

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  
257 transport or offer to transport, import into this  
258 state, sell or offer for sale, furnish, or give away  
259 certain spores or mycelium; providing penalties;  
260 creating s. 500.93, F.S.; providing definitions;  
261 requiring the department to adopt rules to enforce the  
262 Food and Drug Administration's standard of identity  
263 for milk, meat, poultry, and eggs to prohibit the sale  
264 of plant-based products mislabeled as milk, meat,  
265 poultry, or eggs; providing contingent effective  
266 dates; requiring the department to adopt rules;  
267 providing construction; repealing s. 501.135, F.S.,  
268 relating to consumer unit pricing; amending s.  
269 501.912, F.S.; revising the definition of the term  
270 "antifreeze"; creating s. 525.19, F.S.; requiring the  
271 department to create an annual petroleum registration  
272 program for petroleum owners or operators; requiring  
273 the department to adopt rules for such registration  
274 which include specified information; requiring that  
275 the registration program be free for all registrants;

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

301 by the act; amending s. 570.07, F.S.; requiring the  
302 department to foster and encourage the employment and  
303 retention of qualified veterinary pathologists;  
304 providing that the department may reimburse the  
305 educational expenses of certain veterinary  
306 pathologists who enter into a certain agreement with  
307 the department; requiring the department to adopt  
308 certain rules; requiring the department to extend  
309 certain opportunities to public school students  
310 enrolled in agricultural education to support Future  
311 Farmers of America programming; requiring the  
312 department to use contracts procured by agencies;  
313 defining the term "agency"; amending s. 570.544, F.S.;  
314 revising which provisions the director of the Division  
315 of Consumer Services must enforce; creating s.  
316 570.546, F.S.; authorizing the department to create a  
317 process for the bulk renewal of licenses; authorizing  
318 the department to create a process that will allow  
319 licensees to align the expiration dates of licenses  
320 within a specified program; authorizing the department  
321 to change the expiration date for current licenses for  
322 a certain purpose; requiring the department to prorate  
323 the licensing fee for certain licenses; requiring the  
324 department to adopt rules; amending s. 570.694, F.S.;  
325 creating the Florida Aquaculture Foundation as a

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

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

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



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

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

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

451 a reference thereto; reenacting ss. 189.062(1)(a) and  
452 388.261(7), F.S., relating to special procedures for  
453 inactive districts and state aid to counties and  
454 districts for arthropod control, respectively, to  
455 incorporate the amendment made to s. 388.271, F.S., in  
456 references thereto; reenacting ss. 482.072(3)(b) and  
457 482.163, F.S., relating to pest control customer  
458 contact centers and responsibility for pest control  
459 activities of employee, respectively, to incorporate  
460 the amendment made to s. 482.161, F.S., in references  
461 thereto; reenacting s. 487.156, F.S., relating to  
462 governmental agencies, to incorporate the amendment  
463 made to s. 487.044, F.S., in a reference thereto;  
464 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
465 F.S., relating to charitable organization or sponsor  
466 board duties and exemption from registration,  
467 respectively, to incorporate the amendment made to s.  
468 496.405, F.S., in references thereto; reenacting s.  
469 500.80(1)(a), F.S., relating to cottage food  
470 operations, to incorporate the amendment made to s.  
471 500.12, F.S., in a reference thereto; reenacting s.  
472 500.121(6), F.S., relating to disciplinary procedures,  
473 to incorporate the amendment made to s. 500.172, F.S.,  
474 in a reference thereto; reenacting s. 790.061, F.S.,  
475 relating to judges and justices, to incorporate the

476 amendment made to s. 790.06, F.S., in a reference  
 477 thereto; providing an effective date.

478

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

480

481 **Section 1. Paragraph (m) of subsection (2) of section**  
 482 **110.205, Florida Statutes, is amended to read:**

483 110.205 Career service; exemptions.—

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

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

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

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

500 3. Positions in The Department of Transportation which are

501 assigned primary duties of serving as regional toll managers and  
 502 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

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

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

510 6. Positions in The Department of Highway Safety and Motor  
 511 Vehicles which are assigned primary duties of serving as  
 512 captains in the Florida Highway Patrol.

513 7. Positions in the Department of Agriculture and Consumer  
 514 Services which are assigned primary duties of serving as  
 515 captains or majors in the Office of Agricultural Law  
 516 Enforcement.

517  
 518 Unless otherwise fixed by law, the department shall set the  
 519 salary and benefits of the positions listed in this paragraph in  
 520 accordance with the rules established for the Selected Exempt  
 521 Service.

522 **Section 2. Paragraphs (a) through (d) of subsection (2) of**  
 523 **section 163.3162, Florida Statutes, are redesignated as**  
 524 **paragraphs (b) through (e), respectively, new paragraphs (a),**  
 525 **(f), and (g) are added to that subsection, and subsections (5),**

526 **(6), and (7) are added to that section, to read:**

527 163.3162 Agricultural Lands and Practices.—

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

529 (a) "Department" means the Department of Agriculture and  
 530 Consumer Services.

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

536 (g) "Legally verified agricultural worker" means a person  
 537 who:

538 1. Is lawfully present in the United States;

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

541 3. Has been verified through the process provided in s.  
 542 448.095(2) and is authorized to work at the time of employment;

543 4. Is seasonally or annually employed in a bona fide  
 544 agricultural production;

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

547 6. Is not an unauthorized alien as defined in s.  
 548 448.095(1).

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

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

551 legislation, regulation, or ordinance to inhibit the  
552 construction or installation of housing for legally verified  
553 agricultural workers on land classified as agricultural land  
554 pursuant to s. 193.461 which is operated as a bona fide farm  
555 except as provided in this subsection.

