than 20 feet apart; or

626 e. A berm made with a combination of the materials listed
627 in sub-subparagraphs a.-d., which is at least 6 feet in height
628 and provides an overall screening capacity of 75 percent at the
629 time of installation.

630 7. All access drives that serve the housing site must be
631 made of packed shell, gravel, or a similar material that will
632 provide a relatively dust-free surface.

633 (c) Any local ordinance adopted pursuant to this
634 subsection must comply with all state and federal regulations
635 for migrant farmworker housing, as applicable, including rules
636 adopted by the Department of Health pursuant to ss. 381.008-
637 381.00897 and federal regulations under the Migrant and Seasonal
638 Agricultural Worker Protection Act or the H-2A visa program. A
639 governmental entity may adopt local government land use
640 regulations that are less restrictive than this subsection, but
641 which still meet regulations established by the Department of
642 Health pursuant to ss. 381.008-381.00897 and federal regulations
643 under the Migrant and Seasonal Agricultural Worker Protection
644 Act or the H-2A visa program. An ordinance adopted pursuant to
645 this paragraph may not conflict with the definition and
646 requirements of a legally verified agricultural worker.

647 (d) Beginning July 1, 2025, a property owner must maintain
648 records of all approved permits, including successor permits,
649 for migrant labor camps or residential migrant housing as
650 required under s. 381.0081. A property owner must maintain such

651 records for at least 3 years and make the records available for
652 inspection within 14 days after receipt of a request for records
653 by a governmental entity.

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

656 1. If, for any reason, a housing site is not being used
657 for legally verified agricultural workers for longer than 365
658 days, any structure used as living quarters must be removed from
659 the housing site within 180 days after receipt of written
660 notification from the county unless the property owner can
661 demonstrate that use of the site for housing legally verified
662 agricultural workers will occur within 90 days after the written
663 notification.

664 2. If the property on which the housing site is located
665 ceases to be classified as agricultural land pursuant to s.
666 193.461.

667 3. If the permit authorized by the Department of Health
668 for the housing site is revoked, all structures must be removed
669 from the housing site within 180 days after receipt of written
670 notification from the county unless the permit is reinstated by
671 the Department of Health.

672 4. If a housing site is found to be occupied by any person
673 who does not meet the definition of a legally verified
674 agricultural worker, or is otherwise unlawfully present in the
675 United States. A property owner who violates this subparagraph

676 is subject to a Class I fine pursuant to s. 570.971, not to
677 exceed \$1,000, for the first violation, and a Class II fine, not
678 to exceed \$5,000, for any subsequent violations. The fines shall
679 be collected by the clerk of the court of the county in which
680 the violation occurred.

681 (f) Notwithstanding this subsection, the construction or
682 installation of housing for legally verified agricultural
683 workers in the Florida Keys Area of Critical State Concern and
684 the City of Key West Area of Critical State Concern is subject
685 to the permit allocation systems of the Florida Keys Area of
686 Critical State Concern and City of Key West Area of Critical
687 State Concern, respectively.

688 (g) A housing site that was constructed and in use before
689 July 1, 2024, may continue to be used, and the property owner
690 may not be required by a governmental entity to make changes to
691 meet the requirements of this subsection, unless the housing
692 site will be enlarged, remodeled, renovated, or rehabilitated.
693 The property owner of a housing site authorized under this
694 paragraph must provide regular maintenance and repair, including
695 compliance with health and safety regulations and maintenance
696 standards, for such housing site to ensure the health, safety,
697 and habitability of the housing site.

698 (6) DATA COLLECTION.—The department shall adopt rules
699 providing for:

700 (a) A method for government entities to submit reports of

701 property owners who have a housing site for legally verified
 702 agriculture workers on lands classified as agricultural land
 703 pursuant to s. 193.461, as provided in this section.

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

706
 707 Government entities shall provide this information quarterly to
 708 the department in a format and timeframe prescribed by rule.

709 (7) ENFORCEMENT.—

710 (a) In addition to the enforcement methods of employment
 711 verification outlined in s. 448.095, the department shall
 712 enforce the requirements of subsection (5). Enforcement includes
 713 completing routine inspections based on a random sample of data
 714 collected by government entities and submitted to the
 715 department, the investigation and review of complaints, and the
 716 enforcement of violations.

717 (b) The department shall submit the information collected
 718 to the State Board of Immigration Enforcement on a quarterly
 719 basis, except that the first quarter shall begin 60 days after
 720 the first quarterly data report under subsection (6) by a
 721 government entity is received and reviewed by the department.

722 **Section 3. Subsection (3) of section 201.25, Florida**
 723 **Statutes, is amended to read:**

724 201.25 Tax exemptions for certain loans.—There shall be
 725 exempt from all taxes imposed by this chapter:

726 (3) Any loan made by the Agriculture and Aquaculture
727 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program
728 pursuant to s. 570.822.

729 **Section 4. Subsection (19) is added to section 253.0341,**
730 **Florida Statutes, to read:**

731 253.0341 Surplus of state-owned lands.—

732 (19) Notwithstanding any other law or rule, the Department
733 of Agriculture and Consumer Services may surplus lands acquired
734 pursuant to s. 366.20 which are determined to be suitable for
735 bona fide agricultural production, as defined in s. 193.461. The
736 Department of Agriculture and Consumer Services shall consult
737 with the Department of Environmental Protection in the process
738 of making such determination. In the event that lands acquired
739 pursuant to s. 366.20, which are determined to be suitable for
740 bona fide agricultural production are surplus, the Department
741 of Agriculture and Consumer Services must retain a rural-lands-
742 protection easements pursuant to s. 570.71(3), and all proceeds
743 must be deposited into the Incidental Trust Fund within the
744 Department of Agriculture and Consumer Services for less than
745 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
746 By January 1, 2026, and each January 1 thereafter, the
747 Department of Agriculture and Consumer Services shall provide a
748 report of lands surplus pursuant to this subsection to the
749 board.

750 (a) Any lands designated as a state forest, state park, or

751 wildlife management area are ineligible to be surplusd pursuant
752 to this subsection.

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

754 **Section 5. Paragraphs (a) through (d) and (e) of**
755 **subsection (2) of section 330.41, Florida Statutes, are**
756 **redesignated as paragraphs (b) through (e) and (j) of subsection**
757 **(2) and subsection (8), respectively, subsection (6) is**
758 **renumbered as subsection (8), paragraph (d) of subsection (4)**
759 **and present subsection (6) are amended, new paragraphs (a), (f),**
760 **(g), (h), and (i) are added to subsection (2), and new**
761 **subsections (6) and (7) are added to that section, to read:**

762 330.41 Unmanned Aircraft Systems Act.—

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

764 (a) "Commercial property" means real property other than
765 residential property. The term includes, but is not limited to,
766 a property zoned multifamily residential which is comprised of
767 five or more dwelling units, and real property used for
768 commercial, industrial, or agricultural purposes.

769 (f) "Private property" means any residential or commercial
770 property.

771 (g) "Property owner" means the owner or owners of record
772 of real property. The term includes real property held in trust
773 for the benefit of one or more individuals, in which case the
774 individual or individuals may be considered as the property
775 owner or owners, provided that the trustee provides written

776 consent. The term does not include persons renting, using,
777 living, or otherwise occupying real property.

778 (h) "Residential property" means real property zoned as
779 residential or multifamily residential and composed of four or
780 fewer dwelling units.

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

783 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

788 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

792 1. Operate a drone.

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

795 3. Allow a drone to come within a distance close enough to
796 such lands to interfere with or cause a disturbance to
797 agricultural production.

798 (b) A person who violates paragraph (a) commits a
799 misdemeanor of the second degree, punishable as provided in s.
800 775.082 or s. 775.083. A person who commits a second or

801 subsequent violation commits a misdemeanor of the first degree,
 802 punishable as provided in s. 775.082 or s. 775.083.

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

805 1. The owner of the agricultural lands;

806 2. A person acting under the prior written consent of the
 807 owner of the agricultural lands; or

808 3. A person or entity acting in compliance with the
 809 provisions of s. 934.50.

810 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
 811 LANDS.—

812 (a) A person may not knowingly or willfully allow a drone
 813 to make contact with private property, state wildlife management
 814 lands, or a sport shooting and training range or any person or
 815 object on the premises of or within such property with the
 816 intent to harass.

817 (b) A person who violates paragraph (a) commits a
 818 misdemeanor of the second degree, punishable as provided in s.
 819 775.082 or s. 775.083. A person who commits a second or
 820 subsequent violation commits a misdemeanor of the first degree,
 821 punishable as provided in s. 775.082 or s. 775.083.

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

826 wildlife management lands, or sport shooting and training range,
827 commits a misdemeanor of the first degree, punishable as
828 provided in s. 775.082 or s. 775.083. A person who commits a
829 second or subsequent violation commits a felony of the third
830 degree, punishable as provided in s. 775.082, s. 775.083, or s.
831 775.084.

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

834 1. The owner of the private property or sport shooting and
835 training range;

836 2. A person acting under the prior written consent of the
837 owner of the private property or sport shooting and training
838 range; or

839 3. A person or entity acting in compliance with the
840 provisions of s. 934.50.

841 **Section 6. Section 366.20, Florida Statutes, is created to**
842 **read:**

843 366.20 Sale and management of lands owned by electric
844 utilities.—

845 (1) Lands acquired by an electric utility as defined in s.
846 361.11(2) which have been classified as agricultural lands
847 pursuant to s. 193.461 at any time in the 5 years preceding the
848 acquisition of the land by the electric utility must be offered
849 for fee simple acquisition by the Department of Agriculture and
850 Consumer Services before offering for sale or transferring the

851 land to a private individual or entity.

852 (2) Lands owned by an electric utility as defined in s.
853 361.11(2) which were classified as agricultural lands pursuant
854 to s. 193.461 at any time in the 5 years preceding the date of
855 acquisition of the land by the electric utility must be offered
856 for fee simple acquisition by the Department of Agriculture and
857 Consumer Services before offering for sale or transferring the
858 land to a private individual or entity.

859 (3) This section is retroactive to January 1, 2009.

860 **Section 7. Subsections (3) and (4) of section 366.94,**
861 **Florida Statutes, are renumbered as subsections (4) and (5),**
862 **respectively, a new subsection (3) is added to that section, and**
863 **subsection (2) of that section is amended, to read:**

864 366.94 Electric vehicle charging.—

865 (2)(a) As used in this section, the term "electric vehicle
866 charging station" means the area in the immediate vicinity of
867 electric vehicle supply equipment and includes the electric
868 vehicle supply equipment, supporting equipment, and associated
869 parking spaces. The regulation of electric vehicle charging
870 stations is preempted to the state.

871 (b)(a) A local governmental entity may not enact or
872 enforce an ordinance or regulation related to electric vehicle
873 charging stations.

874 (3)(a)(b) The Department of Agriculture and Consumer
875 Services shall adopt rules to implement this subsection and to

876 provide requirements for electric vehicle charging stations to
877 allow for consistency for consumers and the industry.

878 (b) The department may adopt rules to protect the public
879 health, safety, and welfare and establish standards for the
880 placement, design, installation, maintenance, and operation of
881 electric vehicle charging stations.

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

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

891 (e) The department shall have the authority to inspect
892 electric vehicle charging stations, conduct investigations, and
893 enforce this subsection and any rules adopted under this
894 subsection. The department may impose one or more of the
895 following penalties against a person who violates this
896 subsection or any rule adopted under this subsection:

- 897 1. Issuance of a warning letter.
898 2. Imposition of an administrative fine in the Class II
899 category pursuant to s. 570.971 for each violation.

900 (f) If the department determines that an electric vehicle

901 charging station or any associated equipment presents a threat
 902 to the public health, safety, or welfare, the department may
 903 issue an immediate final order prohibiting the use of the
 904 electric vehicle charging station or any portion thereof.

905 (g) In addition to the remedies provided in this
 906 subsection, and notwithstanding the existence of any adequate
 907 remedy at law, the department may bring an action to enjoin a
 908 violation of this subsection or rules adopted under this
 909 subsection in the circuit court of the county in which the
 910 violation occurs or is about to occur. Upon demonstration of
 911 competent and substantial evidence by the department to the
 912 court of the violation or threatened violation, the court shall
 913 immediately issue the temporary or permanent injunction sought
 914 by the department. The injunction shall be issued without bond.

915 **Section 8. Subsections (10) and (11) of section 388.011,**
 916 **Florida Statutes, are renumbered as subsections (11) and (12),**
 917 **respectively, subsections (2) and (5) of that section are**
 918 **amended, and a new subsection (10) is added to that section, to**
 919 **read:**

920 388.011 Definitions.—As used in this chapter:

921 (2) "Board of commissioners" means the governing body of
 922 any mosquito control program ~~district~~, and may include boards of
 923 county commissioners, city councils, municipalities, or other
 924 similar governing bodies when context so indicates.

925 (5) "District" means any mosquito control special district

926 established in this state by law for the express purpose of
 927 controlling arthropods within boundaries of such ~~said~~ districts.

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

931 **Section 9. Section 388.021, Florida Statutes, is amended**
 932 **to read:**

933 388.021 Creation of mosquito control special districts.—

934 (1) The abatement or suppression of arthropods, whether
 935 disease-bearing or merely pestiferous, within any or all
 936 counties of this state is advisable and necessary for the
 937 maintenance and betterment of the comfort, health, and welfare
 938 of the people thereof and is found and declared to be for public
 939 purposes. Areas where arthropods incubate, hatch, or occur in
 940 significant numbers so as to constitute a public health,
 941 welfare, or nuisance problem may be controlled or abated as
 942 provided in this chapter or the rules adopted under this chapter
 943 ~~promulgated hereunder~~. Therefore, any municipality ~~city~~, town,
 944 or county, or any portion or portions thereof, whether such
 945 portion or portions include incorporated territory or portions
 946 of two or more counties in the state, may be created into a
 947 special taxing district for the control of arthropods under ~~the~~
 948 ~~provisions of~~ this chapter.

949 (2) It is the legislative intent that ~~these~~ mosquito
 950 control districts established prior to July 1, 1980, pursuant to

951 the petition process contained in former s. 388.031, may
952 continue to operate as outlined in this chapter. However, on and
953 after that date, no mosquito control districts may be created
954 except pursuant to s. 125.01.

955 **Section 10. Section 388.181, Florida Statutes, is amended**
956 **to read:**

957 388.181 Power to do all things necessary.—The respective
958 programs ~~districts~~ of the state are hereby fully authorized to
959 do and perform all things necessary to carry out the intent and
960 purposes of this law.

961 **Section 11. Subsections (1), (2), (4), and (5) of section**
962 **388.201, Florida Statutes, are amended to read:**

963 388.201 Program ~~District~~ budgets; hearing.—

964 (1) The fiscal year of programs ~~districts~~ operating under
965 ~~the provisions of~~ this chapter shall be the 12-month period
966 extending from October 1 of one year through September 30 of the
967 following year. The governing board of the programs ~~district~~
968 shall before July 15 of each year complete the preparation of a
969 tentative detailed work plan budget covering its proposed
970 operations and requirements for arthropod control measures
971 during the ensuing fiscal year and, for the purpose of
972 determining eligibility for state aid, shall submit copies as
973 may be required to the department for review and approval. The
974 tentative detailed work plan budget must ~~shall~~ set forth,
975 classified by account number, title and program items, and by

976 fund from which to be paid, the proposed expenditures of the
977 program district for construction, for acquisition of land, and
978 other purposes, for the operation and maintenance of the
979 program's district's works, the conduct of the program district
980 generally, to which may be added an amount to be held as a
981 reserve.

982 (2) The tentative detailed work plan budget must ~~shall~~
983 also show the estimated amount which will appear at the
984 beginning of the fiscal year as obligated upon commitments made
985 but uncompleted, ~~There shall be shown~~ the estimated unobligated
986 or net balance which will be on hand at the beginning of the
987 fiscal year, and the estimated amount to be raised by county,
988 municipality, or district taxes and from any and all other
989 sources for meeting the program's ~~the district's~~ requirements.

990 (4) The governing board shall:

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

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

999 (5) County commissioners' mosquito and arthropod control
1000 budgets or the budgets of a similar governing body of a county,

1001 city, or town must ~~shall~~ be made and adopted as prescribed by
 1002 subsections (1) and (2); summary figures must ~~shall~~ be
 1003 incorporated into the county budgets as prescribed by the
 1004 Department of Financial Services.

1005 **Section 12. Section 388.241, Florida Statutes, is amended**
 1006 **to read:**

1007 388.241 Board of ~~county~~ commissioners vested with powers
 1008 and duties of board of commissioners ~~in certain counties.~~-In
 1009 those counties or cities where there has been no formation of a
 1010 separate or special board of commissioners, all the rights,
 1011 powers, and duties of a board of commissioners as conferred in
 1012 this chapter shall be vested in the board of ~~county~~
 1013 commissioners or similar governing body of such ~~said~~ county or
 1014 city.

1015 **Section 13. Subsections (1), (2), and (5) through (8) of**
 1016 **section 388.261, Florida Statutes, are amended to read:**

1017 388.261 State aid to counties, municipalities, and
 1018 districts for arthropod control; distribution priorities and
 1019 limitations.-

1020 (1) A county, municipality, or district may, without
 1021 contributing matching funds, receive state funds, supplies,
 1022 services, or equipment in an amount of no more than \$75,000
 1023 ~~\$50,000~~ per year for up to 3 years for any new program for the
 1024 control of mosquitoes and other arthropods which serves an area
 1025 not previously served by the county, municipality, or district.

1026 These funds may be expended for any and all types of control
1027 measures approved by the department.

1028 (2) Every county, municipality, or district budgeting
1029 local funds to be used exclusively for the control of mosquitoes
1030 and other arthropods, under a plan submitted by the county, or
1031 municipality, or district and approved by the department, is
1032 eligible to receive state funds and supplies, services, and
1033 equipment on a dollar-for-dollar matching basis to the amount of
1034 local funds budgeted. If state funds appropriated by the
1035 Legislature are insufficient to grant each county, municipality,
1036 or district state funds on a dollar-for-dollar matching basis to
1037 the amount budgeted in local funds, the department shall
1038 distribute the funds as prescribed by rule. Such rules must
1039 ~~shall~~ provide for up to 80 percent of the funds to be
1040 distributed to programs with local funds for mosquito control
1041 budgets of less than \$1 million, if the county, municipality, or
1042 district meets the eligibility requirements. The funds must
1043 ~~shall~~ be distributed as equally as possible within the category
1044 of counties pursuant to this section. The remaining funds must
1045 ~~shall~~ be distributed as prescribed by rule among the remaining
1046 counties to support mosquito control and to support research,
1047 education, and outreach.

1048 (5) If more than one program ~~local mosquito control agency~~
1049 exists in a county or municipality, the funds must ~~shall~~ be
1050 prorated between the programs ~~agencies~~ based on the population

1051 served by each program ~~agency~~.

1052 (6) The Commissioner of Agriculture may exempt counties, municipalities,
 1053 municipalities, or districts from the requirements in subsection
 1054 (1), subsection (2), or subsection (3) when the department
 1055 determines state funds, supplies, services, or equipment are
 1056 necessary for the immediate control of mosquitoes and other
 1057 arthropods that pose a threat to human or animal health.

1058 (7) The department may use state funds appropriated for a
 1059 county, municipality, or district under subsection (1) or
 1060 subsection (2) to provide state mosquito or other arthropod
 1061 control equipment, supplies, or services when requested by a
 1062 county, municipality, or district eligible to receive state
 1063 funds under s. 388.271.

1064 (8) The department is authorized to use up to 5 percent of
 1065 the funds appropriated annually by the Legislature under this
 1066 section to provide technical assistance to the counties, municipalities,
 1067 municipalities, or districts, or to purchase equipment,
 1068 supplies, or services necessary to administer ~~the provisions of~~
 1069 this chapter.