556 (b) Construction or installation of housing units for  
557 legally verified agricultural workers on parcels of land  
558 classified as agricultural land under s. 193.461 must satisfy  
559 all of the following criteria:

560 1. The dwelling units must meet federal, state, and local  
561 building standards, including standards of the Department of  
562 Health adopted pursuant to ss. 381.008-381.00897 and federal  
563 standards for H-2A visa housing. If written notice of intent is  
564 required to be submitted to the Department of Health pursuant to  
565 s. 381.0083, the appropriate governmental entity with  
566 jurisdiction over the agricultural lands may also require  
567 submittal of a copy of the written notice.

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

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

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

575 5. A housing site must provide front, side, and rear yard

576 setbacks of at least 50 feet. However, an internal project  
577 driveway may be located in the required yard space if the yard  
578 is adjacent to a public roadway or to property that is under  
579 common ownership with the housing site.

580 6. A housing site may not be located less than 100 feet  
581 from a property line adjacent to property zoned for residential  
582 use. If the housing site is located less than 250 feet from any  
583 property line, screening must be provided between the housing  
584 site and any residentially developed adjacent parcels that are  
585 under different ownership. The screening may be designed in any  
586 of the following ways:

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

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

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

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

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



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

604 (c) Any local ordinance adopted pursuant to this  
605 subsection must comply with all state and federal regulations  
606 for migrant farmworker housing, as applicable, including rules  
607 adopted by the Department of Health pursuant to ss. 381.008-  
608 381.00897 and federal regulations under the Migrant and Seasonal  
609 Agricultural Worker Protection Act or the H-2A visa program. A  
610 governmental entity may adopt local government land use  
611 regulations that are less restrictive than this subsection, but  
612 which still meet regulations established by the Department of  
613 Health pursuant to ss. 381.008-381.00897 and federal regulations  
614 under the Migrant and Seasonal Agricultural Worker Protection  
615 Act or the H-2A visa program. An ordinance adopted pursuant to  
616 this paragraph may not conflict with the definition and  
617 requirements of a legally verified agricultural worker.

618 (d) Beginning July 1, 2025, a property owner must maintain  
619 records of all approved permits, including successor permits,  
620 for migrant labor camps or residential migrant housing as  
621 required under s. 381.0081. A property owner must maintain such  
622 records for at least 3 years and make the records available for  
623 inspection within 14 days after receipt of a request for records  
624 by a governmental entity.

625 (e) A housing site may not continue to be used and may be

626 required to be removed under the following circumstances:

627 1. If, for any reason, a housing site is not being used  
628 for legally verified agricultural workers for longer than 365  
629 days, any structure used as living quarters must be removed from  
630 the housing site within 180 days after receipt of written  
631 notification from the county unless the property owner can  
632 demonstrate that use of the site for housing legally verified  
633 agricultural workers will occur within 90 days after the written  
634 notification.

635 2. If the property on which the housing site is located  
636 ceases to be classified as agricultural land pursuant to s.  
637 193.461.

638 3. If the permit authorized by the Department of Health  
639 for the housing site is revoked, all structures must be removed  
640 from the housing site within 180 days after receipt of written  
641 notification from the county unless the permit is reinstated by  
642 the Department of Health.

643 4. If a housing site is found to be occupied by any person  
644 who does not meet the definition of a legally verified  
645 agricultural worker, or is otherwise unlawfully present in the  
646 United States. A property owner who violates this subparagraph  
647 is subject to a Class I fine pursuant to s. 570.971, not to  
648 exceed \$1,000, for the first violation, and a Class II fine, not  
649 to exceed \$5,000, for any subsequent violations. The fines shall  
650 be collected by the clerk of the court of the county in which

651 the violation occurred.

652 (f) Notwithstanding this subsection, the construction or  
653 installation of housing for legally verified agricultural  
654 workers in the Florida Keys Area of Critical State Concern and  
655 the City of Key West Area of Critical State Concern is subject  
656 to the permit allocation systems of the Florida Keys Area of  
657 Critical State Concern and City of Key West Area of Critical  
658 State Concern, respectively.

659 (g) A housing site that was constructed and in use before  
660 July 1, 2024, may continue to be used, and the property owner  
661 may not be required by a governmental entity to make changes to  
662 meet the requirements of this subsection, unless the housing  
663 site will be enlarged, remodeled, renovated, or rehabilitated.  
664 The property owner of a housing site authorized under this  
665 paragraph must provide regular maintenance and repair, including  
666 compliance with health and safety regulations and maintenance  
667 standards, for such housing site to ensure the health, safety,  
668 and habitability of the housing site.

669 (6) DATA COLLECTION.—The department shall adopt rules  
670 providing for:

671 (a) A method for government entities to submit reports of  
672 property owners who have a housing site for legally verified  
673 agriculture workers on lands classified as agricultural land  
674 pursuant to s. 193.461, as provided in this section.

675 (b) A method for persons to submit complaints for review

676 and investigation by the department.

677

678 Government entities shall provide this information quarterly to  
679 the department in a format and timeframe prescribed by rule.

680 (7) ENFORCEMENT.—

681 (a) In addition to the enforcement methods of employment  
682 verification outlined in s. 448.095, the department shall  
683 enforce the requirements of subsection (5). Enforcement includes  
684 completing routine inspections based on a random sample of data  
685 collected by government entities and submitted to the  
686 department, the investigation and review of complaints, and the  
687 enforcement of violations.

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

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

695 201.25 Tax exemptions for certain loans.—There shall be  
696 exempt from all taxes imposed by this chapter:

697 (3) Any loan made by the Agriculture and Aquaculture  
698 Producers Emergency Natural Disaster Recovery Loan Program  
699 pursuant to s. 570.822.

700 **Section 4. Subsection (19) is added to section 253.0341,**

701 **Florida Statutes, to read:**

702 253.0341 Surplus of state-owned lands.—

703 (19) Notwithstanding any other law or rule, the Department  
704 of Agriculture and Consumer Services may surplus lands acquired  
705 pursuant to s. 366.20 which are determined to be suitable for  
706 bona fide agricultural production, as defined in s. 193.461. The  
707 Department of Agriculture and Consumer Services shall consult  
708 with the Department of Environmental Protection in the process  
709 of making such determination. In the event that lands acquired  
710 pursuant to s. 366.20, which are determined to be suitable for  
711 bona fide agricultural production are surplus, the Department  
712 of Agriculture and Consumer Services must retain a rural-lands-  
713 protection easements pursuant to s. 570.71(3), and all proceeds  
714 must be deposited into the Incidental Trust Fund within the  
715 Department of Agriculture and Consumer Services for less than  
716 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
717 By January 1, 2026, and each January 1 thereafter, the  
718 Department of Agriculture and Consumer Services shall provide a  
719 report of lands surplus pursuant to this subsection to the  
720 board.

721 (a) Any lands designated as a state forest, state park, or  
722 wildlife management area are ineligible to be surplus pursuant  
723 to this subsection.

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

725 **Section 5. Paragraphs (a) through (d) and (e) of**

726 subsection (2) of section 330.41, Florida Statutes, are  
727 redesignated as paragraphs (b) through (e) and (j) of subsection  
728 (2) and subsection (8), respectively, subsection (6) is  
729 renumbered as subsection (8), paragraph (d) of subsection (4)  
730 and present subsection (6) are amended, new paragraphs (a), (f),  
731 (g), (h), and (i) are added to subsection (2), and new  
732 subsections (6) and (7) are added to that section, to read:

733 330.41 Unmanned Aircraft Systems Act.—

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

735 (a) "Commercial property" means real property other than  
736 residential property. The term includes, but is not limited to,  
737 a property zoned multifamily residential which is comprised of  
738 five or more dwelling units, and real property used for  
739 commercial, industrial, or agricultural purposes.

740 (f) "Private property" means any residential or commercial  
741 property.

742 (g) "Property owner" means the owner or owners of record  
743 of real property. The term includes real property held in trust  
744 for the benefit of one or more individuals, in which case the  
745 individual or individuals may be considered as the property  
746 owner or owners, provided that the trustee provides written  
747 consent. The term does not include persons renting, using,  
748 living, or otherwise occupying real property.

749 (h) "Residential property" means real property zoned as  
750 residential or multifamily residential and composed of four or

751 fewer dwelling units.

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

754 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

759 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

763 1. Operate a drone.

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

766 3. Allow a drone to come within a distance close enough to  
767 such lands to interfere with or cause a disturbance to  
768 agricultural production.

769 (b) A person who violates paragraph (a) commits a  
770 misdemeanor of the second degree, punishable as provided in s.  
771 775.082 or s. 775.083. A person who commits a second or  
772 subsequent violation commits a misdemeanor of the first degree,  
773 punishable as provided in s. 775.082 or s. 775.083.

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

- 776        1. The owner of the agricultural lands;  
 777        2. A person acting under the prior written consent of the  
 778 owner of the agricultural lands; or  
 779        3. A person or entity acting in compliance with the  
 780 provisions of s. 934.50.

781        (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
 782 LANDS.—

783        (a) A person may not knowingly or willfully allow a drone  
 784 to make contact with private property, state wildlife management  
 785 lands, or a sport shooting and training range or any person or  
 786 object on the premises of or within such property with the  
 787 intent to harass.

788        (b) A person who violates paragraph (a) commits a  
 789 misdemeanor of the second degree, punishable as provided in s.  
 790 775.082 or s. 775.083. A person who commits a second or  
 791 subsequent violation commits a misdemeanor of the first degree,  
 792 punishable as provided in s. 775.082 or s. 775.083.

793        (c) A person who violates paragraph (a) and records video  
 794 of the private property, state wildlife management lands, or  
 795 sport shooting and training range, including any person or  
 796 object on the premises of or within the private property, state  
 797 wildlife management lands, or sport shooting and training range,  
 798 commits a misdemeanor of the first degree, punishable as  
 799 provided in s. 775.082 or s. 775.083. A person who commits a  
 800 second or subsequent violation commits a felony of the third



801 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 802 775.084.

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

805 1. The owner of the private property or sport shooting and  
 806 training range;

807 2. A person acting under the prior written consent of the  
 808 owner of the private property or sport shooting and training  
 809 range; or

810 3. A person or entity acting in compliance with the  
 811 provisions of s. 934.50.

812 **Section 6. Section 366.20, Florida Statutes, is created to**  
 813 **read:**

814 366.20 Sale and management of lands owned by electric  
 815 utilities.—

816 (1) Lands acquired by an electric utility as defined in s.  
 817 361.11(2) which have been classified as agricultural lands  
 818 pursuant to s. 193.461 at any time in the 5 years preceding the  
 819 acquisition of the land by the electric utility must be offered  
 820 for fee simple acquisition by the Department of Agriculture and  
 821 Consumer Services before offering for sale or transferring the  
 822 land to a private individual or entity.

823 (2) Lands owned by an electric utility as defined in s.  
 824 361.11(2) which were classified as agricultural lands pursuant  
 825 to s. 193.461 at any time in the 5 years preceding the date of

826 acquisition of the land by the electric utility must be offered  
 827 for fee simple acquisition by the Department of Agriculture and  
 828 Consumer Services before offering for sale or transferring the  
 829 land to a private individual or entity.

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

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

835 366.94 Electric vehicle charging.—

836 (2) (a) As used in this section, the term "electric vehicle  
 837 charging station" means the area in the immediate vicinity of  
 838 electric vehicle supply equipment and includes the electric  
 839 vehicle supply equipment, supporting equipment, and associated  
 840 parking spaces. The regulation of electric vehicle charging  
 841 stations is preempted to the state.

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

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

849 (b) The department may adopt rules to protect the public  
 850 health, safety, and welfare and establish standards for the

851 placement, design, installation, maintenance, and operation of  
852 electric vehicle charging stations.