1070 **Section 14. Subsections (1) and (2) of section 388.271,**
 1071 **Florida Statutes, are amended to read:**

1072 388.271 Prerequisites to participation.—

1073 (1) When state funds are involved, it is the duty of the
 1074 department to guide, review, approve, and coordinate the
 1075 activities of all county and municipal governments and special

1076 districts receiving state funds in furtherance of the goal of
 1077 integrated arthropod control. Each program county eligible to
 1078 participate may, and each district must, begin participation on
 1079 October 1 of any year by filing with the department not later
 1080 than July 15 a tentative integrated arthropod management plan
 1081 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
 1082 the control of arthropods. Following approval of the plan and
 1083 budget by the department, a copy ~~two copies~~ of the program's
 1084 ~~county's or district's~~ certified budget based on the approved
 1085 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
 1086 budget must ~~shall~~ be submitted to the department by September 30
 1087 ~~following~~. State funds, supplies, and services must ~~shall~~ be
 1088 made available to such program county ~~or district~~ by and through
 1089 the department ~~immediately~~ upon release of funds by the
 1090 Executive Office of the Governor.

1091 (2) All purchases of supplies, materials, and equipment by
 1092 programs must ~~counties or districts shall~~ be made in accordance
 1093 with the laws governing purchases by boards of ~~county~~
 1094 commissioners or similar governing bodies, except that programs
 1095 ~~districts~~ with special laws relative to competitive bidding
 1096 shall make purchases in accordance therewith.

1097 **Section 15. Subsections (1) and (3) of section 388.281,**
 1098 **Florida Statutes, are amended to read:**

1099 388.281 Use of state matching funds.—

1100 (1) All funds, supplies, and services released to programs

1101 under this chapter must ~~counties and districts hereunder shall~~
 1102 be used in accordance with the integrated arthropod management
 1103 ~~detailed work~~ plan and certified budget approved by both the
 1104 department and the board of commissioners or an appropriate
 1105 representative county or district. The integrated arthropod
 1106 management plan and budget may be amended at any time upon prior
 1107 approval of the department.

1108 (3) In any program ~~county or district~~ where the arthropod
 1109 problem has been eliminated, or reduced to such an extent that
 1110 it does not constitute a health, comfort, or economic problem as
 1111 determined by the department, the maximum amount of state funds
 1112 available under this chapter shall be reduced to the amount
 1113 necessary to meet actual need.

1114 **Section 16. Subsections (1) and (2) of section 388.291,**
 1115 **Florida Statutes, are amended to read:**

1116 388.291 Source reduction measures; supervision by
 1117 department.—

1118 (1) Any program ~~county or district~~ may perform source
 1119 reduction measures in conformity with good engineering practices
 1120 in any area, provided that the department cooperating with the
 1121 county, municipality, or district has approved the operating or
 1122 construction plan as outlined in the integrated arthropod
 1123 management plan and that it has been determined by criteria
 1124 contained in rule that the area or areas to be controlled would
 1125 produce arthropods in significant numbers to constitute a health

1126 or nuisance problem.

1127 (2) The program ~~county or district~~ shall manage the
1128 detailed business affairs and supervise the ~~said~~ work, and the
1129 department shall advise the programs ~~districts~~ as to the best
1130 and most effective measures to be used in bringing about better
1131 temporary control and the permanent elimination of breeding
1132 conditions. The department may at its discretion discontinue any
1133 state aid provided under this chapter ~~hereunder~~ in the event it
1134 finds the jointly agreed upon program is not being followed or
1135 is not efficiently and effectively administered.

1136 **Section 17. Section 388.301, Florida Statutes, is amended**
1137 **to read:**

1138 388.301 Payment of state funds; supplies and services.—
1139 State funds shall be payable ~~quarterly~~, in accordance with the
1140 rules of the department, upon requisition by the department to
1141 the Chief Financial Officer. The department is authorized to
1142 furnish insecticides, chemicals, materials, equipment, vehicles,
1143 and personnel in lieu of state funds where mass purchasing may
1144 save funds for the state, or where it would be more practical
1145 and economical to use equipment, supplies, and services between
1146 two or more programs ~~counties or districts~~.

1147 **Section 18. Section 388.311, Florida Statutes, is amended**
1148 **to read:**

1149 388.311 Carry over of state funds and local funds.—State
1150 and local funds budgeted for the control of mosquitoes and other

1151 arthropods shall be carried over at the end of the program's
 1152 ~~county or district's~~ fiscal year, and rebudgeted for such
 1153 control measures the following fiscal year.

1154 **Section 19. Section 388.321, Florida Statutes, is amended**
 1155 **to read:**

1156 388.321 Equipment to become property of a program ~~the~~
 1157 ~~county or district.~~—All equipment purchased under this chapter
 1158 with state funds made available directly to a program ~~the county~~
 1159 ~~or district~~ shall become the property of the program ~~county or~~
 1160 ~~district~~ unless otherwise provided, and may be traded in on
 1161 other equipment, or sold, when no longer needed by the program
 1162 ~~county or district.~~

1163 **Section 20. Section 388.322, Florida Statutes, is amended**
 1164 **to read:**

1165 388.322 Record and inventory of certain property.—A record
 1166 and inventory of certain property purchased with state funds for
 1167 arthropod control use owned by the program ~~must district shall~~
 1168 be maintained in accordance with s. 274.02.

1169 **Section 21. Section 388.323, Florida Statutes, is amended**
 1170 **to read:**

1171 388.323 Disposal of surplus property.—Surplus property
 1172 shall be disposed of according to the provisions set forth in s.
 1173 274.05 with the following exceptions:

1174 (1) Serviceable equipment purchased using state funds for
 1175 arthropod control use no longer needed by a program ~~must county~~

1176 ~~or district shall~~ first be offered to any ~~or all~~ other programs
 1177 ~~counties or districts~~ engaged in arthropod control at a price
 1178 established by the board of commissioners owning the equipment.

1179 (2) The alternative procedure for disposal of surplus
 1180 property, as prescribed in s. 274.06, must ~~shall~~ be followed if
 1181 it is determined that no other program ~~county or district~~
 1182 engaged in arthropod control has need for the equipment.

1183 (3) All proceeds from the sale of any real or tangible
 1184 personal property owned by the program and purchased using state
 1185 funds ~~county or district~~ shall be deposited in the program's
 1186 ~~county's or district's~~ state fund account unless otherwise
 1187 specifically designated by the department.

1188 **Section 22. Section 388.341, Florida Statutes, is amended**
 1189 **to read:**

1190 388.341 Reports of expenditures and accomplishments.—Each
 1191 program receiving state aid ~~county and district participating~~
 1192 under ~~the provisions of~~ this chapter shall within 30 days after
 1193 the end of each month submit to the department a monthly report
 1194 for the preceding month of expenditures from all funds for
 1195 arthropod control, and each program participating under this
 1196 chapter shall provide such reports of activities and
 1197 accomplishments as may be required by the department.

1198 **Section 23. Section 388.351, Florida Statutes, is amended**
 1199 **to read:**

1200 388.351 Transfer of equipment, personnel, and supplies

1201 during an emergency.—The department, upon notifying a program
 1202 ~~county or district~~ and obtaining its approval, is authorized to
 1203 transfer equipment, materials, and personnel from one program
 1204 ~~district~~ to another in the event of an emergency brought about
 1205 by an arthropod-borne epidemic or other disaster requiring
 1206 emergency control.

1207 **Section 24. Subsection (7) of section 388.361, Florida**
 1208 **Statutes, is amended to read:**

1209 388.361 Department authority and rules; administration.—

1210 (7) The department shall have the authority to collect,
 1211 detect, suppress, and control mosquitoes and other arthropods
 1212 that are determined by the State Health Officer to pose a threat
 1213 to public health, or determined by the Commissioner of
 1214 Agriculture to pose a threat to animal health, wherever they may
 1215 occur on public or private land in this state, and to do all
 1216 things necessary in the exercise of such authority. Before ~~Prior~~
 1217 ~~to~~ the start of treatments for the control of mosquitoes or
 1218 other arthropods, the department shall consult with the mosquito
 1219 control programs ~~districts~~ in the proposed treatment areas, the
 1220 Department of Health, the Department of Environmental
 1221 Protection, and the Fish and Wildlife Conservation Commission
 1222 regarding the proposed locations, dates, and methods to be used.

1223 **Section 25. Subsections (2) and (3) of section 388.3711,**
 1224 **Florida Statutes, are amended to read:**

1225 388.3711 Enforcement.—

1226 (2) The department may issue a written warning, impose a
 1227 fine; deny, suspend, or revoke any license or certification, ~~or~~
 1228 the disbursal of state aid; or deny participation, in accordance
 1229 with ~~the provisions of~~ chapter 120, upon any one or more of the
 1230 following grounds as may be applicable:

1231 (a) Violation of any rule of the department or provision
 1232 of this chapter.

1233 (b) Violation of FIFRA or any relevant EPA rule or
 1234 regulation pertaining to the use of arthropod control pesticides
 1235 by the licensee.

1236 (c) Failure to give the department, or any authorized
 1237 representative thereof, true information upon request regarding
 1238 methods and materials used, work performed, or other information
 1239 essential to the administration of this chapter.

1240 (3) The department may, if it finds a violation is of such
 1241 nature or circumstances that imposition of a fine, or denial,
 1242 revocation, or suspension of a certification or license or
 1243 disbursal of state aid would be detrimental to the public or be
 1244 unnecessarily harsh under the circumstances, in its discretion,
 1245 place the offending party on probation for a period of not more
 1246 than 2 years. If the department determines that the terms of
 1247 such probation have been violated, it may reinstitute license or
 1248 certification or state aid denial, suspension, or revocation
 1249 proceedings.

1250 **Section 26. Section 388.381, Florida Statutes, is amended**

1251 **to read:**

1252 388.381 Cooperation by programs ~~counties and district~~.—Any
 1253 program conducting county or district carrying on an arthropod
 1254 control ~~program~~ may cooperate with another county, district, or
 1255 municipality in carrying out work ~~a program~~ for the control of
 1256 mosquitoes and other arthropods, by agreement as to the program
 1257 and reimbursement thereof, when approved by the department.

1258 **Section 27. Section 388.391, Florida Statutes, is amended**

1259 **to read:**

1260 388.391 Control measures in municipalities and portions of
 1261 counties located outside boundaries of programs ~~districts~~.—Any
 1262 program ~~district~~ whose operation is limited to a portion of the
 1263 county in which it is located may perform any control measures
 1264 authorized by this chapter in any municipality located in the
 1265 same county or in any portions of the same county, where there
 1266 is no established program ~~district~~, when requested to do so by
 1267 the municipality or county, pursuant to s. 388.381.

1268 **Section 28. Section 388.401, Florida Statutes, is amended**

1269 **to read:**

1270 388.401 Penalty for damage to property or operations.—
 1271 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
 1272 any program ~~county or district~~ created under this or other
 1273 chapters, or any works constructed, maintained, or controlled by
 1274 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
 1275 or causes ~~cause~~ to be obstructed any of the operations of such

1276 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
 1277 violates ~~violate~~ any provisions of this chapter or any rule or
 1278 regulation adopted ~~promulgated~~ by any board of commissioners of
 1279 any program, commits ~~county or district shall be guilty of a~~
 1280 misdemeanor of the second degree, punishable as provided in s.
 1281 775.082 or s. 775.083.

1282 **Section 29. Paragraph (a) of subsection (2) of section**
 1283 **388.46, Florida Statutes, is amended to read:**

1284 388.46 Florida Coordinating Council on Mosquito Control;
 1285 establishment; membership; organization; responsibilities.—

1286 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1287 (a) *Membership*.—The Florida Coordinating Council on
 1288 Mosquito Control shall be composed ~~comprised~~ of the following
 1289 representatives or their authorized designees:

- 1290 1. The Secretary of Environmental Protection.
- 1291 2. The State Surgeon General.
- 1292 3. The executive director of the Fish and Wildlife
 1293 Conservation Commission.
- 1294 4. The state epidemiologist.
- 1295 5. The Commissioner of Agriculture.
- 1296 6. The Board of Trustees of the Internal Improvement Trust
 1297 Fund.
- 1298 7. Representatives from:
 - 1299 a. The University of Florida, Institute of Food and
 1300 Agricultural Sciences, Florida Medical Entomological Research

1301 Laboratory.

1302 b. The United States Environmental Protection Agency.

1303 c. The United States Department of Agriculture, Center of

1304 Medical, Agricultural, and Veterinary Entomology ~~Insects~~

1305 ~~Affecting Man~~ Laboratory.

1306 d. The United States Fish and Wildlife Service.

1307 8. Four ~~Two~~ mosquito control directors to be nominated by

1308 the Florida Mosquito Control Association, two representatives of

1309 Florida environmental groups, and two private citizens who are

1310 property owners whose lands are regularly subject to mosquito

1311 control operations, to be appointed to 4-year terms by the

1312 Commissioner of Agriculture and serve until his or her successor

1313 is appointed.

1314 **Section 30. Paragraph (d) of subsection (7) of section**

1315 **403.067, Florida Statutes, is amended to read:**

1316 403.067 Establishment and implementation of total maximum

1317 daily loads.—

1318 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1319 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1320 (d) *Enforcement and verification of basin management*

1321 *action plans and management strategies.*—

1322 1. Basin management action plans are enforceable pursuant

1323 to this section and ss. 403.121, 403.141, and 403.161.

1324 Management strategies, including best management practices and

1325 water quality monitoring, are enforceable under this chapter.

1326 2. No later than January 1, 2017:

1327 a. The department, in consultation with the water

1328 management districts and the Department of Agriculture and

1329 Consumer Services, shall initiate rulemaking to adopt procedures

1330 to verify implementation of water quality monitoring required in

1331 lieu of implementation of best management practices or other

1332 measures pursuant to sub-subparagraph (b)2.g.;

1333 b. The department, in consultation with the water

1334 management districts and the Department of Agriculture and

1335 Consumer Services, shall initiate rulemaking to adopt procedures

1336 to verify implementation of nonagricultural interim measures,

1337 best management practices, or other measures adopted by rule

1338 pursuant to subparagraph (c)1.; and

1339 c. The Department of Agriculture and Consumer Services, in

1340 consultation with the water management districts and the

1341 department, shall initiate rulemaking to adopt procedures to

1342 verify implementation of agricultural interim measures, best

1343 management practices, or other measures adopted by rule pursuant

1344 to subparagraph (c)2.

1345

1346 The rules required under this subparagraph shall include

1347 enforcement procedures applicable to the landowner, discharger,

1348 or other responsible person required to implement applicable

1349 management strategies, including best management practices or

1350 water quality monitoring as a result of noncompliance.

1351 3. At least every 2 years, the Department of Agriculture
1352 and Consumer Services shall perform onsite inspections of each
1353 agricultural producer that enrolls in a best management
1354 practice, except those enrolled by rule in subparagraph 4., to
1355 ensure that such practice is being properly implemented. Such
1356 verification must include a collection and review of the best
1357 management practice documentation from the previous 2 years
1358 required by rules adopted pursuant to subparagraph (c)2.,
1359 including, but not limited to, nitrogen and phosphorus
1360 ~~fertilizer~~ application records, which must be collected and
1361 retained pursuant to subparagraphs (c)3., 4., and 6. The
1362 Department of Agriculture and Consumer Services shall initially
1363 prioritize the inspection of agricultural producers located in
1364 the basin management action plans for Lake Okeechobee, the
1365 Indian River Lagoon, the Caloosahatchee River and Estuary, and
1366 Silver Springs.

1367 4. The Department of Agriculture and Consumer Services is
1368 authorized to adopt rules establishing an enrollment in best
1369 management practices by rule process that agricultural pollutant
1370 sources and agricultural producers may use in lieu of the best
1371 management practices adopted in paragraph (c) and identify best
1372 management practices for landowners of parcels which meet all of
1373 the following requirements:

1374 a. A parcel not more than 25 acres in size.

1375 b. A parcel designated as agricultural land use by the

1376 county in which it is located or the parcel is granted
 1377 agricultural tax classification by the county property appraiser
 1378 of the county in which it is located.

1379 c. A parcel with water use not exceeding 100,000 gallons
 1380 per day on average unless the entire use is met using recycled
 1381 water from wet detention treatment ponds or reuse water.

1382 d. A parcel where the agricultural activity on the parcel
 1383 is not a vegetable crop, an agronomic crop, a nursery, or a
 1384 dairy operation.

1385 e. A parcel not abutting an impaired water body identified
 1386 in subsection (4).

1387 f. A parcel not part of a larger operation that is
 1388 enrolled in the Department of Agriculture and Consumer Services
 1389 best management practices or conducting water quality monitoring
 1390 prescribed by the department or a water management district.

1391
 1392 Such requirements must specify design or performance criteria
 1393 that, if applied, would result in compliance with appropriate
 1394 water quality standards. The Department of Agriculture and
 1395 Consumer Services is authorized to adopt additional eligibility
 1396 criteria for landowners or producers to use enrollment by rule
 1397 and to revoke enrollment by rule.

1398 5. The Department of Agriculture and Consumer Services
 1399 shall annually perform onsite inspections of 20 percent for all
 1400 enrollments that meet the qualifications pursuant to

1401 subparagraph 4. by rule within basin management action plan
1402 areas, to ensure that practices are being properly implemented.
1403 Such inspections must include a collection and review of the
1404 identified best management practice documentation from the
1405 previous 2 years required by rules adopted pursuant to
1406 subparagraph (c)2. All agricultural producers enrolled by rule
1407 in a best management practice must annually submit nutrient
1408 records, including nitrogen and phosphorus application records
1409 for the previous calendar year, to the Department of Agriculture
1410 and Consumer Services as required by rules adopted pursuant to
1411 subparagraph (c)2. The Department of Agriculture and Consumer
1412 Services shall collect and retain these nutrient records
1413 pursuant to subparagraphs (c)3., 4., and 6.

1414 **Section 31. Subsection (19) is added to section 403.852,**
1415 **Florida Statutes, to read:**

1416 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1417 403.850-403.864:

1418 (19) "Water quality additive" means any chemical or
1419 additive which is used in a public water system for the purpose
1420 of removing contaminants or increasing water quality. The term
1421 does not include additives used for health-related purposes.

1422 **Section 32. Subsection (8) is added to section 403.859,**
1423 **Florida Statutes, to read:**

1424 403.859 Prohibited acts.—The following acts and the
1425 causing thereof are prohibited and are violations of this act:

1426 (8) The use of any additive in a public water system which
1427 does not meet the definition of a water quality additive as
1428 defined in s. 403.852(19), or the use of any additive included
1429 primarily for health-related purposes.

1430 **Section 33. Subsection (10) of section 482.111, Florida**
1431 **Statutes, is amended to read:**

1432 482.111 Pest control operator's certificate.—

1433 (10) In order to renew a certificate, the
1434 certificateholder must complete 2 hours of approved continuing
1435 education on legislation, safety, pesticide labeling, and
1436 integrated pest management and 2 hours of approved continuing
1437 education in each category of her or his certificate or must
1438 pass an examination that the department shall provide in person
1439 and remotely through a third-party vendor. The third-party
1440 vendor may collect and retain a convenience fee ~~given by the~~
1441 department. The department may not renew a certificate if the
1442 continuing education or examination requirement is not met.

1443 (a) Courses or programs, to be considered for credit, must
1444 include one or more of the following topics:

1445 1. The law and rules of this state pertaining to pest
1446 control.

1447 2. Precautions necessary to safeguard life, health, and
1448 property in the conducting of pest control and the application
1449 of pesticides.

1450 3. Pests, their habits, recognition of the damage they

1451 cause, and identification of them by accepted common name.

1452 4. Current accepted industry practices in the conducting
 1453 of fumigation, termites and other wood-destroying organisms pest
 1454 control, lawn and ornamental pest control, and household pest
 1455 control.

1456 5. How to read labels, a review of current state and
 1457 federal laws on labeling, and a review of changes in or
 1458 additions to labels used in pest control.

1459 6. Integrated pest management.

1460 (b) The certificateholder must submit with her or his
 1461 application for renewal a statement certifying that she or he
 1462 has completed the required number of hours of continuing
 1463 education. The statement must be on a form prescribed by the
 1464 department and must identify at least the date, location,
 1465 provider, and subject of the training and must provide such
 1466 other information as required by the department.

1467 (c) The department shall charge the same fee for
 1468 examination as provided in s. 482.141(2).

1469 **Section 34. Subsection (1) of section 482.141, Florida**
 1470 **Statutes, is amended to read:**

1471 482.141 Examinations.—

1472 (1) Each individual seeking certification must
 1473 satisfactorily pass an examination which must be written but
 1474 ~~which~~ may include practical demonstration. The department shall
 1475 provide in-person and remote testing through a third-party

1476 vendor. A third-party vendor may collect and retain a
1477 convenience fee ~~hold at least two examinations each year.~~ An
1478 applicant may seek certification in one or more categories.