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

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

862 (e) The department shall have the authority to inspect  
863 electric vehicle charging stations, conduct investigations, and  
864 enforce this subsection and any rules adopted under this  
865 subsection. The department may impose one or more of the  
866 following penalties against a person who violates this  
867 subsection or any rule adopted under this subsection:

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

871 (f) If the department determines that an electric vehicle  
872 charging station or any associated equipment presents a threat  
873 to the public health, safety, or welfare, the department may  
874 issue an immediate final order prohibiting the use of the  
875 electric vehicle charging station or any portion thereof.

876 (g) In addition to the remedies provided in this  
 877 subsection, and notwithstanding the existence of any adequate  
 878 remedy at law, the department may bring an action to enjoin a  
 879 violation of this subsection or rules adopted under this  
 880 subsection in the circuit court of the county in which the  
 881 violation occurs or is about to occur. Upon demonstration of  
 882 competent and substantial evidence by the department to the  
 883 court of the violation or threatened violation, the court shall  
 884 immediately issue the temporary or permanent injunction sought  
 885 by the department. The injunction shall be issued without bond.

886 **Section 8. Subsections (10) and (11) of section 388.011,**  
 887 **Florida Statutes, are renumbered as subsections (11) and (12),**  
 888 **respectively, subsections (2) and (5) of that section are**  
 889 **amended, and a new subsection (10) is added to that section, to**  
 890 **read:**

891 388.011 Definitions.—As used in this chapter:

892 (2) "Board of commissioners" means the governing body of  
 893 any mosquito control program district, and may include boards of  
 894 county commissioners, city councils, municipalities, or other  
 895 similar governing bodies when context so indicates.

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

899 (10) "Program" means any governmental jurisdiction that  
 900 conducts mosquito control, whether it be a special district,

901 county, or municipality.

902 **Section 9. Section 388.021, Florida Statutes, is amended**  
 903 **to read:**

904 388.021 Creation of mosquito control special districts.—

905 (1) The abatement or suppression of arthropods, whether  
 906 disease-bearing or merely pestiferous, within any or all  
 907 counties of this state is advisable and necessary for the  
 908 maintenance and betterment of the comfort, health, and welfare  
 909 of the people thereof and is found and declared to be for public  
 910 purposes. Areas where arthropods incubate, hatch, or occur in  
 911 significant numbers so as to constitute a public health,  
 912 welfare, or nuisance problem may be controlled or abated as  
 913 provided in this chapter or the rules adopted under this chapter  
 914 ~~promulgated hereunder~~. Therefore, any municipality ~~city~~, town,  
 915 or county, or any portion or portions thereof, whether such  
 916 portion or portions include incorporated territory or portions  
 917 of two or more counties in the state, may be created into a  
 918 special taxing district for the control of arthropods under ~~the~~  
 919 ~~provisions of~~ this chapter.

920 (2) It is the legislative intent that ~~those~~ mosquito  
 921 control districts established prior to July 1, 1980, pursuant to  
 922 the petition process contained in former s. 388.031, may  
 923 continue to operate as outlined in this chapter. However, on and  
 924 after that date, no mosquito control districts may be created  
 925 except pursuant to s. 125.01.

926           **Section 10. Section 388.181, Florida Statutes, is amended**  
 927 **to read:**

928           388.181 Power to do all things necessary.—The respective  
 929 programs ~~districts~~ of the state are hereby fully authorized to  
 930 do and perform all things necessary to carry out the intent and  
 931 purposes of this law.

932           **Section 11. Subsections (1), (2), (4), and (5) of section**  
 933 **388.201, Florida Statutes, are amended to read:**

934           388.201 Program ~~District~~ budgets; hearing.—

935           (1) The fiscal year of programs ~~districts~~ operating under  
 936 ~~the provisions of~~ this chapter shall be the 12-month period  
 937 extending from October 1 of one year through September 30 of the  
 938 following year. The governing board of the programs ~~district~~  
 939 shall before July 15 of each year complete the preparation of a  
 940 tentative detailed work plan budget covering its proposed  
 941 operations and requirements for arthropod control measures  
 942 during the ensuing fiscal year and, for the purpose of  
 943 determining eligibility for state aid, shall submit copies as  
 944 may be required to the department for review and approval. The  
 945 tentative detailed work plan budget must ~~shall~~ set forth,  
 946 classified by account number, title and program items, and by  
 947 fund from which to be paid, the proposed expenditures of the  
 948 program ~~district~~ for construction, for acquisition of land, and  
 949 other purposes, for the operation and maintenance of the  
 950 program's ~~district's~~ works, the conduct of the program ~~district~~

951 generally, to which may be added an amount to be held as a  
 952 reserve.

953 (2) The tentative detailed work plan budget must ~~shall~~  
 954 also show the estimated amount which will appear at the  
 955 beginning of the fiscal year as obligated upon commitments made  
 956 but uncompleted, ~~There shall be shown~~ the estimated unobligated  
 957 or net balance which will be on hand at the beginning of the  
 958 fiscal year, and the estimated amount to be raised by county,  
 959 municipality, or district taxes and from any and all other  
 960 sources for meeting the program's ~~the district's~~ requirements.

961 (4) The governing board shall:

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

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

970 (5) County commissioners' mosquito and arthropod control  
 971 budgets or the budgets of a similar governing body of a county,  
 972 city, or town must ~~shall~~ be made and adopted as prescribed by  
 973 subsections (1) and (2); summary figures must ~~shall~~ be  
 974 incorporated into the county budgets as prescribed by the  
 975 Department of Financial Services.

976           **Section 12. Section 388.241, Florida Statutes, is amended**  
 977 **to read:**

978           388.241 Board of ~~county~~ commissioners vested with powers  
 979 and duties of board of commissioners ~~in certain counties.~~-In  
 980 those counties or cities where there has been no formation of a  
 981 separate or special board of commissioners, all the rights,  
 982 powers, and duties of a board of commissioners as conferred in  
 983 this chapter shall be vested in the board of ~~county~~  
 984 commissioners or similar governing body of such ~~said~~ county or  
 985 city.