1479 **Section 35. Paragraph (b) of subsection (1) of section**
1480 **482.155, Florida Statutes, is amended to read:**

1481 482.155 Limited certification for governmental pesticide
1482 applicators or private applicators.—

1483 (1)

1484 (b) A person seeking limited certification under this
1485 subsection must pass an examination that the department shall
1486 provide in person and remotely through a third-party vendor. The
1487 third-party vendor may collect and retain a convenience fee
1488 ~~given or approved by the department.~~ Each application for
1489 examination must be accompanied by an examination fee set by the
1490 department, in an amount of not more than \$150 or less than \$50;
1491 and a recertification fee of \$25 every 4 years. Until rules
1492 setting these fees are adopted by the department, the
1493 examination fee is \$50. Application for recertification must be
1494 accompanied by proof of having completed 4 classroom hours of
1495 acceptable continuing education. The limited certificate expires
1496 4 years after the date of issuance. If the certificateholder
1497 fails to renew his or her certificate and provide proof of
1498 completion of the required continuing education units within 60
1499 days after the expiration date, the certificateholder may be
1500 recertified only after reexamination. The department shall make

1501 ~~available provide~~ the appropriate reference material ~~and make~~
 1502 ~~the examination readily accessible and available to all~~
 1503 ~~applicants at least quarterly or as necessary in each county.~~

1504 **Section 36. Subsection (2) of section 482.156, Florida**
 1505 **Statutes, is amended to read:**

1506 482.156 Limited certification for commercial landscape
 1507 maintenance personnel.—

1508 (2) (a) A person seeking limited certification under this
 1509 section must pass an examination that the department shall
 1510 provide in person and remotely through a third-party vendor. The
 1511 third-party vendor may collect and retain a convenience fee
 1512 ~~given by the department.~~ Each application for examination must
 1513 be accompanied by an examination fee set by rule of the
 1514 department, in an amount of not more than \$150 or less than \$50.
 1515 Before the department issues a limited certification under this
 1516 section, each person applying for the certification must furnish
 1517 proof of having a certificate of insurance which states that the
 1518 employer meets the requirements for minimum financial
 1519 responsibility for bodily injury and property damage required by
 1520 s. 482.071(4).

1521 (b) The department shall make available ~~provide~~ the
 1522 appropriate reference materials for the examination and provide
 1523 in-person and remote testing through a third-party vendor. A
 1524 third-party vendor may collect and retain a convenience fee ~~make~~
 1525 ~~the examination readily accessible and available to applicants~~

1526 | ~~at least quarterly or as necessary in each county.~~

1527 | **Section 37. Subsection (2) of section 482.157, Florida**
 1528 | **Statutes, is amended to read:**

1529 | 482.157 Limited certification for commercial wildlife
 1530 | management personnel.—

1531 | (2) The department shall issue a limited certificate to an
 1532 | applicant who:

1533 | (a) Submits an application and examination fee of at least
 1534 | \$150, but not more than \$300, as prescribed by the department by
 1535 | rule;

1536 | (b) Passes an examination that the department shall
 1537 | provide in person and remotely through a third-party vendor. The
 1538 | third-party vendor may collect and retain a convenience fee
 1539 | ~~administered by the department.~~ The department shall make
 1540 | available ~~provide~~ the appropriate study materials for the
 1541 | examination ~~and make the examination readily available to~~
 1542 | ~~applicants in each county as necessary, but not less frequently~~
 1543 | ~~than quarterly; and~~

1544 | (c) Provides proof, including a certificate of insurance,
 1545 | that the applicant has met the minimum bodily injury and
 1546 | property damage insurance requirements in s. 482.071(4).

1547 | **Section 38. Paragraph (m) is added to subsection (1) of**
 1548 | **section 482.161, Florida Statutes, to read:**

1549 | 482.161 Disciplinary grounds and actions; reinstatement.—

1550 | (1) The department may issue a written warning to or

1551 impose a fine against, or deny the application for licensure or
1552 licensure renewal of, a licensee, certified operator, limited
1553 certificateholder, identification cardholder, or special
1554 identification cardholder or any other person, or may suspend,
1555 revoke, or deny the issuance or renewal of any license,
1556 certificate, limited certificate, identification card, or
1557 special identification card that is within the scope of this
1558 chapter, in accordance with chapter 120, upon any of the
1559 following grounds:

1560 (m) Upon the issuance of a final order imposing civil
1561 penalties under subsection 14(a) of the Federal Insecticide,
1562 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1563 under subsection 14(b), of FIFRA.

1564 **Section 39. Subsection (2) of section 487.044, Florida**
1565 **Statutes, is amended to read:**

1566 487.044 Certification; examination.—

1567 (2) The department shall require each applicant for a
1568 certified applicator's license to demonstrate competence by a
1569 written or oral examination in which the applicant must
1570 demonstrate adequate knowledge concerning the proper use and
1571 application of restricted-use pesticides in each classification
1572 for which application for license is made. The department shall
1573 provide in-person and remote testing through a third-party
1574 vendor. A third-party vendor may collect and retain a
1575 convenience fee. The examination may be prepared, administered,

1576 and evaluated by the department. Each applicant for a certified
 1577 applicator's license must ~~shall~~ demonstrate minimum competence
 1578 as to:

1579 (a) The proper use of the equipment.

1580 (b) The environmental hazards that may be involved in
 1581 applying restricted-use pesticides.

1582 (c) Calculating the concentration of restricted-use
 1583 pesticides to be used in particular circumstances.

1584 (d) Identification of common pests to be controlled and
 1585 the damages caused by such pests.

1586 (e) Protective clothing and respiratory equipment required
 1587 during the handling and application of restricted-use
 1588 pesticides.

1589 (f) General precautions to be followed in the disposal of
 1590 containers, as well as the cleaning and decontamination of the
 1591 equipment which the applicant proposes to use.

1592 (g) Applicable state and federal pesticide laws, rules,
 1593 and regulations.

1594 (h) General safety precautions.

1595 **Section 40. Subsection (6) is added to section 487.175,**
 1596 **Florida Statutes, to read:**

1597 487.175 Penalties; administrative fine; injunction.—

1598 (6) Licensure may be suspended, revoked, or denied by the
 1599 department, upon the issuance of a final order to a licensee
 1600 imposing civil penalties under subsection 14(a) of the Federal

1601 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
 1602 criminal conviction under subsection 14(b) of FIFRA.

1603 **Section 41. Subsections (13) through (28) of section**
 1604 **496.404, Florida Statutes, are renumbered as subsections (15)**
 1605 **through (30), respectively, and new subsections (13) and (14)**
 1606 **are added to that section, to read:**

1607 496.404 Definitions.—As used in ss. 496.401-496.424, the
 1608 term:

1609 (13) "Foreign country of concern" has the same meaning as
 1610 s. 286.101(1)(b).

1611 (14) "Foreign source of concern" means any of the
 1612 following:

1613 (a) The government or any official of the government of a
 1614 foreign country of concern;

1615 (b) A political party or member of a political party or
 1616 any subdivision of a political party in a foreign country of
 1617 concern;

1618 (c) A partnership, an association, a corporation, an
 1619 organization, or other combination of persons organized under
 1620 the laws of or having its principal place of business in a
 1621 foreign country of concern, or a subsidiary of such entity;

1622 (d) Any person who is domiciled in a foreign country of
 1623 concern and is not a citizen or lawful permanent citizen of the
 1624 United States;

1625 (e) An agent, including a subsidiary or an affiliate of a

1626 foreign legal entity, acting on behalf of a foreign source of
1627 concern; or

1628 (f) An entity in which a person, entity, or collection of
1629 persons or entities described in paragraphs (a)-(e) has a
1630 controlling interest. As used in this paragraph, the term
1631 "controlling interest" means the possession of the power to
1632 direct or cause the direction of the management or policies of
1633 an entity, whether through ownership of securities, by contract,
1634 or otherwise. A person or an entity that directly or indirectly
1635 has the right to vote 25 percent or more of the voting interest
1636 of the company or is entitled to 25 percent or more of its
1637 profits is presumed to possess a controlling interest.

1638 **Section 42. Paragraphs (d) through (g) of subsection (2)**
1639 **of section 496.405, Florida Statutes, are redesignated as**
1640 **paragraphs (f) through (i), respectively, new paragraphs (d) and**
1641 **(e) are added to that subsection, subsection (1) and paragraph**
1642 **(b) of subsection (7) are amended, and subsection (11) is added**
1643 **to that section, to read:**

1644 496.405 Registration statements by charitable
1645 organizations and sponsors.—

1646 (1) A charitable organization or sponsor, unless exempted
1647 pursuant to s. 496.406, which intends to solicit contributions
1648 in or from this state by any means or have funds solicited on
1649 its behalf by any other person, charitable organization,
1650 sponsor, commercial co-venturer, or professional solicitor, or

1651 that participates in a charitable sales promotion or sponsor
1652 sales promotion, must, before engaging in any of these
1653 activities, file an initial registration statement, which
1654 includes an attestation statement, and a renewal statement
1655 annually thereafter, with the department.

1656 (a) Except as provided in paragraph (b), any changes in
1657 the information submitted on the initial registration statement
1658 or the last renewal statement must be updated annually on a
1659 renewal statement provided by the department on or before the
1660 date that marks 1 year after the date the department approved
1661 the initial registration statement as provided in this section.
1662 The department shall annually provide a renewal statement to
1663 each registrant by mail or by electronic mail at least 30 days
1664 before the renewal date.

1665 (b) Any changes to the information submitted to the
1666 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1667 registration statement, which includes an attestation statement,
1668 or the last renewal statement must be reported to the department
1669 on a form prescribed by the department within 10 days after the
1670 change occurs.

1671 (c) A charitable organization or sponsor that is required
1672 to file an initial registration statement or annual renewal
1673 statement may not, before approval of its statement by the
1674 department in accordance with subsection (7), solicit
1675 contributions or have contributions solicited on its behalf by

1676 any other person, charitable organization, sponsor, commercial
1677 co-venturer, or professional solicitor or participate in a
1678 charitable sales promotion or sponsor sales promotion.

1679 (d) The registration of a charitable organization or
1680 sponsor may not continue in effect and shall expire without
1681 further action of the department under either of the following
1682 circumstances:

1683 1. After the date the charitable organization or sponsor
1684 should have filed, but failed to file, its renewal statement in
1685 accordance with this section.

1686 2. For failure to provide a financial statement within any
1687 extension period provided under s. 496.407.

1688 (2) The initial registration statement must be submitted
1689 on a form prescribed by the department, signed by an authorized
1690 official of the charitable organization or sponsor who shall
1691 certify that the registration statement is true and correct, and
1692 include the following information or material:

1693 (d) An attestation statement, which must be submitted on a
1694 form prescribed by the department and signed by an authorized
1695 official of the charitable organization, who shall certify and
1696 attest that the charitable organization, if engaged in
1697 activities that would require registration pursuant to chapter
1698 106 is registered with the Department of State, pursuant to
1699 chapter 106.

1700 (e) An attestation statement on a form prescribed by the

1701 department, signed by an authorized official of the charitable
1702 organization, who shall certify and attest that the charitable
1703 organization, if prohibited by applicable federal or state law,
1704 is not engaged in activities that would require registration
1705 with the Department of State pursuant to chapter 106.

1706 (7)

1707 (b) If a charitable organization or sponsor discloses
1708 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1709 in the initial registration statement or annual renewal
1710 statement, the time limits set forth in paragraph (a) are
1711 waived, and the department shall process such initial
1712 registration statement or annual renewal statement in accordance
1713 with the time limits set forth in chapter 120. The registration
1714 of a charitable organization or sponsor shall be automatically
1715 suspended for failure to disclose any information specified in
1716 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1717 required information is submitted to the department.

1718 (11) The department may investigate and refer a charitable
1719 organization or sponsor to the Florida Elections Commission for
1720 investigation of violations pursuant to chapters 104 and 106.

1721 **Section 43. Subsection (20) is added to section 496.415,**
1722 **Florida Statutes, to read:**

1723 496.415 Prohibited acts.—It is unlawful for any person in
1724 connection with the planning, conduct, or execution of any
1725 solicitation or charitable or sponsor sales promotion to:

1726 (20) Solicit or accept contributions or anything of value
 1727 from a foreign source of concern.

1728 **Section 44. Section 496.417, Florida Statutes, is amended**
 1729 **to read:**

1730 496.417 Criminal penalties.—Except as otherwise provided
 1731 in ss. 496.401-496.424, and in addition to any administrative or
 1732 civil penalties, any person who willfully and knowingly violates
 1733 ss. 496.401-496.424 commits a felony of the third degree,
 1734 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 1735 For a second or subsequent conviction, such violation
 1736 constitutes a felony of the second degree, punishable as
 1737 provided in s. 775.082, s. 775.083, or s. 775.084. The
 1738 department may also investigate and refer a charitable
 1739 organization or sponsor to the Florida Elections Commission for
 1740 investigation of violations pursuant to chapters 104 and 106.

1741 **Section 45. Subsection (11) is added to section 496.419,**
 1742 **Florida Statutes, to read:**

1743 496.419 Powers of the department.—

1744 (11) A charitable organization or sponsor whose
 1745 registration is denied or revoked for submitting a false
 1746 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
 1747 subject to the penalties specified in subsection (5) at the
 1748 discretion of the department.

1749 **Section 46. Section 496.431, Florida Statutes, is created**
 1750 **to read:**

1751 496.431 Honest Service Registry.—

1752 (1) The department shall create the Honest Services
 1753 Registry to provide the residents of this state with the
 1754 information necessary to make an informed choice when deciding
 1755 which charitable organizations to support.

1756 (2) To be included on the Honest Services Registry, a
 1757 charitable organization must, at a minimum, submit to the
 1758 department an attestation statement on a form prescribed by the
 1759 department, verified as provided in s. 92.525, attesting to all
 1760 of the following:

1761 (a) That the organization does not solicit or accept,
 1762 directly or indirectly, contributions, funding, support, or
 1763 services from a foreign source of concern.

1764 (b) That the organization's messaging and content are not
 1765 directly or indirectly produced or influenced by a foreign
 1766 source of concern.

1767 (3) The department shall publish the Honest Services
 1768 Registry on the department's website.

1769 (4) The department shall adopt rules to implement this
 1770 section.

1771 **Section 47. Paragraph (j) of subsection (1) of section**
 1772 **500.03, Florida Statutes, is amended to read:**

1773 500.03 Definitions; construction; applicability.—

1774 (1) For the purpose of this chapter, the term:

1775 (j) "Cottage food product" means food that is not time or

1776 temperature controlled for safety or a potentially hazardous
1777 food as defined by department rule which is sold by a cottage
1778 food operation in accordance with s. 500.80.

1779 **Section 48. Paragraphs (a) and (b) of subsection (1) of**
1780 **section 500.12, Florida Statutes, are amended to read:**

1781 500.12 Food permits; building permits.—

1782 (1) (a) A food permit from the department is required of
1783 any person or business that ~~who~~ operates a food establishment,
1784 except:

1785 1. Persons or businesses operating minor food outlets that
1786 sell food that is commercially prepackaged, not potentially
1787 hazardous, not age restricted, and not time or temperature
1788 controlled for safety, if the shelf space for those items does
1789 not exceed 12 total linear feet and no other food is sold by the
1790 person or business minor food outlet.

1791 2. Persons subject to continuous, onsite federal or state
1792 inspection.

1793 3. Persons selling only legumes in the shell, either
1794 parched, roasted, or boiled.

1795 4. Persons selling sugar cane or sorghum syrup that has
1796 been boiled and bottled on a premise located within this state.
1797 Such bottles must contain a label listing the producer's name
1798 and street address, all added ingredients, the net weight or
1799 volume of the product, and a statement that reads, "This product
1800 has not been produced in a facility permitted by the Florida

1801 Department of Agriculture and Consumer Services."

1802 (b) Each food establishment regulated under this chapter
1803 must apply for and receive a food permit before operation
1804 begins. An application for a food permit from the department
1805 must be accompanied by a fee in an amount determined by
1806 department rule. The department shall adopt by rule a schedule
1807 of fees to be paid by each food establishment as a condition of
1808 issuance or renewal of a food permit. Such fees may not exceed
1809 \$650 and must be used solely for the recovery of costs for the
1810 services provided, except that the fee accompanying an
1811 application for a food permit for operating a bottled water
1812 plant may not exceed \$1,000 and the fee accompanying an
1813 application for a food permit for operating a packaged ice plant
1814 may not exceed \$250. The fee for operating a bottled water plant
1815 or a packaged ice plant must be set by rule of the department.
1816 Food permits are not transferable from one person or physical
1817 location to another. Food permits must be renewed in accordance
1818 with subparagraphs 1.-3. If an application for renewal of a food
1819 permit is not received by the department on or before its due
1820 date, a late fee not exceeding \$100 must be paid in addition to
1821 the food permit fee before the department may issue the food
1822 permit. The moneys collected must be deposited in the General
1823 Inspection Trust Fund.

1824 1. A food permit issued to a new food establishment ~~on or~~
1825 ~~after September 1, 2023,~~ is valid for 1 calendar year after the

1826 date of issuance and must be renewed annually on or before that
 1827 date thereafter.

1828 2. ~~Effective January 1, 2024,~~ A food permit issued before
 1829 September 1, 2023, expires on the month and day the initial
 1830 permit was issued to the food establishment and must be renewed
 1831 annually on or before that date thereafter. The department may
 1832 charge a prorated permit fee for purposes of this subparagraph.

1833 3. The department may establish a single permit renewal
 1834 date for multiple food establishments owned by the same entity
 1835 ~~The owner of 100 or more permitted food establishment locations~~
 1836 ~~may elect to set the expiration of food permits for such~~
 1837 ~~establishments as December 31 of each calendar year.~~

1838 **Section 49. Section 500.166, Florida Statutes, is amended**
 1839 **to read:**

1840 500.166 Records of interstate shipment.—For the purpose of
 1841 enforcing this chapter, carriers engaged in interstate commerce
 1842 and persons receiving food in interstate commerce shall retain
 1843 all records for 3 years from the date of the record showing the
 1844 movement in interstate commerce of any food, and the quantity,
 1845 shipper and consignee thereof and, upon the request by an
 1846 officer or employee duly designated by the department, permit
 1847 the officer or employee to have access to and to copy all
 1848 records showing the movement in interstate commerce of any food,
 1849 and the quantity, shipper, and consignee thereof.

1850 **Section 50. Subsection (1) of section 500.172, Florida**

1851 **Statutes, is amended to read:**

1852 500.172 Embargoing, detaining, destroying of food, food
1853 processing equipment, or areas that are in violation.-

1854 (1) When the department, or its duly authorized agent who
1855 has received appropriate education and training regarding the
1856 legal requirements of this chapter, finds or has probable cause
1857 to believe that any food, food processing equipment, food
1858 processing area, or food storage area is in violation of this
1859 chapter or any rule adopted under this chapter so as to be
1860 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1861 within the meaning of this chapter, an agent of the department
1862 may issue and enforce a stop-sale, stop-use, removal, or hold
1863 order, which order gives notice that such article, processing
1864 equipment, processing area, or storage area is or is suspected
1865 of being in violation and has been detained or embargoed and
1866 which order warns all persons not to remove, use, or dispose of
1867 such article, processing equipment, processing area, or storage
1868 area by sale or otherwise until permission for removal, use, or
1869 disposal is given by the department or the court. The department
1870 is authorized to enter into a written agreement with the owner
1871 of such food, food processing equipment, food processing area,
1872 or food storage area, or otherwise facilitate the destruction of
1873 any article found or suspected by the department to be in
1874 violation of this section. A person may not remove, use, or
1875 dispose of such detained or embargoed article, processing

1876 equipment, processing area, or storage area by sale or otherwise
 1877 without such permission from or in accordance with a written
 1878 agreement with the department.

1879 **Section 51. Section 500.75, Florida Statutes, is created**
 1880 **to read:**

1881 500.75 Mushroom spores and mycelium; offenses.—It is
 1882 unlawful to transport, import, sell, offer for sale, furnish, or
 1883 give away spores or mycelium capable of producing mushrooms or
 1884 other material which will contain a controlled substance,
 1885 including psilocybin or psilocyn, during its lifecycle. A person
 1886 who transports, imports into this state, sells, offers for sale,
 1887 furnishes, gives away, or offers to transport, import into this
 1888 state, sell, furnish, or give away any spores or mycelium
 1889 capable of producing mushrooms or other material which will
 1890 contain a controlled substance commits a misdemeanor of the
 1891 first degree, punishable as provided in s. 775.082 or s.
 1892 775.083.