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

988           388.261 State aid to counties, municipalities, and  
 989 districts for arthropod control; distribution priorities and  
 990 limitations.-

991           (1) A county, municipality, or district may, without  
 992 contributing matching funds, receive state funds, supplies,  
 993 services, or equipment in an amount of no more than \$75,000  
 994 ~~\$50,000~~ per year for up to 3 years for any new program for the  
 995 control of mosquitoes and other arthropods which serves an area  
 996 not previously served by the county, municipality, or district.  
 997 These funds may be expended for any and all types of control  
 998 measures approved by the department.

999           (2) Every county, municipality, or district budgeting  
 1000 local funds to be used exclusively for the control of mosquitoes



1001 and other arthropods, under a plan submitted by the county,  
 1002 municipality, or district and approved by the department, is  
 1003 eligible to receive state funds and supplies, services, and  
 1004 equipment on a dollar-for-dollar matching basis to the amount of  
 1005 local funds budgeted. If state funds appropriated by the  
 1006 Legislature are insufficient to grant each county, municipality,  
 1007 or district state funds on a dollar-for-dollar matching basis to  
 1008 the amount budgeted in local funds, the department shall  
 1009 distribute the funds as prescribed by rule. Such rules must  
 1010 ~~shall~~ provide for up to 80 percent of the funds to be  
 1011 distributed to programs with local funds for mosquito control  
 1012 budgets of less than \$1 million, if the county, municipality, or  
 1013 district meets the eligibility requirements. The funds must  
 1014 ~~shall~~ be distributed as equally as possible within the category  
 1015 of counties pursuant to this section. The remaining funds must  
 1016 ~~shall~~ be distributed as prescribed by rule among the remaining  
 1017 counties to support mosquito control and to support research,  
 1018 education, and outreach.

1019 (5) If more than one program ~~local mosquito control agency~~  
 1020 exists in a county or municipality, the funds must ~~shall~~ be  
 1021 prorated between the programs ~~agencies~~ based on the population  
 1022 served by each program ~~agency~~.

1023 (6) The Commissioner of Agriculture may exempt counties,  
 1024 municipalities, or districts from the requirements in subsection  
 1025 (1), subsection (2), or subsection (3) when the department

1026 determines state funds, supplies, services, or equipment are  
 1027 necessary for the immediate control of mosquitoes and other  
 1028 arthropods that pose a threat to human or animal health.

1029 (7) The department may use state funds appropriated for a  
 1030 county, municipality, or district under subsection (1) or  
 1031 subsection (2) to provide state mosquito or other arthropod  
 1032 control equipment, supplies, or services when requested by a  
 1033 county, municipality, or district eligible to receive state  
 1034 funds under s. 388.271.

1035 (8) The department is authorized to use up to 5 percent of  
 1036 the funds appropriated annually by the Legislature under this  
 1037 section to provide technical assistance to the counties,  
 1038 municipalities, or districts, or to purchase equipment,  
 1039 supplies, or services necessary to administer ~~the provisions of~~  
 1040 this chapter.

1041 **Section 14. Subsections (1) and (2) of section 388.271,**  
 1042 **Florida Statutes, are amended to read:**

1043 388.271 Prerequisites to participation.—

1044 (1) When state funds are involved, it is the duty of the  
 1045 department to guide, review, approve, and coordinate the  
 1046 activities of all county and municipal governments and special  
 1047 districts receiving state funds in furtherance of the goal of  
 1048 integrated arthropod control. Each program ~~county~~ eligible to  
 1049 participate may, and each district must, begin participation on  
 1050 October 1 of any year by filing with the department not later

1051 than July 15 a tentative integrated arthropod management plan  
 1052 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
 1053 the control of arthropods. Following approval of the plan and  
 1054 budget by the department, a copy ~~two copies~~ of the program's  
 1055 ~~county's or district's~~ certified budget based on the approved  
 1056 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
 1057 budget must ~~shall~~ be submitted to the department by September 30  
 1058 ~~following~~. State funds, supplies, and services must ~~shall~~ be  
 1059 made available to such program ~~county or district~~ by and through  
 1060 the department ~~immediately~~ upon release of funds by the  
 1061 Executive Office of the Governor.

1062 (2) All purchases of supplies, materials, and equipment by  
 1063 programs must ~~counties or districts shall~~ be made in accordance  
 1064 with the laws governing purchases by boards of ~~county~~  
 1065 commissioners or similar governing bodies, except that programs  
 1066 ~~districts~~ with special laws relative to competitive bidding  
 1067 shall make purchases in accordance therewith.

1068 **Section 15. Subsections (1) and (3) of section 388.281,**  
 1069 **Florida Statutes, are amended to read:**

1070 388.281 Use of state matching funds.—

1071 (1) All funds, supplies, and services released to programs  
 1072 under this chapter must ~~counties and districts hereunder shall~~  
 1073 be used in accordance with the integrated arthropod management  
 1074 ~~detailed work~~ plan and certified budget approved by both the  
 1075 department and the board of commissioners or an appropriate

1076 representative county or district. The integrated arthropod  
 1077 management plan and budget may be amended at any time upon prior  
 1078 approval of the department.

1079 (3) In any program county or district where the arthropod  
 1080 problem has been eliminated, or reduced to such an extent that  
 1081 it does not constitute a health, comfort, or economic problem as  
 1082 determined by the department, the maximum amount of state funds  
 1083 available under this chapter shall be reduced to the amount  
 1084 necessary to meet actual need.

1085 **Section 16. Subsections (1) and (2) of section 388.291,**  
 1086 **Florida Statutes, are amended to read:**

1087 388.291 Source reduction measures; supervision by  
 1088 department.—

1089 (1) Any program county or district may perform source  
 1090 reduction measures in conformity with good engineering practices  
 1091 in any area, provided that the department cooperating with the  
 1092 county, municipality, or district has approved the operating or  
 1093 construction plan as outlined in the integrated arthropod  
 1094 management plan and that it has been determined by criteria  
 1095 contained in rule that the area or areas to be controlled would  
 1096 produce arthropods in significant numbers to constitute a health  
 1097 or nuisance problem.

1098 (2) The program county or district shall manage the  
 1099 detailed business affairs and supervise the said work, and the  
 1100 department shall advise the programs districts as to the best

1101 and most effective measures to be used in bringing about better  
 1102 temporary control and the permanent elimination of breeding  
 1103 conditions. The department may at its discretion discontinue any  
 1104 state aid provided under this chapter ~~hereunder~~ in the event it  
 1105 finds the jointly agreed upon program is not being followed or  
 1106 is not efficiently and effectively administered.

1107 **Section 17. Section 388.301, Florida Statutes, is amended**  
 1108 **to read:**

1109 388.301 Payment of state funds; supplies and services.—  
 1110 State funds shall be payable ~~quarterly~~, in accordance with the  
 1111 rules of the department, upon requisition by the department to  
 1112 the Chief Financial Officer. The department is authorized to  
 1113 furnish insecticides, chemicals, materials, equipment, vehicles,  
 1114 and personnel in lieu of state funds where mass purchasing may  
 1115 save funds for the state, or where it would be more practical  
 1116 and economical to use equipment, supplies, and services between  
 1117 two or more programs ~~counties or districts~~.

1118 **Section 18. Section 388.311, Florida Statutes, is amended**  
 1119 **to read:**

1120 388.311 Carry over of state funds and local funds.—State  
 1121 and local funds budgeted for the control of mosquitoes and other  
 1122 arthropods shall be carried over at the end of the program's  
 1123 ~~county or district's~~ fiscal year, and rebudgeted for such  
 1124 control measures the following fiscal year.

1125 **Section 19. Section 388.321, Florida Statutes, is amended**

1126 **to read:**

1127       388.321 Equipment to become property of a program ~~the~~  
 1128 ~~county or district~~.—All equipment purchased under this chapter  
 1129 with state funds made available directly to a program ~~the county~~  
 1130 ~~or district~~ shall become the property of the program ~~county or~~  
 1131 ~~district~~ unless otherwise provided, and may be traded in on  
 1132 other equipment, or sold, when no longer needed by the program  
 1133 ~~county or district~~.

1134       **Section 20. Section 388.322, Florida Statutes, is amended**  
 1135 **to read:**

1136       388.322 Record and inventory of certain property.—A record  
 1137 and inventory of certain property purchased with state funds for  
 1138 arthropod control use owned by the program ~~must district shall~~  
 1139 be maintained in accordance with s. 274.02.

1140       **Section 21. Section 388.323, Florida Statutes, is amended**  
 1141 **to read:**

1142       388.323 Disposal of surplus property.—Surplus property  
 1143 shall be disposed of according to the provisions set forth in s.  
 1144 274.05 with the following exceptions:

1145       (1) Serviceable equipment purchased using state funds for  
 1146 arthropod control use no longer needed by a program ~~county~~  
 1147 ~~or district shall~~ first be offered to any ~~or all~~ other programs  
 1148 ~~counties or districts~~ engaged in arthropod control at a price  
 1149 established by the board of commissioners owning the equipment.

1150       (2) The alternative procedure for disposal of surplus

1151 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
1152 it is determined that no other program ~~county or district~~  
1153 engaged in arthropod control has need for the equipment.

1154 (3) All proceeds from the sale of any real or tangible  
1155 personal property owned by the program and purchased using state  
1156 funds ~~county or district~~ shall be deposited in the program's  
1157 ~~county's or district's~~ state fund account unless otherwise  
1158 specifically designated by the department.

1159 **Section 22. Section 388.341, Florida Statutes, is amended**  
1160 **to read:**

1161 388.341 Reports of expenditures and accomplishments.—Each  
1162 program receiving state aid ~~county and district participating~~  
1163 ~~under the provisions of~~ this chapter shall within 30 days after  
1164 the end of each month submit to the department a monthly report  
1165 for the preceding month of expenditures from all funds for  
1166 arthropod control, and each program participating under this  
1167 chapter shall provide such reports of activities and  
1168 accomplishments as may be required by the department.

1169 **Section 23. Section 388.351, Florida Statutes, is amended**  
1170 **to read:**

1171 388.351 Transfer of equipment, personnel, and supplies  
1172 during an emergency.—The department, upon notifying a program  
1173 ~~county or district~~ and obtaining its approval, is authorized to  
1174 transfer equipment, materials, and personnel from one program  
1175 ~~district~~ to another in the event of an emergency brought about

1176 by an arthropod-borne epidemic or other disaster requiring  
 1177 emergency control.

1178 **Section 24. Subsection (7) of section 388.361, Florida**  
 1179 **Statutes, is amended to read:**

1180 388.361 Department authority and rules; administration.—

1181 (7) The department shall have the authority to collect,  
 1182 detect, suppress, and control mosquitoes and other arthropods  
 1183 that are determined by the State Health Officer to pose a threat  
 1184 to public health, or determined by the Commissioner of  
 1185 Agriculture to pose a threat to animal health, wherever they may  
 1186 occur on public or private land in this state, and to do all  
 1187 things necessary in the exercise of such authority. Before ~~Prior~~  
 1188 ~~to~~ the start of treatments for the control of mosquitoes or  
 1189 other arthropods, the department shall consult with the mosquito  
 1190 control programs ~~districts~~ in the proposed treatment areas, the  
 1191 Department of Health, the Department of Environmental  
 1192 Protection, and the Fish and Wildlife Conservation Commission  
 1193 regarding the proposed locations, dates, and methods to be used.

1194 **Section 25. Subsections (2) and (3) of section 388.3711,**  
 1195 **Florida Statutes, are amended to read:**

1196 388.3711 Enforcement.—

1197 (2) The department may issue a written warning, impose a  
 1198 fine; deny, suspend, or revoke any license or certification, ~~or~~  
 1199 the disbursal of state aid; or deny participation, in accordance  
 1200 with ~~the provisions of~~ chapter 120, upon any one or more of the



1201 following grounds as may be applicable:

1202 (a) Violation of any rule of the department or provision  
1203 of this chapter.