1893 **Section 52. Section 500.93, Florida Statutes, is created**
 1894 **to read:**

1895 500.93 Mislabeled of plant-based products as milk, meat,
 1896 poultry, or eggs.—

1897 (1) As used in this section, the term:

1898 (a) "Egg" and "egg product" have the same meanings as in
 1899 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

1900 (b) "FDA" means the United States Food and Drug

1901 Administration.

1902 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2

1903 and the Federal Meat Inspection Act.

1904 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110

1905 and the Grade "A" pasteurized milk ordinance.

1906 (e) "Poultry" and "poultry product" have the same meanings

1907 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1908 (2) (a) In accordance with the established standard of

1909 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade

1910 "A" pasteurized milk ordinance, the department shall adopt rules

1911 to enforce the FDA's standard of identity for milk, as adopted

1912 in state law, to prohibit the sale of plant-based products

1913 mislabeled as milk in this state.

1914 (b) This subsection is effective upon the enactment into

1915 law of a mandatory labeling requirement to prohibit the sale of

1916 plant-based products mislabeled as milk that is consistent with

1917 this section by any 11 of the group of 14 states composed of

1918 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,

1919 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,

1920 Texas, Virginia, and West Virginia.

1921 (3) (a) In accordance with the established standard of

1922 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal

1923 Meat Inspection Act, and both poultry and poultry products

1924 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection

1925 Act, the department shall adopt rules to enforce the FDA's

1926 | standard of identity for meat, poultry, and poultry products as
 1927 | adopted in this section, to prohibit the sale of plant-based
 1928 | products mislabeled as meat, poultry, or poultry products in
 1929 | this state.

1930 | (b) This subsection is effective upon the enactment into
 1931 | law of a mandatory labeling requirement to prohibit the sale of
 1932 | plant-based products mislabeled as meat, poultry, or poultry
 1933 | products which is consistent with this section by any 11 of the
 1934 | group of 14 states composed of Alabama, Arkansas, Florida,
 1935 | Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
 1936 | South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1937 | (4) (a) In accordance with the established standard of
 1938 | identity for eggs and egg products defined in 21 U.S.C. s. 1033
 1939 | and the Egg Products Inspection Act, the department shall adopt
 1940 | rules to enforce the FDA's standard of identity for eggs and egg
 1941 | products, as adopted in state law, to prohibit the sale of
 1942 | plant-based products mislabeled as egg or egg products in this
 1943 | state.

1944 | (b) This subsection is effective upon the enactment into
 1945 | law of a mandatory labeling requirement to prohibit the sale of
 1946 | plant-based products mislabeled as egg or egg products that is
 1947 | consistent with this section by any 11 of the group of 14 states
 1948 | composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
 1949 | Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
 1950 | Tennessee, Texas, Virginia, and West Virginia.

1951 (5) The Department of Agriculture and Consumer Services
 1952 shall notify the Division of Law Revision upon the enactment
 1953 into law by any 11 of the group of 14 states composed of
 1954 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
 1955 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
 1956 Texas, Virginia, and West Virginia of the mandatory labeling
 1957 requirements pursuant to subsections (2) and (3).

1958 (6) The department shall adopt rules to implement this
 1959 section.

1960 (7) This section does not limit the department's authority
 1961 to enforce its laws and regulations.

1962 **Section 53.** Section 501.135, Florida Statutes, is
 1963 repealed.

1964 **Section 54. Subsection (1) of section 501.912, Florida**
 1965 **Statutes, is amended to read:**

1966 501.912 Definitions.—As used in ss. 501.91-501.923:

1967 (1) "Antifreeze" means any substance or preparation,
 1968 including, but not limited to, coolant, antifreeze-coolant,
 1969 antifreeze and summer coolant, or summer coolant, that is sold,
 1970 distributed, or intended for use:

1971 (a) As the cooling liquid, or to be added to the cooling
 1972 liquid, in the cooling system of ~~internal combustion engines of~~
 1973 motor vehicles to prevent freezing of the cooling liquid or to
 1974 lower its freezing point; or

1975 (b) To raise the boiling point of water, aid in vehicle

1976 component cooling, or for the prevention of engine overheating,
 1977 whether or not the liquid is used as a year-round cooling system
 1978 fluid.

1979 **Section 55. Section 525.19, Florida Statutes, is created**
 1980 **to read:**

1981 525.19 Petroleum registration.—

1982 (1) The department shall create an annual petroleum
 1983 registration program for petroleum owners or operators and shall
 1984 adopt rules detailing the requirements for such registration
 1985 that include, at minimum:

- 1986 (a) Name of the petroleum owner or operator;
- 1987 (b) Address of the petroleum owner or operator;
- 1988 (c) Phone number of the petroleum owner or operator;
- 1989 (d) E-mail address of the petroleum owner or operator;
- 1990 (e) Requirements for the transfer switch;
- 1991 (f) Fuel and petroleum infrastructure; and
- 1992 (g) Fuel and petroleum inventory and delivery information.

1993 (2) The registration program must be free for all
 1994 registrants.

1995 (3) The department has the authority to require
 1996 registrants to provide updates related to the status of
 1997 infrastructure, inventory, and delivery information during a
 1998 state of emergency as declared by an executive order issued by
 1999 the Governor.

2000 **Section 56. Section 526.147, Florida Statutes, is created**

2001 **to read:**

2002 526.147 Florida Retail Fuel Transfer Switch Modernization
 2003 Grant Program.—

2004 (1) (a) There is created, subject to appropriation, the
 2005 Florida Retail Fuel Transfer Switch Modernization Grant Program
 2006 within the Department of Agriculture and Consumer Services.

2007 (b) The grant program shall provide grant funds, not to
 2008 exceed \$10,000 per retail fuel facility, to be used for
 2009 installation and equipment costs related to installing or
 2010 modernizing transfer switch infrastructure at retail fuel
 2011 facilities to allow for the continuity of fueling operations
 2012 under generated power.

2013 (c) The department shall award funds based upon the
 2014 following criteria:

2015 1. Up to \$10,000, of costs for transfer switch purchase
 2016 and installation for retail fuel locations in fiscally
 2017 constrained counties as designated under s. 218.67(1).

2018 2. Up to \$5,000, of costs for transfer switch purchase and
 2019 installation for all other retail fuel locations.

2020 (d) Retail fuel facilities which are awarded grant funds
 2021 must comply with s. 526.143 and must install a transfer switch
 2022 capable of operating all fuel pumps, dispensing equipment, life
 2023 safety systems, and payment acceptance equipment using an
 2024 alternative generated power source.

2025 (e) Before being awarded funding from the department,

2026 retail fuel facilities must provide documentation on transfer
 2027 switch installation and required generator sizing to the
 2028 department.

2029 (f) Marinas and fueling facilities with fewer than 4
 2030 fueling positions are excluded from being awarded funding
 2031 through this program.

2032 (g) Fueling facilities subject to s. 526.143(2) are
 2033 excluded from being awarded funding through this program.

2034 (2) The department, in consultation with the Division of
 2035 Emergency Management, shall adopt rules to implement and
 2036 administer this section, including establishing grant
 2037 application processes for the Florida Retail Fuel Transfer
 2038 Switch Modernization Grant Program. The rules must include
 2039 application deadlines and establish the supporting documentation
 2040 necessary to be provided to the department.

2041 **Section 57. Section 531.48, Florida Statutes, is amended**
 2042 **to read:**

2043 531.48 Declarations of unit price on random packages.—In
 2044 addition to the declarations required by s. 531.47, any package
 2045 being one of a lot containing random weights of the same
 2046 commodity must ~~and bearing the total selling price of the~~
 2047 ~~package shall~~ bear on the outside of the package a plain and
 2048 conspicuous declaration of the price per single unit of weight
 2049 and the total retail price of the package, as defined by
 2050 department rule.

2051 **Section 58. Section 531.49, Florida Statutes, is amended**
 2052 **to read:**

2053 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
 2054 commodity ~~is advertised in any manner with the retail price~~
 2055 ~~stated, there shall be~~ closely and conspicuously associated with
 2056 the retail price must have a declaration of quantity as is
 2057 required by law or rule to appear on the package.

2058 **Section 59. Subsection (10) of section 564.06, Florida**
 2059 **Statutes, is amended to read:**

2060 564.06 Excise taxes on wines and beverages.—

2061 (10) Fifty percent of all revenues collected from the
 2062 excise taxes imposed by this section on wine produced by
 2063 manufacturers in this state from products grown in the state
 2064 must be deposited into the Florida Wine Viticulture Trust Fund
 2065 established pursuant to s. 599.012.

2066 **Section 60. Subsections (44), (45), and (46) of section**
 2067 **570.07, Florida Statutes, are renumbered as subsections (47),**
 2068 **(48), and (49), respectively, and new subsections (44), (45),**
 2069 **and (46) are added to that section, to read:**

2070 570.07 Department of Agriculture and Consumer Services;
 2071 functions, powers, and duties.—The department shall have and
 2072 exercise the following functions, powers, and duties:

2073 (44) (a) To foster and encourage the employment and
 2074 retention of qualified veterinary pathologists. The department
 2075 may reimburse the educational expenses of qualified veterinary

2076 pathologists who enter into an agreement with the department to
 2077 retain employment for a specified period of time.

2078 (b) The department shall adopt rules to administer this
 2079 subsection.

2080 (45) Subject to appropriation, to extend state and
 2081 national Future Farmers of America opportunities to any public
 2082 school student enrolled in agricultural education, at little or
 2083 no cost to the student or school district, and to support
 2084 statewide Future Farmers of America programming that helps such
 2085 students develop their potential for premier leadership,
 2086 personal growth, and career success.

2087 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use
 2088 contracts procured by another agency.

2089 (b) As used in this subsection, the term "agency" has the
 2090 same meaning as provided in s. 287.012.

2091 **Section 61. Subsection (2) of section 570.544, Florida**
 2092 **Statutes, is amended to read:**

2093 570.544 Division of Consumer Services; director; powers;
 2094 processing of complaints; records.—

2095 (2) The director shall supervise, direct, and coordinate
 2096 the activities of the division and shall, under the direction of
 2097 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
 2098 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
 2099 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2100 **Section 62. Section 570.546, Florida Statutes, is created**

2101 **to read:**

2102 570.546 Licensing.—

2103 (1) The department is authorized to:

2104 (a) Create a process for the bulk renewal of licenses
 2105 which will allow licensees the ability, upon request, to submit
 2106 all license applications of the same type, notwithstanding any
 2107 provisions of law applicable to each application process.

2108 (b) Create a process that will allow licensees, upon
 2109 request, to align the expiration dates of licenses within a
 2110 statutory program.

2111 (c) Change the expiration dates for current licensees for
 2112 the purpose of reducing large numbers of license expirations
 2113 that occur during the same month.

2114 (2) The department shall prorate any licensing fee for
 2115 which the term of the license was reduced for the purposes of
 2116 alignment.

2117 (3) The department shall adopt rules to implement this
 2118 section.

2119 **Section 63. Section 570.694, Florida Statutes, is created**

2120 **to read:**

2121 570.694 Florida Aquaculture Foundation.—

2122 (1) The Florida Aquaculture Foundation is established as a
 2123 direct-support organization within the Department of Agriculture
 2124 and Consumer Services. The purpose of the foundation is to:

2125 (a) Conduct programs and activities related to the

2126 assistance, promotion, and furtherance of aquaculture and
 2127 aquaculture producers in this state.

2128 (b) Identify and pursue methods to provide statewide
 2129 resources and materials for these programs.

2130 (2) The foundation shall be governed by s. 570.691.

2131 (3) The department is authorized to appoint an advisory
 2132 committee adjunct to the foundation pursuant to s. 570.232.

2133 **Section 64. Section 570.822, Florida Statutes, is amended**
 2134 **to read:**

2135 570.822 Agriculture and Aquaculture Producers Emergency
 2136 ~~Natural Disaster~~ Recovery Loan Program.—

2137 (1) DEFINITIONS.—As used in this section, the term:

2138 (a) "Bona fide farm operation" means a farm operation
 2139 engaged in a good faith commercial agricultural use of land on
 2140 land classified as agricultural pursuant to s. 193.461 or on
 2141 sovereign submerged land that is leased to the applicant by the
 2142 department pursuant to s. 597.010 and that produces agricultural
 2143 products within the definition of agriculture under s. 570.02.

2144 (b) "Declared emergency natural disaster" means an
 2145 emergency ~~a natural disaster~~ for which a state of emergency is
 2146 declared pursuant to s. 252.36 or s. 570.07(21).

2147 (c) "Department" means the Department of Agriculture and
 2148 Consumer Services.

2149 (d) "Essential physical property" means fences; equipment;
 2150 structural production facilities, such as shade houses and

2151 greenhouses; or other agriculture or aquaculture facilities or
2152 infrastructure.

2153 (e) "Program" means the Agriculture and Aquaculture
2154 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2155 (2) USE OF LOAN FUNDS; LOAN TERMS.—

2156 (a) The program is established within the department to
2157 make loans to agriculture and aquaculture producers that have
2158 experienced damage or destruction from a declared emergency
2159 ~~natural disaster~~. Loan funds may be used to restore, repair, ~~or~~
2160 replace essential physical property or remove vegetative debris
2161 from essential physical property, or restock aquaculture. A
2162 structure or building constructed using loan proceeds must
2163 comply with storm-hardening standards for nonresidential farm
2164 buildings as defined in s. 604.50(2). The department shall adopt
2165 such standards by rule.

2166 (b) The department may make a low-interest or interest-
2167 free loan to an eligible applicant. The maximum amount that an
2168 applicant may receive during the application period for a loan
2169 is \$500,000. An applicant may not receive more than one loan per
2170 application period and no more than two loans per year or no
2171 more than five loans in any 3-year period. A loan term is 10
2172 years.

2173 (3) ELIGIBLE APPLICANTS.—To be eligible for the program,
2174 an applicant must:

2175 (a) Own or lease a bona fide farm operation that is

2176 | located in a county named in a declared emergency ~~natural~~
2177 | ~~disaster~~ and that was damaged or destroyed as a result of such
2178 | declared emergency ~~natural-disaster~~.

2179 | (b) Maintain complete and acceptable farm records,
2180 | pursuant to criteria published by the department, and present
2181 | them as proof of production levels and bona fide farm
2182 | operations.

2183 | (4) LOAN APPLICATION AND AGREEMENT.—

2184 | (a) Requests for loans must be made by application to the
2185 | department. Upon a determination that funding for loans is
2186 | available, the department shall publicly notice an application
2187 | period for the declared emergency ~~natural-disaster~~, beginning
2188 | within 60 days after the date of the declared emergency ~~natural-~~
2189 | ~~disaster~~ and running up to 1 year after the date of the declared
2190 | emergency ~~natural-disaster~~ or until all available loan funds are
2191 | exhausted, whichever occurs first. The application may be
2192 | renewed upon a determination from the department and pursuant to
2193 | an active declared emergency.

2194 | (b) An applicant must demonstrate the need for financial
2195 | assistance and an ability to repay or meet a standard credit
2196 | rating determined by the department.

2197 | (c) Loans must be made pursuant to written agreements
2198 | specifying the terms and conditions agreed to by the approved
2199 | applicant and the department. The loan agreement must specify
2200 | that the loan is due upon sale if the property or other

2201 collateral for the loan is sold.

2202 (d) An approved applicant must agree to stay in production
2203 for the duration of the loan. A loan is not assumable.

2204 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
2205 by a lien, subordinate only to any mortgage held by a financial
2206 institution as defined in s. 655.005, on property or other
2207 collateral as set forth in the loan agreement. The specific type
2208 of collateral required may vary depending upon the loan purpose,
2209 repayment ability, and the particular circumstances of the
2210 applicant. The department shall record the lien in public
2211 records in the county where the property is located and, in the
2212 case of personal property, perfect the security interest by
2213 filing appropriate Uniform Commercial Code forms with the
2214 Florida Secured Transaction Registry as required pursuant to
2215 chapter 679.

2216 (6) LOAN REPAYMENT.—

2217 (a) A loan is due and payable in accordance with the terms
2218 of the loan agreement.

2219 (b) The department shall defer payments for the first 3
2220 years of the loan. After 3 years, the department shall reduce
2221 the principal balance annually through the end of the loan term
2222 such that the original principal balance is reduced by 30
2223 percent. If the principal balance is repaid before the end of
2224 the 10th year, the applicant may not be required to pay more
2225 than 70 percent of the original principal balance. The approved

2226 applicant must continue to be actively engaged in production in
 2227 order to receive the original principal balance reductions and
 2228 must continue to meet the loan agreement terms to the
 2229 satisfaction of the department.

2230 (c) An approved applicant may make payments on the loan at
 2231 any time without penalty. Early repayment is encouraged as other
 2232 funding sources or revenues become available to the approved
 2233 applicant.

2234 (d) All repayments of principal and interest, if
 2235 applicable, received by the department in a fiscal year must be
 2236 returned to the loan fund and made available for loans to other
 2237 applicants in the next application period.

2238 (e) The department may periodically review an approved
 2239 applicant to determine whether he or she continues to be in
 2240 compliance with the terms of the loan agreement. If the
 2241 department finds that an applicant is no longer in production or
 2242 has otherwise violated the loan agreement, the department may
 2243 seek repayment of the full original principal balance
 2244 outstanding, including any interest or costs, as applicable, and
 2245 excluding any applied or anticipated original principal balance
 2246 reductions.

2247 (f) The department may defer or waive loan payments if at
 2248 any time during the repayment period of a loan, the approved
 2249 applicant experiences a significant hardship such as crop loss
 2250 from a weather-related event or from impacts from a natural

2251 | disaster or declared emergency.

2252 | (7) ADMINISTRATION.—

2253 | (a) The department shall create and maintain a separate
 2254 | account in the General Inspection Trust Fund as a fund for the
 2255 | program. All repayments must be returned to the loan fund and
 2256 | made available as provided in this section. Notwithstanding s.
 2257 | 216.301, funds appropriated for the loan program are not subject
 2258 | to reversion. The department shall manage the fund, establishing
 2259 | loan practices that must include, but are not limited to,
 2260 | procedures for establishing loan interest rates, uses of
 2261 | funding, application procedures, and application review
 2262 | procedures. The department is authorized to contract with a
 2263 | third-party administrator to administer the program and manage
 2264 | the loan fund. A contract for a third-party administrator that
 2265 | includes management of the loan fund must, at a minimum, require
 2266 | maintenance of the loan fund to ensure that the program may
 2267 | operate in a revolving manner.

2268 | (b) The department shall coordinate with other state
 2269 | agencies and other entities to ensure to the greatest extent
 2270 | possible that agriculture and aquaculture producers in this
 2271 | state have access to the maximum financial assistance available
 2272 | following a declared emergency ~~natural disaster~~. The
 2273 | coordination must endeavor to ensure that there is no
 2274 | duplication of financial assistance between the loan program and
 2275 | other funding sources, such as any federal or other state

2276 programs, including public assistance requests to the Federal
 2277 Emergency Management Agency or financial assistance from the
 2278 United States Department of Agriculture, which could render the
 2279 approved applicant ineligible for other financial assistance.

2280 (8) PUBLIC RECORDS EXEMPTION.—

2281 (a) The following information held by the department
 2282 pursuant to its administration of the program is exempt from s.
 2283 119.07(1) and s. 24(a), Art. I of the State Constitution:

2284 1. Tax returns.

2285 2. Credit history information, credit reports, and credit
 2286 scores.

2287 (b) This subsection does not prohibit the disclosure of
 2288 information held by the department pursuant to its
 2289 administration of the program in an aggregated and anonymized
 2290 format.

2291 (c) This subsection is subject to the Open Government
 2292 Sunset Review Act in accordance with s. 119.15 and shall stand
 2293 repealed on October 2, 2029, unless reviewed and saved from
 2294 repeal through reenactment by the Legislature.

2295 (9) RULES.—The department shall adopt rules to implement
 2296 this section.