1204 (b) Violation of FIFRA or any relevant EPA rule or  
1205 regulation pertaining to the use of arthropod control pesticides  
1206 by the licensee.

1207 (c) Failure to give the department, or any authorized  
1208 representative thereof, true information upon request regarding  
1209 methods and materials used, work performed, or other information  
1210 essential to the administration of this chapter.

1211 (3) The department may, if it finds a violation is of such  
1212 nature or circumstances that imposition of a fine, or denial,  
1213 revocation, or suspension of a certification or license or  
1214 disbursal of state aid would be detrimental to the public or be  
1215 unnecessarily harsh under the circumstances, in its discretion,  
1216 place the offending party on probation for a period of not more  
1217 than 2 years. If the department determines that the terms of  
1218 such probation have been violated, it may reinstitute license or  
1219 certification or state aid denial, suspension, or revocation  
1220 proceedings.

1221 **Section 26. Section 388.381, Florida Statutes, is amended**  
1222 **to read:**

1223 388.381 Cooperation by programs ~~counties and district.~~—Any  
1224 program conducting county or district carrying on an arthropod  
1225 control ~~program~~ may cooperate with another county, district, or

1226 municipality in carrying out work ~~a program~~ for the control of  
 1227 mosquitoes and other arthropods, by agreement as to the program  
 1228 and reimbursement thereof, when approved by the department.

1229 **Section 27. Section 388.391, Florida Statutes, is amended**  
 1230 **to read:**

1231 388.391 Control measures in municipalities and portions of  
 1232 counties located outside boundaries of programs ~~districts~~.—Any  
 1233 program ~~district~~ whose operation is limited to a portion of the  
 1234 county in which it is located may perform any control measures  
 1235 authorized by this chapter in any municipality located in the  
 1236 same county or in any portions of the same county, where there  
 1237 is no established program ~~district~~, when requested to do so by  
 1238 the municipality or county, pursuant to s. 388.381.

1239 **Section 28. Section 388.401, Florida Statutes, is amended**  
 1240 **to read:**

1241 388.401 Penalty for damage to property or operations.—  
 1242 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
 1243 any program ~~county or district~~ created under this or other  
 1244 chapters, or any works constructed, maintained, or controlled by  
 1245 such program ~~county or district~~, or who obstructs ~~shall obstruct~~  
 1246 or causes ~~cause~~ to be obstructed any of the operations of such  
 1247 program ~~county or district~~, or who ~~shall~~ knowingly or willfully  
 1248 violates ~~violate~~ any provisions of this chapter or any rule or  
 1249 regulation adopted ~~promulgated~~ by any board of commissioners of  
 1250 any program, commits ~~county or district shall be guilty of a~~

1251 | misdemeanor of the second degree, punishable as provided in s.  
 1252 | 775.082 or s. 775.083.

1253 | **Section 29. Paragraph (a) of subsection (2) of section**  
 1254 | **388.46, Florida Statutes, is amended to read:**

1255 | 388.46 Florida Coordinating Council on Mosquito Control;  
 1256 | establishment; membership; organization; responsibilities.—

1257 | (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1258 | (a) *Membership*.—The Florida Coordinating Council on  
 1259 | Mosquito Control shall be composed ~~comprised~~ of the following  
 1260 | representatives or their authorized designees:

- 1261 | 1. The Secretary of Environmental Protection.
- 1262 | 2. The State Surgeon General.
- 1263 | 3. The executive director of the Fish and Wildlife  
 1264 | Conservation Commission.
- 1265 | 4. The state epidemiologist.
- 1266 | 5. The Commissioner of Agriculture.
- 1267 | 6. The Board of Trustees of the Internal Improvement Trust  
 1268 | Fund.
- 1269 | 7. Representatives from:
  - 1270 | a. The University of Florida, Institute of Food and  
 1271 | Agricultural Sciences, Florida Medical Entomological Research  
 1272 | Laboratory.
  - 1273 | b. The United States Environmental Protection Agency.
  - 1274 | c. The United States Department of Agriculture, Center of  
 1275 | Medical, Agricultural, and Veterinary Entomology ~~Insects~~

1276 ~~Affecting Man Laboratory.~~

1277 d. The United States Fish and Wildlife Service.

1278 8. Four ~~Two~~ mosquito control directors to be nominated by  
1279 the Florida Mosquito Control Association, two representatives of  
1280 Florida environmental groups, and two private citizens who are  
1281 property owners whose lands are regularly subject to mosquito  
1282 control operations, to be appointed to 4-year terms by the  
1283 Commissioner of Agriculture and serve until his or her successor  
1284 is appointed.

1285 **Section 30. Paragraph (d) of subsection (7) of section**  
1286 **403.067, Florida Statutes, is amended to read:**

1287 403.067 Establishment and implementation of total maximum  
1288 daily loads.—

1289 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1290 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1291 (d) *Enforcement and verification of basin management*  
1292 *action plans and management strategies.—*

1293 1. Basin management action plans are enforceable pursuant  
1294 to this section and ss. 403.121, 403.141, and 403.161.  
1295 Management strategies, including best management practices and  
1296 water quality monitoring, are enforceable under this chapter.

1297 2. No later than January 1, 2017:

1298 a. The department, in consultation with the water  
1299 management districts and the Department of Agriculture and  
1300 Consumer Services, shall initiate rulemaking to adopt procedures

1301 to verify implementation of water quality monitoring required in  
1302 lieu of implementation of best management practices or other  
1303 measures pursuant to sub-subparagraph (b)2.g.;

1304 b. The department, in consultation with the water  
1305 management districts and the Department of Agriculture and  
1306 Consumer Services, shall initiate rulemaking to adopt procedures  
1307 to verify implementation of nonagricultural interim measures,  
1308 best management practices, or other measures adopted by rule  
1309 pursuant to subparagraph (c)1.; and

1310 c. The Department of Agriculture and Consumer Services, in  
1311 consultation with the water management districts and the  
1312 department, shall initiate rulemaking to adopt procedures to  
1313 verify implementation of agricultural interim measures, best  
1314 management practices, or other measures adopted by rule pursuant  
1315 to subparagraph (c)2.