2297 (10) REPORTS.—By December 1, 2024, and each December 1
 2298 thereafter, the department shall provide a report on program
 2299 activities during the previous fiscal year to the President of
 2300 the Senate and the Speaker of the House of Representatives. The

2301 report must include information on noticed application periods,
 2302 the number and value of loans awarded under the program for each
 2303 application period, the number and value of loans outstanding,
 2304 the number and value of any loan repayments received, and an
 2305 anticipated repayment schedule for all loans.

2306 (11) SUNSET.—This section expires July 1, 2043, unless
 2307 reviewed and saved from repeal through reenactment by the
 2308 Legislature.

2309 **Section 65. Section 570.823, Florida Statutes, is created**
 2310 **to read:**

2311 570.823 Silviculture emergency recovery program.—

2312 (1) DEFINITIONS.—As used in this section, the term:

2313 (a) "Bona fide farm operation" means a farm operation
 2314 engaged in a good faith commercial agricultural use of land on
 2315 land classified as agricultural pursuant to s. 193.461 that
 2316 produces agricultural products within the definition of
 2317 agriculture under s. 570.02.

2318 (b) "Declared emergency" means an emergency for which a
 2319 state of emergency is declared pursuant to s. 252.36 or s.
 2320 570.07(21).

2321 (c) "Department" means the Department of Agriculture and
 2322 Consumer Services.

2323 (d) "Program" means the silviculture emergency recovery
 2324 program.

2325 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2326 (a) The silviculture emergency recovery program is
2327 established within the department to administer a grant program
2328 to assist timber landowners whose timber land was damaged as a
2329 result of a declared emergency. Grants provided to eligible
2330 timber landowners must be used for:

2331 1. Timber stand restoration, including downed tree removal
2332 on land which will retain the existing trees on site which are
2333 lightly or completely undamaged;

2334 2. Site preparation, and tree replanting; or

2335 3. Road and trail clearing on private timber lands to
2336 provide emergency access and facilitate salvage operations.

2337 (b) Only timber land located on lands classified as
2338 agricultural lands under s. 193.461 are eligible for the
2339 program.

2340 (c) The department shall coordinate with state agencies
2341 and other entities to ensure to the greatest extent possible
2342 that timber landowners have access to the maximum financial
2343 assistance available following a specified declared emergency.
2344 The coordination must endeavor to ensure that there is no
2345 duplication of financial assistance between these funds and
2346 other funding sources, such as any federal or other state
2347 programs, including public assistance requests to the Federal
2348 Emergency Management Agency or financial assistance from the
2349 United States Department of Agriculture, which would render the
2350 approved applicant ineligible for other financial assistance.

2351 (d) The department is authorized to adopt rules to
2352 implement this section, including emergency rules.
2353 Notwithstanding any other provision of law, emergency rules
2354 adopted pursuant to this subsection are effective for 6 months
2355 after adoption and may be renewed during the pendency of
2356 procedures to adopt permanent rules addressing the subject of
2357 the emergency rules.

2358 **Section 66. Subsections (6) and (7) of section 581.1843,**
2359 **Florida Statutes, are renumbered as subsections (5) and (6),**
2360 **respectively, and subsection (2) and present subsection (5) of**
2361 **that section are amended, to read:**

2362 581.1843 Citrus nursery stock propagation and production
2363 and the establishment of regulated areas around citrus
2364 nurseries.—

2365 (2) Effective January 1, 2007, it is unlawful for any
2366 person to propagate for sale or movement any citrus nursery
2367 stock that was not propagated or grown on a site and within a
2368 protective structure approved by the department ~~and that is not~~
2369 ~~at least 1 mile away from commercial citrus groves. A citrus~~
2370 ~~nursery registered with the department prior to April 1, 2006,~~
2371 ~~shall not be required to comply with the 1-mile setback from~~
2372 ~~commercial citrus groves while continuously operating at the~~
2373 ~~same location for which it was registered. However, the nursery~~
2374 shall be required to propagate citrus within a protective
2375 structure approved by the department. Effective January 1, 2008,

2376 | it is ~~shall be~~ unlawful to distribute any citrus nursery stock
2377 | that was not produced in a protective structure approved by the
2378 | department.

2379 | ~~(5) The department shall establish regulated areas around~~
2380 | ~~the perimeter of commercial citrus nurseries that were~~
2381 | ~~established on sites after April 1, 2006, not to exceed a radius~~
2382 | ~~of 1 mile. The planting of citrus in an established regulated~~
2383 | ~~area is prohibited. The planting of citrus within a 1-mile~~
2384 | ~~radius of commercial citrus nurseries that were established on~~
2385 | ~~sites prior to April 1, 2006, must be approved by the~~
2386 | ~~department. Citrus plants planted within a regulated area prior~~
2387 | ~~to the establishment of the regulated area may remain in the~~
2388 | ~~regulated area unless the department determines the citrus~~
2389 | ~~plants to be infected or infested with citrus canker or citrus~~
2390 | ~~greening. The department shall require the removal of infected~~
2391 | ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2392 | ~~has sprouted by natural means in regulated areas. The property~~
2393 | ~~owner shall be responsible for the removal of citrus planted~~
2394 | ~~without proper approval. Notice of the removal of citrus trees,~~
2395 | ~~by immediate final order of the department, shall be provided to~~
2396 | ~~the owner of the property on which the trees are located. An~~
2397 | ~~immediate final order issued by the department under this~~
2398 | ~~section shall notify the property owner that the citrus trees,~~
2399 | ~~which are the subject of the immediate final order, must be~~
2400 | ~~removed and destroyed unless the property owner, no later than~~

2401 ~~10 days after delivery of the immediate final order, requests~~
 2402 ~~and obtains a stay of the immediate final order from the~~
 2403 ~~district court of appeal with jurisdiction to review such~~
 2404 ~~requests. The property owner shall not be required to seek a~~
 2405 ~~stay from the department of the immediate final order prior to~~
 2406 ~~seeking a stay from the district court of appeal.~~

2407 **Section 67.** Sections 593.101, 593.102, 593.103, 593.104,
 2408 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
 2409 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
 2410 and 593.117, Florida Statutes, are repealed.

2411 **Section 68. Subsection (11) of section 595.404, Florida**
 2412 **Statutes, is amended to read:**

2413 595.404 School food and other nutrition programs; powers
 2414 and duties of the department.—The department has the following
 2415 powers and duties:

2416 (11) To adopt and implement an appeal process by rule, as
 2417 required by federal regulations, for applicants and participants
 2418 under the programs implemented pursuant to this chapter,
 2419 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
 2420 ~~120.569 and 120.57-120.595.~~

2421 **Section 69. Section 599.002, Florida Statutes, is amended**
 2422 **to read:**

2423 599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

2424 (1) There is created within the Department of Agriculture
 2425 and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory

2426 Council, to be composed ~~consist~~ of eight members as follows: the
 2427 president of the Florida Wine and Grape Growers Association
 2428 ~~Florida Grape Growers' Association~~ or a designee thereof; a
 2429 representative from the Institute of Food and Agricultural
 2430 Sciences; a representative from the viticultural science program
 2431 at Florida Agricultural and Mechanical University; and five
 2432 additional commercial members, to be appointed for a 2-year term
 2433 each by the Commissioner of Agriculture, including a wine
 2434 producer, a fresh fruit producer, a nonwine product (juice,
 2435 jelly, pie fillings, etc.) producer, and a viticultural nursery
 2436 operator.

2437 (2) The meetings, powers and duties, procedures, and
 2438 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
 2439 shall be pursuant to s. 570.232.

2440 (3) The primary responsibilities of the Florida Wine
 2441 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
 2442 of Agriculture, annually, the industry's recommendations for
 2443 wine and viticultural research, promotion, and education and, as
 2444 necessary, the industry's recommendations for revisions to the
 2445 State Wine ~~Viticulture~~ Plan.

2446 **Section 70. Section 599.003, Florida Statutes, is amended**
 2447 **to read:**

2448 599.003 State Wine ~~Viticulture~~ Plan.—

2449 (1) The Commissioner of Agriculture, in consultation with
 2450 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and

2451 coordinate the implementation of the State Wine ~~Viticulture~~
2452 Plan, which shall identify problems and constraints of the wine
2453 and viticulture industry, propose possible solutions to those
2454 problems, and develop planning mechanisms for the orderly growth
2455 of the industry, including:

2456 (a) Criteria for wine and viticultural research, service,
2457 and management priorities.

2458 (b) Additional proposed legislation that may be required.

2459 (c) Plans and goals to improve research and service
2460 capabilities at Florida Agricultural and Mechanical University
2461 and the University of Florida in their efforts to address
2462 current and future needs of the industry.

2463 (d) The potential for viticulture products in terms of
2464 market and needs for development.

2465 (e) Evaluation of wine policy alternatives, including, but
2466 not limited to, continued improvement in wine quality, blending
2467 considerations, promotion and advertising, labeling and vineyard
2468 designations, and development of production and marketing
2469 strategies.

2470 (f) Evaluation of production and fresh fruit policy
2471 alternatives, including, but not limited to, setting minimum
2472 grades and standards, promotion and advertising, development of
2473 production and marketing strategies, and setting minimum
2474 standards on types and quality of nursery plants.

2475 (g) Evaluation of policy alternatives for nonwine

2476 processed products, including, but not limited to, setting
2477 minimum quality standards and development of production and
2478 marketing strategies.

2479 (h) Research and service priorities for further
2480 development of the wine and viticulture industry.

2481 (i) The identification of state agencies and public and
2482 private institutions concerned with research, education,
2483 extension, services, planning, promotion, and marketing
2484 functions related to wine and viticultural development and the
2485 delineation of contributions and responsibilities.

2486 (j) Business planning, investment potential, financial
2487 risks, and economics of production and utilization.

2488 (2) A revision and update of the State Wine Viticulture
2489 Plan must ~~shall~~ be submitted biennially to the President of the
2490 Senate, the Speaker of the House of Representatives, and the
2491 chairs of appropriate committees of the Senate and House of
2492 Representatives, and a progress report and budget request must
2493 ~~shall~~ be submitted annually.

2494 **Section 71. Paragraph (a) of subsection (2) and subsection**
2495 **(3) of section 599.004, Florida Statutes, are amended, and**
2496 **paragraph (d) is added to subsection (2) of that section, to**
2497 **read:**

2498 599.004 Florida Farm Winery Program; registration; logo;
2499 fees.—

2500 (2) (a) The department, in coordination with the Florida

2501 Wine ~~Viticulture~~ Advisory Council, shall develop and designate
 2502 by rule a Florida Farm Winery logo, emblem, and directional sign
 2503 to guide the public to certified Florida Farm Wineries ~~Winery~~
 2504 ~~tourist attractions~~. The logo and emblem of certified Florida
 2505 Farm Winery signs must ~~shall~~ be uniform.

2506 (d) Wineries that fail to recertify annually or pay the
 2507 licensing fee required in paragraph (c) are subject to having
 2508 the signs referenced in paragraph (b) removed and will be
 2509 responsible for all costs incurred by the Department of
 2510 Transportation in connection with the removal.

2511 (3) All fees collected, except as otherwise provided by
 2512 this section, shall be deposited into the Florida Wine
 2513 ~~Viticulture~~ Trust Fund and used to develop consumer information
 2514 on the native characteristics and proper use of wines.

2515 **Section 72. Section 599.012, Florida Statutes, is amended**
 2516 **to read:**

2517 599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.—

2518 (1) There is established the Florida Wine ~~Viticulture~~
 2519 Trust Fund within the Department of Agriculture and Consumer
 2520 Services. The department shall use the moneys deposited in the
 2521 trust fund pursuant to subsection (2) to do all the following:

2522 (a) Develop and coordinate the implementation of the State
 2523 Viticulture Plan.

2524 (b) Promote viticulture products manufactured from
 2525 products grown in the state.

2526 (c) Provide grants for viticultural research.

2527 (2) Fifty percent of the revenues collected from the
 2528 excise taxes imposed under s. 564.06 on wine produced by
 2529 manufacturers in this state from products grown in the state
 2530 will be deposited in the Florida Wine ~~Viticulture~~ Trust Fund in
 2531 accordance with that section.

2532 **Section 73. Subsection (1) of section 616.12, Florida**
 2533 **Statutes, is amended to read:**

2534 616.12 Licenses upon certain shows; distribution of fees;
 2535 exemptions.—

2536 (1) Each person who operates any traveling show,
 2537 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
 2538 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
 2539 device, dramatic repertoire, other show or amusement, or
 2540 concession, including a concession operating in a tent,
 2541 enclosure, or other temporary structure, within the grounds of,
 2542 and in connection with, any annual public fair held by a fair
 2543 association shall pay the license taxes provided by law.
 2544 However, if the association satisfies the requirements of this
 2545 chapter, including securing the required fair permit from the
 2546 department, the license taxes and local business tax authorized
 2547 in chapter 205 are waived and the department shall issue a tax
 2548 exemption certificate. The department shall adopt the proper
 2549 forms and rules to administer this section, including the
 2550 necessary tax exemption certificate, showing that the fair

2551 association has met all requirements and that the traveling
 2552 show, exhibition, amusement enterprise, carnival, vaudeville,
 2553 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
 2554 riding device, dramatic repertoire, other show or amusement, or
 2555 concession is exempt.

2556 **Section 74. Section 687.16, Florida Statutes, is created**
 2557 **to read:**

2558 687.16 Florida Farmer Financial Protection Act.-

2559 (1) SHORT TITLE.—This section may be cited as the "Florida
 2560 Farmer Financial Protection Act."

2561 (2) DEFINITIONS.—

2562 (a) "Agriculture producer" means a person or company
 2563 authorized to do business in this state and engaged in the
 2564 production of goods derived from plants or animals, including,
 2565 but not limited to, the growing of crops, silviculture, animal
 2566 husbandry, or the production of livestock or dairy products.

2567 (b) "Agritourism activity" has the same meaning as
 2568 provided in s. 570.86.

2569 (c) "Commissioner" means the Commissioner of Agriculture.

2570 (d) "Company" means a for-profit organization,
 2571 association, corporation, partnership, joint venture, sole
 2572 proprietorship, limited partnership, limited liability
 2573 partnership, or limited liability company, including a wholly
 2574 owned subsidiary, majority-owned subsidiary, parent company, or
 2575 affiliate of those entities or business associations authorized

2576 to do business in this state.

2577 (e) "Denies or restricts" means refusing to provide
2578 services, terminating existing services, or restricting or
2579 burdening the scope or nature of services offered or provided.

2580 (f) "Discriminate in the provision of financial services"
2581 means to deny or restrict services and thereby decline to
2582 provide financial services.

2583 (g) "ESG factor" means any factor or consideration that is
2584 collateral to or not reasonably likely to affect or impact
2585 financial risk and includes the promotion, furtherance, or
2586 achievement of environmental, social, or political goals,
2587 objectives, or outcomes, which may include the agriculture
2588 producer's greenhouse gas emissions, use of fossil-fuel derived
2589 fertilizer, or use of fossil-fuel powered machinery.

2590 (h) "Farm" means the land, buildings, support facilities,
2591 machinery, and other appurtenances used in the production of
2592 farm or aquaculture products.

2593 (i) "Financial institution" means a company authorized to
2594 do business in this state which has total assets of more than
2595 \$100 million and offers financial services. A financial
2596 institution includes any affiliate or subsidiary company, even
2597 if that affiliate or subsidiary company is also a financial
2598 institution.

2599 (j) "Financial service" means any product or service that
2600 is of a financial nature and is offered by a financial

2601 institution.

2602 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2603 (a) A financial institution may not discriminate in the
2604 provision of financial services to an agriculture producer
2605 based, in whole or in part, upon an ESG factor.

2606 (b) If a financial institution has made any ESG commitment
2607 related to agriculture, there is an inference that the
2608 institution's denial or restriction of a financial service to an
2609 agriculture producer violates paragraph (a).

2610 (c) A financial institution may overcome the inference in
2611 paragraph (b) by demonstrating that its denial or restriction of
2612 a financial service was based solely on documented risk
2613 analysis, and not on any ESG factor.

2614 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2615 General, in consultation with the Office of Financial
2616 Regulation, is authorized to enforce subsection (3). Any
2617 violation of subsection (3) constitutes an unfair trade practice
2618 under part II of chapter 501 and the Attorney General is
2619 authorized to investigate and seek remedies as provided in
2620 general law. Actions for damages may be sought by an aggrieved
2621 party.

2622 **Section 75. Paragraph (a) of subsection (3) of section**
2623 **741.0305, Florida Statutes, is amended to read:**

2624 741.0305 Marriage fee reduction for completion of
2625 premarital preparation course.—

2626 (3) (a) All individuals electing to participate in a
 2627 premarital preparation course shall choose from the following
 2628 list of qualified instructors:

- 2629 1. A psychologist licensed under chapter 490.
- 2630 2. A clinical social worker licensed under chapter 491.
- 2631 3. A marriage and family therapist licensed under chapter
 2632 491.
- 2633 4. A mental health counselor licensed under chapter 491.
- 2634 5. An official representative of a religious institution
 2635 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
 2636 representative has relevant training.

2637 6. Any other provider designated by a judicial circuit,
 2638 including, but not limited to, school counselors who are
 2639 certified to offer such courses. Each judicial circuit may
 2640 establish a roster of area course providers, including those who
 2641 offer the course on a sliding fee scale or for free.

2642 **Section 76. Paragraph (h) of subsection (2), subsection**
 2643 **(3), paragraph (c) of subsection (6), and subsection (10) of**
 2644 **section 790.06, Florida Statutes, are amended to read:**

2645 790.06 License to carry concealed weapon or concealed
 2646 firearm.—

2647 (2) The Department of Agriculture and Consumer Services
 2648 shall issue a license if the applicant:

2649 (h) Demonstrates competence with a firearm by any one of
 2650 the following:

- 2651 1. Completion of any hunter education or hunter safety
 2652 course approved by the Fish and Wildlife Conservation Commission
 2653 or a similar agency of another state;
- 2654 2. Completion of any National Rifle Association firearms
 2655 safety or training course;
- 2656 3. Completion of any firearms safety or training course or
 2657 class available to the general public offered by a law
 2658 enforcement agency, junior college, college, or private or
 2659 public institution or organization or firearms training school,
 2660 using instructors certified by the National Rifle Association,
 2661 Criminal Justice Standards and Training Commission, or the
 2662 Department of Agriculture and Consumer Services;
- 2663 4. Completion of any law enforcement firearms safety or
 2664 training course or class offered for security guards,
 2665 investigators, special deputies, or any division or subdivision
 2666 of a law enforcement agency or security enforcement;
- 2667 5. Presents evidence of equivalent experience with a
 2668 firearm through participation in organized shooting competition
 2669 or United States military service;
- 2670 6. Is licensed or has been licensed to carry a concealed
 2671 weapon or concealed firearm in this state or a county or
 2672 municipality of this state, unless such license has been revoked
 2673 for cause; or
- 2674 7. Completion of any firearms training or safety course or
 2675 class conducted by a state-certified or National Rifle

2676 Association certified firearms instructor;
 2677
 2678 A photocopy of a certificate of completion of any of the courses
 2679 or classes; an affidavit from the instructor, school, club,
 2680 organization, or group that conducted or taught such course or
 2681 class attesting to the completion of the course or class by the
 2682 applicant; or a copy of any document that shows completion of
 2683 the course or class or evidences participation in firearms
 2684 competition shall constitute evidence of qualification under
 2685 this paragraph. A person who conducts a course pursuant to
 2686 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
 2687 an instructor, attests to the completion of such courses, must
 2688 maintain records certifying that he or she observed the student
 2689 safely handle and discharge the firearm in his or her physical
 2690 presence and that the discharge of the firearm included live
 2691 fire using a firearm and ammunition as defined in s. 790.001;
 2692 (3) (a) The Department of Agriculture and Consumer Services
 2693 shall deny a license if the applicant has been found guilty of,
 2694 had adjudication of guilt withheld for, or had imposition of
 2695 sentence suspended for one or more crimes of violence
 2696 constituting a misdemeanor, unless 3 years have elapsed since
 2697 probation or any other conditions set by the court have been
 2698 fulfilled or the record has been sealed or expunged. The
 2699 Department of Agriculture and Consumer Services shall revoke a
 2700 license if the licensee has been found guilty of, had

2701 adjudication of guilt withheld for, or had imposition of
2702 sentence suspended for one or more crimes of violence within the
2703 preceding 3 years. The department shall, upon notification by a
2704 law enforcement agency, a court, clerk's office, or the Florida
2705 Department of Law Enforcement ~~and subsequent written~~
2706 ~~verification,~~ temporarily suspend a license or the processing of
2707 an application for a license if the licensee or applicant is
2708 arrested or formally charged with a crime that would disqualify
2709 such person from having a license under this section, until
2710 final disposition of the case. The department shall suspend a
2711 license or the processing of an application for a license if the
2712 licensee or applicant is issued an injunction that restrains the
2713 licensee or applicant from committing acts of domestic violence
2714 or acts of repeat violence. The department shall notify the
2715 licensee or applicant suspended under this section of his or her
2716 right to a hearing pursuant to chapter 120. A hearing conducted
2717 regarding the temporary suspension must be for the limited
2718 purpose of determining whether the licensee has been arrested or
2719 charged with a disqualifying crime or issued an injunction or
2720 court order. If the criminal case or injunction results in a
2721 nondisqualifying disposition, the department must issue an order
2722 lifting the suspension upon the applicant or licensee's
2723 submission to the department of a certified copy of the final
2724 resolution. If the criminal case results in a disqualifying
2725 disposition, the suspension remains in effect and the department

2726 must proceed with denial or revocation proceedings pursuant to
2727 chapter 120.

2728 (b) This subsection does not limit, restrict, or inhibit
2729 the constitutional right to bear arms and carry a concealed
2730 weapon in this state. The Legislature finds it a matter of
2731 public policy and public safety that it is necessary to ensure
2732 that potentially disqualifying information about an applicant or
2733 licensee is investigated and processed in a timely manner by the
2734 department pursuant to this section. The Legislature intends to
2735 clarify that suspensions pursuant to this section are temporary,
2736 and the department has the duty to make an eligibility
2737 determination and issue a license in the time frame prescribed
2738 in this subsection.

2739 (6)

2740 (c) The Department of Agriculture and Consumer Services
2741 shall, within 90 days after the date of receipt of the items
2742 listed in subsection (5):

2743 1. Issue the license; or

2744 2. Deny the application based solely on the ground that
2745 the applicant fails to qualify under the criteria listed in
2746 subsection (2) or subsection (3). If the Department of
2747 Agriculture and Consumer Services denies the application, it
2748 shall notify the applicant in writing, stating the ground for
2749 denial and informing the applicant of any right to a hearing
2750 pursuant to chapter 120.

2751 3. In the event the result of the criminal history
2752 screening identifies ~~department receives~~ criminal history
2753 information related to a crime that may disqualify the applicant
2754 but does not contain ~~with no~~ final disposition of the crime or
2755 lacks sufficient information to make an eligibility
2756 determination ~~on a crime which may disqualify the applicant,~~ the
2757 time limitation prescribed by this paragraph may be extended for
2758 up to an additional 90 days after the receipt of the information
2759 ~~suspended until receipt of the final disposition or proof of~~
2760 ~~restoration of civil and firearm rights.~~ The department may make
2761 a request for information to the jurisdiction where the criminal
2762 history information originated but must issue a license if it
2763 does not obtain a disposition or sufficient information to make
2764 an eligibility determination within the additional 90 days if
2765 the applicant is otherwise eligible. The department may take any
2766 action authorized in this section if it receives disqualifying
2767 criminal history information during the additional 90-day review
2768 or after issuance of a license.

2769 (10) A license issued under this section must ~~shall~~ be
2770 temporarily suspended as provided for in subparagraph (6)(c)3.,
2771 or revoked pursuant to chapter 120 if the license was issued in
2772 error or if the licensee:

2773 (a) Is found to be ineligible under the criteria set forth
2774 in subsection (2);

2775 (b) Develops or sustains a physical infirmity which

2776 prevents the safe handling of a weapon or firearm;
 2777 (c) Is convicted of a felony which would make the licensee
 2778 ineligible to possess a firearm pursuant to s. 790.23;
 2779 (d) Is found guilty of a crime under chapter 893, or
 2780 similar laws of any other state, relating to controlled
 2781 substances;
 2782 (e) Is committed as a substance abuser under chapter 397,
 2783 or is deemed a habitual offender under s. 856.011(3), or similar
 2784 laws of any other state;
 2785 (f) Is convicted of a second violation of s. 316.193, or a
 2786 similar law of another state, within 3 years after a first
 2787 conviction of such section or similar law of another state, even
 2788 though the first violation may have occurred before the date on
 2789 which the application was submitted;
 2790 (g) Is adjudicated an incapacitated person under s.
 2791 744.331, or similar laws of any other state; or
 2792 (h) Is committed to a mental institution under chapter
 2793 394, or similar laws of any other state.
 2794
 2795 Notwithstanding s. 120.60(5), service of a notice of the
 2796 suspension or revocation of a concealed weapon or concealed
 2797 firearm license must be given by either certified mail, return
 2798 receipt requested, to the licensee at his or her last known
 2799 mailing address furnished to the Department of Agriculture and
 2800 Consumer Services, or by personal service. If a notice given by

2801 certified mail is returned as undeliverable, a second attempt
 2802 must be made to provide notice to the licensee at that address,
 2803 by either first-class mail in an envelope, postage prepaid,
 2804 addressed to the licensee at his or her last known mailing
 2805 address furnished to the department, or, if the licensee has
 2806 provided an e-mail address to the department, by e-mail. Such
 2807 mailing by the department constitutes notice, and any failure by
 2808 the licensee to receive such notice does not stay the effective
 2809 date or term of the suspension or revocation. A request for
 2810 hearing must be filed with the department within 21 days after
 2811 notice is received by personal delivery, or within 26 days after
 2812 the date the department deposits the notice in the United States
 2813 mail (21 days plus 5 days for mailing). The department shall
 2814 document its attempts to provide notice, and such documentation
 2815 is admissible in the courts of this state and constitutes
 2816 sufficient proof that notice was given.

2817 **Section 77. Subsection (2) of section 812.0151, Florida**
 2818 **Statutes, is amended to read:**

2819 812.0151 Retail fuel theft.—

2820 (2) (a) A person commits a felony of the third degree,
 2821 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2822 if he or she willfully, knowingly, and without authorization:

- 2823 1. Breaches a retail fuel dispenser or accesses any
- 2824 internal portion of a retail fuel dispenser; ~~or~~
- 2825 2. Possesses any device constructed for the purpose of

2826 fraudulently altering, manipulating, or interrupting the normal
 2827 functioning of a retail fuel dispenser; or

2828 3. Possesses any form of a payment instrument that can be
 2829 used, alone or in conjunction with another access device, to
 2830 authorize a fuel transaction or obtain fuel, including, but not
 2831 limited to, a plastic payment card with a magnetic stripe or a
 2832 chip encoded with account information or both, with the intent
 2833 to defraud the fuel retailer, the authorized payment instrument
 2834 financial account holder, or the banking institution that issued
 2835 the payment instrument financial account.

2836 (b) A person commits a felony of the second degree,
 2837 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2838 if he or she willfully, knowingly, and without authorization:

2839 1. Physically tampers with, manipulates, removes,
 2840 replaces, or interrupts any mechanical or electronic component
 2841 located on ~~within~~ the internal or external portion of a retail
 2842 fuel dispenser; or

2843 2. Uses any form of electronic communication to
 2844 fraudulently alter, manipulate, or interrupt the normal
 2845 functioning of a retail fuel dispenser.

2846 (c) A person commits a felony of the third degree,
 2847 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2848 if he or she:

2849 1. Obtains fuel as a result of violating paragraph (a) or
 2850 paragraph (b); ~~or~~

2851 2. Modifies a vehicle's factory installed fuel tank or
2852 possesses any item used to hold fuel which was not fitted to a
2853 vehicle or conveyance at the time of manufacture with the intent
2854 to use such fuel tank or item to hold or transport fuel obtained
2855 as a result of violating paragraph (a) or paragraph (b); or

2856 3. Uses any form of a payment instrument that can be used,
2857 alone or in conjunction with another access device, to authorize
2858 a fuel transaction or obtain fuel, including, but not limited
2859 to, a plastic payment card with a magnetic stripe or a chip
2860 encoded with account information or both, with the intent to
2861 defraud the fuel retailer, the authorized payment instrument
2862 financial account holder, or the banking institution that issued
2863 the payment instrument financial account.

2864 **Section 78. Section 812.136, Florida Statutes, is created**
2865 **to read:**

2866 812.136 Mail theft.—

2867 (1) As used in this section, unless the context otherwise
2868 requires:

2869 (a) "Mail" means any letter, postal card, parcel,
2870 envelope, package, bag, or any other sealed article addressed to
2871 another, along with its contents.

2872 (b) "Mail depository" means a mail box, letter box, mail
2873 route, or mail receptacle of a postal service, an office of a
2874 postal service, or mail carrier of a postal service, or a
2875 vehicle of a postal service.

2876 (c) "Postal service" means the United States Postal
 2877 Service or its contractors, or any commercial courier that
 2878 delivers mail.

2879 (2) Any of the following acts constitutes mail theft:

2880 (a) Removing mail from a mail depository or taking mail
 2881 from a mail carrier of a postal service with an intent to steal.

2882 (b) Obtaining custody of mail by fraud or deception with
 2883 an intent to steal.

2884 (c) Selling, receiving, possessing, transferring, buying,
 2885 or concealing mail obtained by acts described in paragraph (a)
 2886 or paragraph (b) of this subsection, while knowing or having
 2887 reason to know the mail was obtained illegally.

2888 (3) Any of the following constitutes theft of or
 2889 unauthorized reproduction of a mail depository key or lock:

2890 (a) Stealing or obtaining by false pretense any key or
 2891 lock adopted by a postal service for a mail depository or other
 2892 authorized receptacle for the deposit or delivery of mail.

2893 (b) Knowingly and unlawfully making, forging, or
 2894 counterfeiting any such key or possessing any such key or lock
 2895 adopted by a postal service with the intent to unlawfully or
 2896 improperly use, sell, or otherwise dispose of the key or lock,
 2897 or to cause the key or lock to be unlawfully or improperly used,
 2898 sold, or otherwise disposed.

2899 (4) The first violation of this section constitutes a
 2900 misdemeanor of the first degree, punishable by a term of

2901 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
 2902 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
 2903 both. A second or subsequent violation of this section
 2904 constitutes a felony of the third degree, punishable by a term
 2905 of imprisonment not exceeding 5 years pursuant to s.
 2906 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.
 2907 775.083(1) (c), or both.

2908 **Section 79. Paragraph (i) of subsection (4) of section**
 2909 **934.50, Florida Statutes, is amended to read:**

2910 934.50 Searches and seizure using a drone.—

2911 (4) EXCEPTIONS.—This section does not prohibit the use of
 2912 a drone:

2913 ~~(i) By a person or an entity engaged in a business or~~
 2914 ~~profession licensed by the state, or by an agent, employee, or~~
 2915 ~~contractor thereof, if the drone is used only to perform~~
 2916 ~~reasonable tasks within the scope of practice or activities~~
 2917 ~~permitted under such person's or entity's license. However, this~~
 2918 ~~exception does not apply to a profession in which the licensee's~~
 2919 ~~authorized scope of practice includes obtaining information~~
 2920 ~~about the identity, habits, conduct, movements, whereabouts,~~
 2921 ~~affiliations, associations, transactions, reputation, or~~
 2922 ~~character of any society, person, or group of persons.~~

2923 **Section 80. Section 1013.373, Florida Statutes, is created**
 2924 **to read:**

2925 1013.373 Educational facilities used for agricultural

2926 education.—

2927 (1) Notwithstanding any other provision of law, a local
 2928 government may not adopt any ordinance, regulation, rule, or
 2929 policy to prohibit, restrict, regulate, or otherwise limit any
 2930 activities of public educational facilities and auxiliary
 2931 facilities constructed by a board for agricultural education,
 2932 for Future Farmers of America or 4-H activities, or the storage
 2933 of any animal or equipment therein.

2934 (2) Lands used for agricultural education or for Future
 2935 Farmers of America or 4-H activities are considered agricultural
 2936 lands pursuant to s. 193.461 and subject to s. 823.14.

2937 **Section 81. For the purpose of incorporating the amendment**
 2938 **made by this act to section 110.205, Florida Statutes, in a**
 2939 **reference thereto, paragraph (a) of subsection (5) of section**
 2940 **295.07, Florida Statutes, is reenacted to read:**

2941 295.07 Preference in appointment and retention.—

2942 (5) The following positions are exempt from this section:

2943 (a) Those positions that are exempt from the state Career
 2944 Service System under s. 110.205(2); however, all positions under
 2945 the University Support Personnel System of the State University
 2946 System as well as all Career Service System positions under the
 2947 Florida College System and the School for the Deaf and the
 2948 Blind, or the equivalent of such positions at state
 2949 universities, Florida College System institutions, or the School
 2950 for the Deaf and the Blind, are not exempt.

2951 **Section 82. For the purpose of incorporating the amendment**
 2952 **made by this act to section 193.461, Florida Statutes, in a**
 2953 **reference thereto, paragraph (r) of subsection (1) of section**
 2954 **125.01, Florida Statutes, is reenacted to read:**

2955 125.01 Powers and duties.—

2956 (1) The legislative and governing body of a county shall
 2957 have the power to carry on county government. To the extent not
 2958 inconsistent with general or special law, this power includes,
 2959 but is not restricted to, the power to:

2960 (r) Levy and collect taxes, both for county purposes and
 2961 for the providing of municipal services within any municipal
 2962 service taxing unit, and special assessments; borrow and expend
 2963 money; and issue bonds, revenue certificates, and other
 2964 obligations of indebtedness, which power shall be exercised in
 2965 such manner, and subject to such limitations, as may be provided
 2966 by general law. There shall be no referendum required for the
 2967 levy by a county of ad valorem taxes, both for county purposes
 2968 and for the providing of municipal services within any municipal
 2969 service taxing unit.

2970 1. Notwithstanding any other provision of law, a county
 2971 may not levy special assessments on lands classified as
 2972 agricultural lands under s. 193.461 unless the revenue from such
 2973 assessments has been pledged for debt service and is necessary
 2974 to meet obligations of bonds or certificates issued by the
 2975 county which remain outstanding on July 1, 2023, including

2976 refundings thereof for debt service savings where the maturity
 2977 of the debt is not extended. For bonds or certificates issued
 2978 after July 1, 2023, special assessments securing such bonds may
 2979 not be levied on lands classified as agricultural under s.
 2980 193.461.

2981 2. The provisions of subparagraph 1. do not apply to
 2982 residential structures and their curtilage.

2983 **Section 83. For the purpose of incorporating the amendment**
 2984 **made by this act to section 193.461, Florida Statutes, in**
 2985 **references thereto, paragraphs (a) through (d) of subsection (3)**
 2986 **of section 163.3162, Florida Statutes, are reenacted to read:**

2987 163.3162 Agricultural lands and practices.—

2988 (3) DUPLICATION OF REGULATION.—Except as otherwise
 2989 provided in this section and s. 487.051(2), and notwithstanding
 2990 any other law, including any provision of chapter 125 or this
 2991 chapter:

2992 (a) A governmental entity may not exercise any of its
 2993 powers to adopt or enforce any ordinance, resolution,
 2994 regulation, rule, or policy to prohibit, restrict, regulate, or
 2995 otherwise limit an activity of a bona fide farm operation on
 2996 land classified as agricultural land pursuant to s. 193.461, if
 2997 such activity is regulated through implemented best management
 2998 practices, interim measures, or regulations adopted as rules
 2999 under chapter 120 by the Department of Environmental Protection,
 3000 the Department of Agriculture and Consumer Services, or a water

3001 management district as part of a statewide or regional program;
 3002 or if such activity is expressly regulated by the United States
 3003 Department of Agriculture, the United States Army Corps of
 3004 Engineers, or the United States Environmental Protection Agency.

3005 (b) A governmental entity may not charge a fee on a
 3006 specific agricultural activity of a bona fide farm operation on
 3007 land classified as agricultural land pursuant to s. 193.461, if
 3008 such agricultural activity is regulated through implemented best
 3009 management practices, interim measures, or regulations adopted
 3010 as rules under chapter 120 by the Department of Environmental
 3011 Protection, the Department of Agriculture and Consumer Services,
 3012 or a water management district as part of a statewide or
 3013 regional program; or if such agricultural activity is expressly
 3014 regulated by the United States Department of Agriculture, the
 3015 United States Army Corps of Engineers, or the United States
 3016 Environmental Protection Agency.

3017 (c) A governmental entity may not charge an assessment or
 3018 fee for stormwater management on a bona fide farm operation on
 3019 land classified as agricultural land pursuant to s. 193.461, if
 3020 the farm operation has a National Pollutant Discharge
 3021 Elimination System permit, environmental resource permit, or
 3022 works-of-the-district permit or implements best management
 3023 practices adopted as rules under chapter 120 by the Department
 3024 of Environmental Protection, the Department of Agriculture and
 3025 Consumer Services, or a water management district as part of a

3026 statewide or regional program.

3027 (d) For each governmental entity that, before March 1,
3028 2009, adopted a stormwater utility ordinance or resolution,
3029 adopted an ordinance or resolution establishing a municipal
3030 services benefit unit, or adopted a resolution stating the
3031 governmental entity's intent to use the uniform method of
3032 collection pursuant to s. 197.3632 for such stormwater
3033 ordinances, the governmental entity may continue to charge an
3034 assessment or fee for stormwater management on a bona fide farm
3035 operation on land classified as agricultural pursuant to s.
3036 193.461, if the ordinance or resolution provides credits against
3037 the assessment or fee on a bona fide farm operation for the
3038 water quality or flood control benefit of:

3039 1. The implementation of best management practices adopted
3040 as rules under chapter 120 by the Department of Environmental
3041 Protection, the Department of Agriculture and Consumer Services,
3042 or a water management district as part of a statewide or
3043 regional program;

3044 2. The stormwater quality and quantity measures required
3045 as part of a National Pollutant Discharge Elimination System
3046 permit, environmental resource permit, or works-of-the-district
3047 permit; or

3048 3. The implementation of best management practices or
3049 alternative measures which the landowner demonstrates to the
3050 governmental entity to be of equivalent or greater stormwater

3051 benefit than those provided by implementation of best management
 3052 practices adopted as rules under chapter 120 by the Department
 3053 of Environmental Protection, the Department of Agriculture and
 3054 Consumer Services, or a water management district as part of a
 3055 statewide or regional program, or stormwater quality and
 3056 quantity measures required as part of a National Pollutant
 3057 Discharge Elimination System permit, environmental resource
 3058 permit, or works-of-the-district permit.

3059 **Section 84. For the purpose of incorporating the amendment**
 3060 **made by this act to section 193.461, Florida Statutes, in a**
 3061 **reference thereto, paragraph (c) of subsection (3) of section**
 3062 **163.3163, Florida Statutes, is reenacted to read:**

3063 163.3163 Applications for development permits; disclosure
 3064 and acknowledgment of contiguous sustainable agricultural land.—

3065 (3) As used in this section, the term:

3066 (c) "Sustainable agricultural land" means land classified
 3067 as agricultural land pursuant to s. 193.461 which is used for a
 3068 farm operation that uses current technology, based on science or
 3069 research and demonstrated measurable increases in productivity,
 3070 to meet future food, feed, fiber, and energy needs, while
 3071 considering the environmental impacts and the social and
 3072 economic benefits to the rural communities.

3073 **Section 85. For the purpose of incorporating the amendment**
 3074 **made by this act to section 193.461, Florida Statutes, in a**
 3075 **reference thereto, subsection (4) of section 163.3164, Florida**

3076 **Statutes, is reenacted to read:**

3077 163.3164 Community Planning Act; definitions.—As used in
3078 this act:

3079 (4) "Agricultural enclave" means an unincorporated,
3080 undeveloped parcel that:

3081 (a) Is owned by a single person or entity;

3082 (b) Has been in continuous use for bona fide agricultural
3083 purposes, as defined by s. 193.461, for a period of 5 years
3084 prior to the date of any comprehensive plan amendment
3085 application;

3086 (c) Is surrounded on at least 75 percent of its perimeter
3087 by:

3088 1. Property that has existing industrial, commercial, or
3089 residential development; or

3090 2. Property that the local government has designated, in
3091 the local government's comprehensive plan, zoning map, and
3092 future land use map, as land that is to be developed for
3093 industrial, commercial, or residential purposes, and at least 75
3094 percent of such property is existing industrial, commercial, or
3095 residential development;

3096 (d) Has public services, including water, wastewater,
3097 transportation, schools, and recreation facilities, available or
3098 such public services are scheduled in the capital improvement
3099 element to be provided by the local government or can be
3100 provided by an alternative provider of local government

3101 infrastructure in order to ensure consistency with applicable
 3102 concurrency provisions of s. 163.3180; and

3103 (e) Does not exceed 1,280 acres; however, if the property
 3104 is surrounded by existing or authorized residential development
 3105 that will result in a density at buildout of at least 1,000
 3106 residents per square mile, then the area shall be determined to
 3107 be urban and the parcel may not exceed 4,480 acres.

3108 **Section 86. For the purpose of incorporating the amendment**
 3109 **made by this act to section 193.461, Florida Statutes, in a**
 3110 **reference thereto, subsection (5) of section 163.3194, Florida**
 3111 **Statutes, is reenacted to read:**

3112 163.3194 Legal status of comprehensive plan.—

3113 (5) The tax-exempt status of lands classified as
 3114 agricultural under s. 193.461 shall not be affected by any
 3115 comprehensive plan adopted under this act as long as the land
 3116 meets the criteria set forth in s. 193.461.

3117 **Section 87. For the purpose of incorporating the amendment**
 3118 **made by this act to section 193.461, Florida Statutes, in a**
 3119 **reference thereto, subsection (4) of section 170.01, Florida**
 3120 **Statutes, is reenacted to read:**

3121 170.01 Authority for providing improvements and levying
 3122 and collecting special assessments against property benefited.—

3123 (4) Notwithstanding any other provision of law, a
 3124 municipality may not levy special assessments for the provision
 3125 of fire protection services on lands classified as agricultural

3126 lands under s. 193.461 unless the land contains a residential
 3127 dwelling or nonresidential farm building, with the exception of
 3128 an agricultural pole barn, provided the nonresidential farm
 3129 building exceeds a just value of \$10,000. Such special
 3130 assessments must be based solely on the special benefit accruing
 3131 to that portion of the land consisting of the residential
 3132 dwelling and curtilage, and qualifying nonresidential farm
 3133 buildings. As used in this subsection, the term "agricultural
 3134 pole barn" means a nonresidential farm building in which 70
 3135 percent or more of the perimeter walls are permanently open and
 3136 allow free ingress and egress.

3137 **Section 88. For the purpose of incorporating the amendment**
 3138 **made by this act to section 193.461, Florida Statutes, in a**
 3139 **reference thereto, subsection (2) of section 193.052, Florida**
 3140 **Statutes, is reenacted to read:**

3141 193.052 Preparation and serving of returns.—

3142 (2) No return shall be required for real property the
 3143 ownership of which is reflected in instruments recorded in the
 3144 public records of the county in which the property is located,
 3145 unless otherwise required in this title. In order for land to be
 3146 considered for agricultural classification under s. 193.461 or
 3147 high-water recharge classification under s. 193.625, an
 3148 application for classification must be filed on or before March
 3149 1 of each year with the property appraiser of the county in
 3150 which the land is located, except as provided in s.

3151 193.461(3)(a). The application must state that the lands on
3152 January 1 of that year were used primarily for bona fide
3153 commercial agricultural or high-water recharge purposes.

3154 **Section 89. For the purpose of incorporating the amendment**
3155 **made by this act to section 193.461, Florida Statutes, in a**
3156 **reference thereto, section 193.4615, Florida Statutes, is**
3157 **reenacted to read:**

3158 193.4615 Assessment of obsolete agricultural equipment.—
3159 For purposes of ad valorem property taxation, agricultural
3160 equipment that is located on property classified as agricultural
3161 under s. 193.461 and that is no longer usable for its intended
3162 purpose shall be deemed to have a market value no greater than
3163 its value for salvage.

3164 **Section 90. For the purpose of incorporating the amendment**
3165 **made by this act to section 193.461, Florida Statutes, in**
3166 **references thereto, paragraph (a) of subsection (5) and**
3167 **paragraph (a) of subsection (19) of section 212.08, Florida**
3168 **Statutes, are reenacted to read:**

3169 212.08 Sales, rental, use, consumption, distribution, and
3170 storage tax; specified exemptions.—The sale at retail, the
3171 rental, the use, the consumption, the distribution, and the
3172 storage to be used or consumed in this state of the following
3173 are hereby specifically exempt from the tax imposed by this
3174 chapter.

3175 (5) EXEMPTIONS; ACCOUNT OF USE.—

3176 (a) *Items in agricultural use and certain nets.*—There are
3177 exempt from the tax imposed by this chapter nets designed and
3178 used exclusively by commercial fisheries; disinfectants,
3179 fertilizers, insecticides, pesticides, herbicides, fungicides,
3180 and weed killers used for application on crops or groves,
3181 including commercial nurseries and home vegetable gardens, used
3182 in dairy barns or on poultry farms for the purpose of protecting
3183 poultry or livestock, or used directly on poultry or livestock;
3184 animal health products that are administered to, applied to, or
3185 consumed by livestock or poultry to alleviate pain or cure or
3186 prevent sickness, disease, or suffering, including, but not
3187 limited to, antiseptics, absorbent cotton, gauze for bandages,
3188 lotions, vaccines, vitamins, and worm remedies; aquaculture
3189 health products that are used by aquaculture producers, as
3190 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
3191 parasitic diseases; portable containers or movable receptacles
3192 in which portable containers are placed, used for processing
3193 farm products; field and garden seeds, including flower seeds;
3194 nursery stock, seedlings, cuttings, or other propagative
3195 material purchased for growing stock; seeds, seedlings,
3196 cuttings, and plants used to produce food for human consumption;
3197 cloth, plastic, and other similar materials used for shade,
3198 mulch, or protection from frost or insects on a farm; hog wire
3199 and barbed wire fencing, including gates and materials used to
3200 construct or repair such fencing, used in agricultural

3201 production on lands classified as agricultural lands under s.
3202 193.461; materials used to construct or repair permanent or
3203 temporary fencing used to contain, confine, or process cattle,
3204 including gates and energized fencing systems, used in
3205 agricultural operations on lands classified as agricultural
3206 lands under s. 193.461; stakes used by a farmer to support
3207 plants during agricultural production; generators used on
3208 poultry farms; and liquefied petroleum gas or other fuel used to
3209 heat a structure in which started pullets or broilers are
3210 raised; however, such exemption is not allowed unless the
3211 purchaser or lessee signs a certificate stating that the item to
3212 be exempted is for the exclusive use designated herein. Also
3213 exempt are cellophane wrappers, glue for tin and glass
3214 (apiarists), mailing cases for honey, shipping cases, window
3215 cartons, and baling wire and twine used for baling hay, when
3216 used by a farmer to contain, produce, or process an agricultural
3217 commodity.

3218 (19) FLORIDA FARM TEAM CARD.—

3219 (a) Notwithstanding any other law, a farmer whose property
3220 has been classified as agricultural pursuant to s. 193.461 or
3221 who has implemented agricultural best management practices
3222 adopted by the Department of Agriculture and Consumer Services
3223 pursuant to s. 403.067(7)(c)2. may apply to the department for a
3224 Florida farm tax exempt agricultural materials (TEAM) card to
3225 claim the applicable sales tax exemptions provided in this

3226 section. A farmer may present the Florida farm TEAM card to a
3227 selling dealer in lieu of a certificate or affidavit otherwise
3228 required by this chapter.

3229 **Section 91. For the purpose of incorporating the amendment**
3230 **made by this act to section 193.461, Florida Statutes, in a**
3231 **reference thereto, subsection (2) of section 373.406, Florida**
3232 **Statutes, is reenacted to read:**

3233 373.406 Exemptions.—The following exemptions shall apply:

3234 (2) Notwithstanding s. 403.927, nothing herein, or in any
3235 rule, regulation, or order adopted pursuant hereto, shall be
3236 construed to affect the right of any person engaged in the
3237 occupation of agriculture, silviculture, floriculture, or
3238 horticulture to alter the topography of any tract of land,
3239 including, but not limited to, activities that may impede or
3240 divert the flow of surface waters or adversely impact wetlands,
3241 for purposes consistent with the normal and customary practice
3242 of such occupation in the area. However, such alteration or
3243 activity may not be for the sole or predominant purpose of
3244 impeding or diverting the flow of surface waters or adversely
3245 impacting wetlands. This exemption applies to lands classified
3246 as agricultural pursuant to s. 193.461 and to activities
3247 requiring an environmental resource permit pursuant to this
3248 part. This exemption does not apply to any activities previously
3249 authorized by an environmental resource permit or a management
3250 and storage of surface water permit issued pursuant to this part

3251 or a dredge and fill permit issued pursuant to chapter 403. This
3252 exemption has retroactive application to July 1, 1984.

3253 **Section 92. For the purpose of incorporating the amendment**
3254 **made by this act to section 193.461, Florida Statutes, in a**
3255 **reference thereto, paragraph (a) of subsection (11) of section**
3256 **403.182, Florida Statutes, is reenacted to read:**

3257 403.182 Local pollution control programs.—

3258 (11) (a) Notwithstanding this section or any existing local
3259 pollution control programs, the Secretary of Environmental
3260 Protection has exclusive jurisdiction in setting standards or
3261 procedures for evaluating environmental conditions and assessing
3262 potential liability for the presence of contaminants on land
3263 that is classified as agricultural land pursuant to s. 193.461
3264 and being converted to a nonagricultural use. The exclusive
3265 jurisdiction includes defining what constitutes all appropriate
3266 inquiry consistent with 40 C.F.R. part 312 and guidance
3267 thereunder.

3268 **Section 93. For the purpose of incorporating the amendment**
3269 **made by this act to section 193.461, Florida Statutes, in a**
3270 **reference thereto, subsection (4) of section 403.9337, Florida**
3271 **Statutes, is reenacted to read:**

3272 403.9337 Model Ordinance for Florida-Friendly Fertilizer
3273 Use on Urban Landscapes.—

3274 (4) This section does not apply to the use of fertilizer
3275 on farm operations as defined in s. 823.14 or on lands

3276 classified as agricultural lands pursuant to s. 193.461.

3277 **Section 94. For the purpose of incorporating the amendment**
 3278 **made by this act to section 193.461, Florida Statutes, in a**
 3279 **reference thereto, paragraph (d) of subsection (2) of section**
 3280 **472.029, Florida Statutes, is reenacted to read:**

3281 472.029 Authorization to enter lands of third parties;
 3282 conditions.—

3283 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3284 (d) This subsection applies only to land classified as
 3285 agricultural pursuant to s. 193.461.

3286 **Section 95. For the purpose of incorporating the amendment**
 3287 **made by this act to section 193.461, Florida Statutes, in a**
 3288 **reference thereto, subsection (5) of section 474.2021, Florida**
 3289 **Statutes, is reenacted to read:**

3290 474.2021 Veterinary telehealth.—

3291 (5) A veterinarian personally acquainted with the caring
 3292 and keeping of an animal or group of animals on food-producing
 3293 animal operations on land classified as agricultural pursuant to
 3294 s. 193.461 who has recently seen the animal or group of animals
 3295 or has made medically appropriate and timely visits to the
 3296 premises where the animal or group of animals is kept may
 3297 practice veterinary telehealth for animals on such operations.

3298 **Section 96. For the purpose of incorporating the amendment**
 3299 **made by this act to section 193.461, Florida Statutes, in a**
 3300 **reference thereto, paragraph (d) of subsection (4) of section**

3301 **474.2165, Florida Statutes, is reenacted to read:**

3302 474.2165 Ownership and control of veterinary medical
3303 patient records; report or copies of records to be furnished.—

3304 (4) Except as otherwise provided in this section, such
3305 records may not be furnished to, and the medical condition of a
3306 patient may not be discussed with, any person other than the
3307 client or the client's legal representative or other
3308 veterinarians involved in the care or treatment of the patient,
3309 except upon written authorization of the client. However, such
3310 records may be furnished without written authorization under the
3311 following circumstances:

3312 (d) In any criminal action or situation where a
3313 veterinarian suspects a criminal violation. If a criminal
3314 violation is suspected, a veterinarian may, without notice to or
3315 authorization from the client, report the violation to a law
3316 enforcement officer, an animal control officer who is certified
3317 pursuant to s. 828.27(4)(a), or an agent appointed under s.
3318 828.03. However, if a suspected violation occurs at a commercial
3319 food-producing animal operation on land classified as
3320 agricultural under s. 193.461, the veterinarian must provide
3321 notice to the client or the client's legal representative before
3322 reporting the suspected violation to an officer or agent under
3323 this paragraph. The report may not include written medical
3324 records except upon the issuance of an order from a court of
3325 competent jurisdiction.

3326 **Section 97. For the purpose of incorporating the amendment**
 3327 **made by this act to section 193.461, Florida Statutes, in a**
 3328 **reference thereto, subsection (6) of section 487.081, Florida**
 3329 **Statutes, is reenacted to read:**

3330 487.081 Exemptions.—

3331 (6) The Department of Environmental Protection is not
 3332 authorized to institute proceedings against any property owner
 3333 or leaseholder of property under the provisions of s. 376.307(5)
 3334 to recover any costs or damages associated with pesticide
 3335 contamination of soil or water, or the evaluation, assessment,
 3336 or remediation of pesticide contamination of soil or water,
 3337 including sampling, analysis, and restoration of soil or potable
 3338 water supplies, subject to the following conditions:

3339 (a) The pesticide contamination of soil or water is
 3340 determined to be the result of the use of pesticides by the
 3341 property owner or leaseholder, in accordance with state and
 3342 federal law, applicable registered labels, and rules on property
 3343 classified as agricultural land pursuant to s. 193.461;

3344 (b) The property owner or leaseholder maintains records of
 3345 such pesticide applications and such records are provided to the
 3346 department upon request;

3347 (c) In the event of pesticide contamination of soil or
 3348 water, the department, upon request, shall make such records
 3349 available to the Department of Environmental Protection;

3350 (d) This subsection does not limit regulatory authority

3351 under a federally delegated or approved program; and

3352 (e) This subsection is remedial in nature and shall apply
 3353 retroactively.

3354

3355 The department, in consultation with the secretary of the
 3356 Department of Environmental Protection, may adopt rules
 3357 prescribing the format, content, and retention time for records
 3358 to be maintained under this subsection.

3359 **Section 98. For the purpose of incorporating the amendment**
 3360 **made by this act to section 193.461, Florida Statutes, in a**
 3361 **reference thereto, subsection (1) of section 570.85, Florida**
 3362 **Statutes, is reenacted to read:**

3363 570.85 Agritourism.—

3364 (1) It is the intent of the Legislature to promote
 3365 agritourism as a way to support bona fide agricultural
 3366 production by providing a stream of revenue and by educating the
 3367 general public about the agricultural industry. It is also the
 3368 intent of the Legislature to eliminate duplication of regulatory
 3369 authority over agritourism as expressed in this section. Except
 3370 as otherwise provided for in this section, and notwithstanding
 3371 any other law, a local government may not adopt or enforce a
 3372 local ordinance, regulation, rule, or policy that prohibits,
 3373 restricts, regulates, or otherwise limits an agritourism
 3374 activity on land classified as agricultural land under s.
 3375 193.461. This subsection does not limit the powers and duties of

3376 a local government to address substantial offsite impacts of
 3377 agritourism activities or an emergency as provided in chapter
 3378 252.

3379 **Section 99. For the purpose of incorporating the amendment**
 3380 **made by this act to section 193.461, Florida Statutes, in a**
 3381 **reference thereto, subsection (1) of section 570.87, Florida**
 3382 **Statutes, is reenacted to read:**

3383 570.87 Agritourism participation impact on land
 3384 classification.—

3385 (1) In order to promote and perpetuate agriculture
 3386 throughout this state, farm operations are encouraged to engage
 3387 in agritourism. An agricultural classification pursuant to s.
 3388 193.461 may not be denied or revoked solely due to the conduct
 3389 of agritourism activity on a bona fide farm or the construction,
 3390 alteration, or maintenance of a nonresidential farm building,
 3391 structure, or facility on a bona fide farm which is used to
 3392 conduct agritourism activities. So long as the building,
 3393 structure, or facility is an integral part of the agricultural
 3394 operation, the land it occupies shall be considered agricultural
 3395 in nature. However, such buildings, structures, and facilities,
 3396 and other improvements on the land, must be assessed under s.
 3397 193.011 at their just value and added to the agriculturally
 3398 assessed value of the land.

3399 **Section 100. For the purpose of incorporating the**
 3400 **amendment made by this act to section 193.461, Florida Statutes,**

3401 **in a reference thereto, subsection (3) of section 570.94,**
 3402 **Florida Statutes, is reenacted to read:**

3403 570.94 Best management practices for wildlife.—The
 3404 department and the Fish and Wildlife Conservation Commission
 3405 recognize that agriculture provides a valuable benefit to the
 3406 conservation and management of fish and wildlife in the state
 3407 and agree to enter into a memorandum of agreement to develop and
 3408 adopt by rule voluntary best management practices for the
 3409 state's agriculture industry which reflect the industry's
 3410 existing contribution to the conservation and management of
 3411 freshwater aquatic life and wild animal life in the state.

3412 (3) Notwithstanding any other provision of law, including
 3413 s. 163.3162, the implementation of the best management practices
 3414 pursuant to this section is voluntary and except as specifically
 3415 provided under this section and s. 9, Art. IV of the State
 3416 Constitution, an agency, department, district, or unit of local
 3417 government may not adopt or enforce any ordinance, resolution,
 3418 regulation, rule, or policy regarding the best management
 3419 practices on land classified as agricultural land pursuant to s.
 3420 193.461.

3421 **Section 101. For the purpose of incorporating the**
 3422 **amendment made by this act to section 193.461, Florida Statutes,**
 3423 **in a reference thereto, paragraph (a) of subsection (1) of**
 3424 **section 582.19, Florida Statutes, is reenacted to read:**

3425 582.19 Qualifications and tenure of supervisors.—

3426 (1) The governing body of the district shall consist of
 3427 five supervisors, elected as provided in s. 582.18.

3428 (a) To qualify to serve on the governing body of a
 3429 district, a supervisor must be an eligible voter who resides in
 3430 the district and who:

- 3431 1. Is actively engaged in, or retired after 10 years of
- 3432 being engaged in, agriculture as defined in s. 570.02;
- 3433 2. Is employed by an agricultural producer; or
- 3434 3. Owns, leases, or is actively employed on land
- 3435 classified as agricultural under s. 193.461.

3436 **Section 102. For the purpose of incorporating the**
 3437 **amendment made by this act to section 193.461, Florida Statutes,**
 3438 **in a reference thereto, section 586.055, Florida Statutes, is**
 3439 **reenacted to read:**

3440 586.055 Location of apiaries.—An apiary may be located on
 3441 land classified as agricultural under s. 193.461 or on land that
 3442 is integral to a beekeeping operation.

3443 **Section 103. For the purpose of incorporating the**
 3444 **amendment made by this act to section 193.461, Florida Statutes,**
 3445 **in references thereto, paragraphs (a) and (d) of subsection (2)**
 3446 **of section 604.50, Florida Statutes, are reenacted to read:**

3447 604.50 Nonresidential farm buildings; farm fences; farm
 3448 signs.—

3449 (2) As used in this section, the term:

3450 (a) "Bona fide agricultural purposes" has the same meaning

3451 as provided in s. 193.461(3) (b).

3452 (d) "Nonresidential farm building" means any temporary or
 3453 permanent building or support structure that is classified as a
 3454 nonresidential farm building on a farm under s. 553.73(10) (c) or
 3455 that is used primarily for agricultural purposes, is located on
 3456 land that is an integral part of a farm operation or is
 3457 classified as agricultural land under s. 193.461, and is not
 3458 intended to be used as a residential dwelling. The term may
 3459 include, but is not limited to, a barn, greenhouse, shade house,
 3460 farm office, storage building, or poultry house.

3461 **Section 104. For the purpose of incorporating the**
 3462 **amendment made by this act to section 193.461, Florida Statutes,**
 3463 **in a reference thereto, paragraph (b) of subsection (3) of**
 3464 **section 604.73, Florida Statutes, is reenacted to read:**

3465 604.73 Urban agriculture pilot projects; local regulation
 3466 of urban agriculture.—

3467 (3) DEFINITIONS.—As used in this section, the term:

3468 (b) "Urban agriculture" means any new or existing
 3469 noncommercial agricultural uses on land that is:

3470 1. Within a dense urban land area, as described in s.
 3471 380.0651(3) (a);

3472 2. Not classified as agricultural pursuant to s. 193.461;

3473 3. Not zoned as agricultural as its principal use; and

3474 4. Designated by a municipality for inclusion in an urban
 3475 agricultural pilot project that has been approved by the

3476 department.

3477

3478 The term does not include vegetable gardens, as defined in s.
3479 604.71(4), for personal consumption on residential properties.

3480 **Section 105. For the purpose of incorporating the**
3481 **amendment made by this act to section 193.461, Florida Statutes,**
3482 **in a reference thereto, subsection (1) of section 692.201,**
3483 **Florida Statutes, is reenacted to read:**

3484 692.201 Definitions.—As used in this part, the term:

3485 (1) "Agricultural land" means land classified as
3486 agricultural under s. 193.461.

3487 **Section 106. For the purpose of incorporating the**
3488 **amendment made by this act to section 193.461, Florida Statutes,**
3489 **in references thereto, paragraph (a) of subsection (5) and**
3490 **paragraph (a) of subsection (6) of section 741.30, Florida**
3491 **Statutes, are reenacted to read:**

3492 741.30 Domestic violence; injunction; powers and duties of
3493 court and clerk; petition; notice and hearing; temporary
3494 injunction; issuance of injunction; statewide verification
3495 system; enforcement; public records exemption.—

3496 (5) (a) If it appears to the court that an immediate and
3497 present danger of domestic violence exists, the court may grant
3498 a temporary injunction ex parte, pending a full hearing, and may
3499 grant such relief as the court deems proper, including an
3500 injunction:

3501 1. Restraining the respondent from committing any acts of
3502 domestic violence.

3503 2. Awarding to the petitioner the temporary exclusive use
3504 and possession of the dwelling that the parties share or
3505 excluding the respondent from the residence of the petitioner.

3506 3. On the same basis as provided in s. 61.13, providing
3507 the petitioner a temporary parenting plan, including a time-
3508 sharing schedule, which may award the petitioner up to 100
3509 percent of the time-sharing. If temporary time-sharing is
3510 awarded to the respondent, the exchange of the child must occur
3511 at a neutral safe exchange location as provided in s. 125.01(8)
3512 or a location authorized by a supervised visitation program as
3513 defined in s. 753.01 if the court determines it is in the best
3514 interests of the child after consideration of all of the factors
3515 specified in s. 61.13(3). The temporary parenting plan remains
3516 in effect until the order expires or an order is entered by a
3517 court of competent jurisdiction in a pending or subsequent civil
3518 action or proceeding affecting the placement of, access to,
3519 parental time with, adoption of, or parental rights and
3520 responsibilities for the minor child.

3521 4. If the petitioner and respondent have an existing
3522 parenting plan or time-sharing schedule under another court
3523 order, designating that the exchange of the minor child or
3524 children of the parties must occur at a neutral safe exchange
3525 location as provided in s. 125.01(8) or a location authorized by

3526 a supervised visitation program as defined in s. 753.01 if the
 3527 court determines it is in the best interests of the child after
 3528 consideration of all of the factors specified in s. 61.13(3).

3529 5. Awarding to the petitioner the temporary exclusive
 3530 care, possession, or control of an animal that is owned,
 3531 possessed, harbored, kept, or held by the petitioner, the
 3532 respondent, or a minor child residing in the residence or
 3533 household of the petitioner or respondent. The court may order
 3534 the respondent to temporarily have no contact with the animal
 3535 and prohibit the respondent from taking, transferring,
 3536 encumbering, concealing, harming, or otherwise disposing of the
 3537 animal. This subparagraph does not apply to an animal owned
 3538 primarily for a bona fide agricultural purpose, as defined under
 3539 s. 193.461, or to a service animal, as defined under s. 413.08,
 3540 if the respondent is the service animal's handler.

3541 (6) (a) Upon notice and hearing, when it appears to the
 3542 court that the petitioner is either the victim of domestic
 3543 violence as defined by s. 741.28 or has reasonable cause to
 3544 believe he or she is in imminent danger of becoming a victim of
 3545 domestic violence, the court may grant such relief as the court
 3546 deems proper, including an injunction:

3547 1. Restraining the respondent from committing any acts of
 3548 domestic violence.

3549 2. Awarding to the petitioner the exclusive use and
 3550 possession of the dwelling that the parties share or excluding

3551 the respondent from the residence of the petitioner.

3552 3. On the same basis as provided in chapter 61, providing
3553 the petitioner with 100 percent of the time-sharing in a
3554 temporary parenting plan that remains in effect until the order
3555 expires or an order is entered by a court of competent
3556 jurisdiction in a pending or subsequent civil action or
3557 proceeding affecting the placement of, access to, parental time
3558 with, adoption of, or parental rights and responsibilities for
3559 the minor child.

3560 4. If the petitioner and respondent have an existing
3561 parenting plan or time-sharing schedule under another court
3562 order, designating that the exchange of the minor child or
3563 children of the parties must occur at a neutral safe exchange
3564 location as provided in s. 125.01(8) or a location authorized by
3565 a supervised visitation program as defined in s. 753.01 if the
3566 court determines it is in the best interests of the child after
3567 consideration of all of the factors specified in s. 61.13(3).

3568 5. On the same basis as provided in chapter 61,
3569 establishing temporary support for a minor child or children or
3570 the petitioner. An order of temporary support remains in effect
3571 until the order expires or an order is entered by a court of
3572 competent jurisdiction in a pending or subsequent civil action
3573 or proceeding affecting child support.

3574 6. Ordering the respondent to participate in treatment,
3575 intervention, or counseling services to be paid for by the

3576 respondent. When the court orders the respondent to participate
3577 in a batterers' intervention program, the court, or any entity
3578 designated by the court, must provide the respondent with a list
3579 of batterers' intervention programs from which the respondent
3580 must choose a program in which to participate.

3581 7. Referring a petitioner to a certified domestic violence
3582 center. The court must provide the petitioner with a list of
3583 certified domestic violence centers in the circuit which the
3584 petitioner may contact.

3585 8. Awarding to the petitioner the exclusive care,
3586 possession, or control of an animal that is owned, possessed,
3587 harbored, kept, or held by the petitioner, the respondent, or a
3588 minor child residing in the residence or household of the
3589 petitioner or respondent. The court may order the respondent to
3590 have no contact with the animal and prohibit the respondent from
3591 taking, transferring, encumbering, concealing, harming, or
3592 otherwise disposing of the animal. This subparagraph does not
3593 apply to an animal owned primarily for a bona fide agricultural
3594 purpose, as defined under s. 193.461, or to a service animal, as
3595 defined under s. 413.08, if the respondent is the service
3596 animal's handler.

3597 9. Ordering such other relief as the court deems necessary
3598 for the protection of a victim of domestic violence, including
3599 injunctions or directives to law enforcement agencies, as
3600 provided in this section.

3601 **Section 107. For the purpose of incorporating the**
 3602 **amendment made by this act to section 193.461, Florida Statutes,**
 3603 **in a reference thereto, paragraph (a) of subsection (5) of**
 3604 **section 810.011, Florida Statutes, is reenacted to read:**

3605 810.011 Definitions.—As used in this chapter:

3606 (5) (a) "Posted land" is land upon which any of the
 3607 following are placed:

3608 1. Signs placed not more than 500 feet apart along and at
 3609 each corner of the boundaries of the land or, for land owned by
 3610 a water control district that exists pursuant to chapter 298 or
 3611 was created by special act of the Legislature, signs placed at
 3612 or near the intersection of any district canal right-of-way and
 3613 a road right-of-way or, for land classified as agricultural
 3614 pursuant to s. 193.461, signs placed at each point of ingress
 3615 and at each corner of the boundaries of the agricultural land,
 3616 which prominently display in letters of not less than 2 inches
 3617 in height the words "no trespassing" and the name of the owner,
 3618 lessee, or occupant of the land. The signs must be placed along
 3619 the boundary line of posted land in a manner and in such
 3620 position as to be clearly noticeable from outside the boundary
 3621 line; or

3622 2.a. A conspicuous no trespassing notice is painted on
 3623 trees or posts on the property, provided that the notice is:

3624 (I) Painted in an international orange color and
 3625 displaying the stenciled words "No Trespassing" in letters no

3626 | less than 2 inches high and 1 inch wide either vertically or
 3627 | horizontally;

3628 | (II) Placed so that the bottom of the painted notice is
 3629 | not less than 3 feet from the ground or more than 5 feet from
 3630 | the ground; and

3631 | (III) Placed at locations that are readily visible to any
 3632 | person approaching the property and no more than 500 feet apart
 3633 | on agricultural land.

3634 | b. When a landowner uses the painted no trespassing
 3635 | posting to identify a no trespassing area, those painted notices
 3636 | must be accompanied by signs complying with subparagraph 1. and
 3637 | must be placed conspicuously at all places where entry to the
 3638 | property is normally expected or known to occur.

3639 | **Section 108. For the purpose of incorporating the**
 3640 | **amendment made by this act to section 193.461, Florida Statutes,**
 3641 | **in a reference thereto, subsection (6) of section 823.14,**
 3642 | **Florida Statutes, is reenacted to read:**

3643 | 823.14 Florida Right to Farm Act.—

3644 | (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
 3645 | is the intent of the Legislature to eliminate duplication of
 3646 | regulatory authority over farm operations as expressed in this
 3647 | subsection. Except as otherwise provided for in this section and
 3648 | s. 487.051(2), and notwithstanding any other provision of law, a
 3649 | local government may not adopt any ordinance, regulation, rule,
 3650 | or policy to prohibit, restrict, regulate, or otherwise limit an

3651 activity of a bona fide farm operation on land classified as
3652 agricultural land pursuant to s. 193.461, where such activity is
3653 regulated through implemented best management practices or
3654 interim measures developed by the Department of Environmental
3655 Protection, the Department of Agriculture and Consumer Services,
3656 or water management districts and adopted under chapter 120 as
3657 part of a statewide or regional program. When an activity of a
3658 farm operation takes place within a wellfield protection area as
3659 defined in any wellfield protection ordinance adopted by a local
3660 government, and the adopted best management practice or interim
3661 measure does not specifically address wellfield protection, a
3662 local government may regulate that activity pursuant to such
3663 ordinance. This subsection does not limit the powers and duties
3664 provided for in s. 373.4592 or limit the powers and duties of
3665 any local government to address an emergency as provided for in
3666 chapter 252.

3667 **Section 109. For the purpose of incorporating the**
3668 **amendment made by this act to section 388.271, Florida Statutes,**
3669 **in a reference thereto, paragraph (a) of subsection (1) of**
3670 **section 189.062, Florida Statutes, is reenacted to read:**

3671 189.062 Special procedures for inactive districts.—

3672 (1) The department shall declare inactive any special
3673 district in this state by documenting that:

3674 (a) The special district meets one of the following
3675 criteria:

3676 1. The registered agent of the district, the chair of the
3677 governing body of the district, or the governing body of the
3678 appropriate local general-purpose government notifies the
3679 department in writing that the district has taken no action for
3680 2 or more years;

3681 2. The registered agent of the district, the chair of the
3682 governing body of the district, or the governing body of the
3683 appropriate local general-purpose government notifies the
3684 department in writing that the district has not had a governing
3685 body or a sufficient number of governing body members to
3686 constitute a quorum for 2 or more years;

3687 3. The registered agent of the district, the chair of the
3688 governing body of the district, or the governing body of the
3689 appropriate local general-purpose government fails to respond to
3690 an inquiry by the department within 21 days;

3691 4. The department determines, pursuant to s. 189.067, that
3692 the district has failed to file any of the reports listed in s.
3693 189.066;

3694 5. The district has not had a registered office and agent
3695 on file with the department for 1 or more years;

3696 6. The governing body of a special district provides
3697 documentation to the department that it has unanimously adopted
3698 a resolution declaring the special district inactive. The
3699 special district is responsible for payment of any expenses
3700 associated with its dissolution;

3701 7. The district is an independent special district or a
 3702 community redevelopment district created under part III of
 3703 chapter 163 that has reported no revenue, no expenditures, and
 3704 no debt under s. 189.016(9) or s. 218.32 for at least 5
 3705 consecutive fiscal years beginning no earlier than October 1,
 3706 2018. This subparagraph does not apply to a community
 3707 development district established under chapter 190 or to any
 3708 independent special district operating pursuant to a special act
 3709 that provides that any amendment to chapter 190 to grant
 3710 additional powers constitutes a power of that district; or

3711 8. For a mosquito control district created pursuant to
 3712 chapter 388, the department has received notice from the
 3713 Department of Agriculture and Consumer Services that the
 3714 district has failed to file a tentative work plan and tentative
 3715 detailed work plan budget as required by s. 388.271.

3716 **Section 110. For the purpose of incorporating the**
 3717 **amendment made by this act to section 388.271, Florida Statutes,**
 3718 **in a reference thereto, subsection (7) of section 388.261,**
 3719 **Florida Statutes, is reenacted to read:**

3720 388.261 State aid to counties and districts for arthropod
 3721 control; distribution priorities and limitations.—

3722 (7) The department may use state funds appropriated for a
 3723 county or district under subsection (1) or subsection (2) to
 3724 provide state mosquito or other arthropod control equipment,
 3725 supplies, or services when requested by a county or district

3726 eligible to receive state funds under s. 388.271.

3727 **Section 111. For the purpose of incorporating the**
3728 **amendment made by this act to section 482.161, Florida Statutes,**
3729 **in a reference thereto, paragraph (b) of subsection (3) of**
3730 **section 482.072, Florida Statutes, is reenacted to read:**

3731 482.072 Pest control customer contact centers.—

3732 (3)

3733 (b) Notwithstanding any other provision of this section:

3734 1. A customer contact center licensee is subject to
3735 disciplinary action under s. 482.161 for a violation of this
3736 section or a rule adopted under this section committed by a
3737 person who solicits pest control services or provides customer
3738 service in a customer contact center.

3739 2. A pest control business licensee may be subject to
3740 disciplinary action under s. 482.161 for a violation of this
3741 section or a rule adopted under this section committed by a
3742 person who solicits pest control services or provides customer
3743 service in a customer contact center operated by a licensee if
3744 the licensee participates in the violation.

3745 **Section 112. For the purpose of incorporating the**
3746 **amendment made by this act to section 482.161, Florida Statutes,**
3747 **in a reference thereto, section 482.163, Florida Statutes, is**
3748 **reenacted to read:**

3749 482.163 Responsibility for pest control activities of
3750 employee.—Proper performance of pest control activities by a

3751 pest control business employee is the responsibility not only of
3752 the employee but also of the certified operator in charge, and
3753 the certified operator in charge may be disciplined pursuant to
3754 the provisions of s. 482.161 for the pest control activities of
3755 an employee. A licensee may not automatically be considered
3756 responsible for violations made by an employee. However, the
3757 licensee may not knowingly encourage, aid, or abet violations of
3758 this chapter.

3759 **Section 113. For the purpose of incorporating the**
3760 **amendment made by this act to section 487.044, Florida Statutes,**
3761 **in a reference thereto, section 487.156, Florida Statutes, is**
3762 **reenacted to read:**

3763 487.156 Governmental agencies.—All governmental agencies
3764 shall be subject to the provisions of this part and rules
3765 adopted under this part. Public applicators using or supervising
3766 the use of restricted-use pesticides shall be subject to
3767 examination as provided in s. 487.044.

3768 **Section 114. For the purpose of incorporating the**
3769 **amendment made by this act to section 496.405, Florida Statutes,**
3770 **in a reference thereto, subsection (2) of section 496.4055,**
3771 **Florida Statutes, is reenacted to read:**

3772 496.4055 Charitable organization or sponsor board duties.—
3773 (2) The board of directors, or an authorized committee
3774 thereof, of a charitable organization or sponsor required to
3775 register with the department under s. 496.405 shall adopt a

3776 policy regarding conflict of interest transactions. The policy
3777 shall require annual certification of compliance with the policy
3778 by all directors, officers, and trustees of the charitable
3779 organization. A copy of the annual certification shall be
3780 submitted to the department with the annual registration
3781 statement required by s. 496.405.

3782 **Section 115. For the purpose of incorporating the**
3783 **amendment made by this act to section 496.405, Florida Statutes,**
3784 **in references thereto, subsections (2) and (4) of section**
3785 **496.406, Florida Statutes, are reenacted to read:**

3786 496.406 Exemption from registration.—

3787 (2) Before soliciting contributions, a charitable
3788 organization or sponsor claiming to be exempt from the
3789 registration requirements of s. 496.405 under paragraph (1)(d)
3790 must submit annually to the department, on forms prescribed by
3791 the department:

3792 (a) The name, street address, and telephone number of the
3793 charitable organization or sponsor, the name under which it
3794 intends to solicit contributions, the purpose for which it is
3795 organized, and the purpose or purposes for which the
3796 contributions to be solicited will be used.

3797 (b) The tax exempt status of the organization.

3798 (c) The date on which the organization's fiscal year ends.

3799 (d) The names, street addresses, and telephone numbers of
3800 the individuals or officers who have final responsibility for

3801 the custody of the contributions and who will be responsible for
 3802 the final distribution of the contributions.

3803 (e) A financial statement of support, revenue, and
 3804 expenses and a statement of functional expenses that must
 3805 include, but not be limited to, expenses in the following
 3806 categories: program, management and general, and fundraising. In
 3807 lieu of the financial statement, a charitable organization or
 3808 sponsor may submit a copy of its Internal Revenue Service Form
 3809 990 and all attached schedules or Internal Revenue Service Form
 3810 990-EZ and Schedule O.

3811 (4) Exemption from the registration requirements of s.
 3812 496.405 does not limit the applicability of other provisions of
 3813 this section to a charitable organization or sponsor.

3814 **Section 116. For the purpose of incorporating the**
 3815 **amendment made by this act to section 500.12, Florida Statutes,**
 3816 **in a reference thereto, paragraph (a) of subsection (1) of**
 3817 **section 500.80, Florida Statutes, is reenacted to read:**

3818 500.80 Cottage food operations.—

3819 (1)(a) A cottage food operation must comply with the
 3820 applicable requirements of this chapter but is exempt from the
 3821 permitting requirements of s. 500.12 if the cottage food
 3822 operation complies with this section and has annual gross sales
 3823 of cottage food products that do not exceed \$250,000.

3824 **Section 117. For the purpose of incorporating the**
 3825 **amendment made by this act to section 500.172, Florida Statutes,**

3826 **in a reference thereto, subsection (6) of section 500.121,**
 3827 **Florida Statutes, is reenacted to read:**

3828 500.121 Disciplinary procedures.—

3829 (6) If the department determines that a food offered in a
 3830 food establishment is labeled with nutrient claims that are in
 3831 violation of this chapter, the department shall retest or
 3832 reexamine the product within 90 days after notification to the
 3833 manufacturer and to the firm at which the product was collected.
 3834 If the product is again found in violation, the department shall
 3835 test or examine the product for a third time within 60 days
 3836 after the second notification. The product manufacturer shall
 3837 reimburse the department for the cost of the third test or
 3838 examination. If the product is found in violation for a third
 3839 time, the department shall exercise its authority under s.
 3840 500.172 and issue a stop-sale or stop-use order. The department
 3841 may impose additional sanctions for violations of this
 3842 subsection.

3843 **Section 118. For the purpose of incorporating the**
 3844 **amendment made by this act to section 790.06, Florida Statutes,**
 3845 **in a reference thereto, section 790.061, Florida Statutes, is**
 3846 **reenacted to read:**

3847 790.061 Judges and justices; exceptions from licensure
 3848 provisions.—A county court judge, circuit court judge, district
 3849 court of appeal judge, justice of the supreme court, federal
 3850 district court judge, or federal court of appeals judge serving

3851 | in this state is not required to comply with the provisions of
3852 | s. 790.06 in order to receive a license to carry a concealed
3853 | weapon or firearm, except that any such justice or judge must
3854 | comply with the provisions of s. 790.06(2)(h). The Department of
3855 | Agriculture and Consumer Services shall issue a license to carry
3856 | a concealed weapon or firearm to any such justice or judge upon
3857 | demonstration of competence of the justice or judge pursuant to
3858 | s. 790.06(2)(h).

3859 | **Section 119.** This act shall take effect July 1, 2025.