1316  
1317 The rules required under this subparagraph shall include  
1318 enforcement procedures applicable to the landowner, discharger,  
1319 or other responsible person required to implement applicable  
1320 management strategies, including best management practices or  
1321 water quality monitoring as a result of noncompliance.

1322 3. At least every 2 years, the Department of Agriculture  
1323 and Consumer Services shall perform onsite inspections of each  
1324 agricultural producer that enrolls in a best management  
1325 practice, except those enrolled by rule in subparagraph 4., to

1326 ensure that such practice is being properly implemented. Such  
1327 verification must include a collection and review of the best  
1328 management practice documentation from the previous 2 years  
1329 required by rules adopted pursuant to subparagraph (c)2.,  
1330 including, but not limited to, nitrogen and phosphorus  
1331 ~~fertilizer~~ application records, which must be collected and  
1332 retained pursuant to subparagraphs (c)3., 4., and 6. The  
1333 Department of Agriculture and Consumer Services shall initially  
1334 prioritize the inspection of agricultural producers located in  
1335 the basin management action plans for Lake Okeechobee, the  
1336 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
1337 Silver Springs.

1338 4. The Department of Agriculture and Consumer Services is  
1339 authorized to adopt rules establishing an enrollment in best  
1340 management practices by rule process that agricultural pollutant  
1341 sources and agricultural producers may use in lieu of the best  
1342 management practices adopted in paragraph (c) and identify best  
1343 management practices for landowners of parcels which meet all of  
1344 the following requirements:

1345 a. A parcel not more than 25 acres in size.

1346 b. A parcel designated as agricultural land use by the  
1347 county in which it is located or the parcel is granted  
1348 agricultural tax classification by the county property appraiser  
1349 of the county in which it is located.

1350 c. A parcel with water use not exceeding 100,000 gallons

1351 per day on average unless the entire use is met using recycled  
1352 water from wet detention treatment ponds or reuse water.

1353 d. A parcel where the agricultural activity on the parcel  
1354 is not a vegetable crop, an agronomic crop, a nursery, or a  
1355 dairy operation.

1356 e. A parcel not abutting an impaired water body identified  
1357 in subsection (4).

1358 f. A parcel not part of a larger operation that is  
1359 enrolled in the Department of Agriculture and Consumer Services  
1360 best management practices or conducting water quality monitoring  
1361 prescribed by the department or a water management district.

1362  
1363 Such requirements must specify design or performance criteria  
1364 that, if applied, would result in compliance with appropriate  
1365 water quality standards. The Department of Agriculture and  
1366 Consumer Services is authorized to adopt additional eligibility  
1367 criteria for landowners or producers to use enrollment by rule  
1368 and to revoke enrollment by rule.

1369 5. The Department of Agriculture and Consumer Services  
1370 shall annually perform onsite inspections of 20 percent for all  
1371 enrollments that meet the qualifications pursuant to  
1372 subparagraph 4. by rule within basin management action plan  
1373 areas, to ensure that practices are being properly implemented.  
1374 Such inspections must include a collection and review of the  
1375 identified best management practice documentation from the

1376 previous 2 years required by rules adopted pursuant to  
 1377 subparagraph (c)2. All agricultural producers enrolled by rule  
 1378 in a best management practice must annually submit nutrient  
 1379 records, including nitrogen and phosphorus application records  
 1380 for the previous calendar year, to the Department of Agriculture  
 1381 and Consumer Services as required by rules adopted pursuant to  
 1382 subparagraph (c)2. The Department of Agriculture and Consumer  
 1383 Services shall collect and retain these nutrient records  
 1384 pursuant to subparagraphs (c)3., 4., and 6.

1385 **Section 31. Subsection (19) is added to section 403.852,**  
 1386 **Florida Statutes, to read:**

1387 403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
 1388 403.850-403.864:

1389 (19) "Water quality additive" means any chemical or  
 1390 additive which is used in a public water system for the purpose  
 1391 of removing contaminants or increasing water quality. The term  
 1392 does not include additives used for health-related purposes.

1393 **Section 32. Subsection (8) is added to section 403.859,**  
 1394 **Florida Statutes, to read:**

1395 403.859 Prohibited acts.—The following acts and the  
 1396 causing thereof are prohibited and are violations of this act:

1397 (8) The use of any additive in a public water system which  
 1398 does not meet the definition of a water quality additive as  
 1399 defined in s. 403.852(19), or the use of any additive included  
 1400 primarily for health-related purposes.



1401           **Section 33. Subsection (10) of section 482.111, Florida**  
 1402 **Statutes, is amended to read:**

1403           482.111 Pest control operator's certificate.—

1404           (10) In order to renew a certificate, the  
 1405 certificateholder must complete 2 hours of approved continuing  
 1406 education on legislation, safety, pesticide labeling, and  
 1407 integrated pest management and 2 hours of approved continuing  
 1408 education in each category of her or his certificate or must  
 1409 pass an examination that the department shall provide in person  
 1410 and remotely through a third-party vendor. The third-party  
 1411 vendor may collect and retain a convenience fee ~~given by the~~  
 1412 department. The department may not renew a certificate if the  
 1413 continuing education or examination requirement is not met.

1414           (a) Courses or programs, to be considered for credit, must  
 1415 include one or more of the following topics:

1416           1. The law and rules of this state pertaining to pest  
 1417 control.

1418           2. Precautions necessary to safeguard life, health, and  
 1419 property in the conducting of pest control and the application  
 1420 of pesticides.

1421           3. Pests, their habits, recognition of the damage they  
 1422 cause, and identification of them by accepted common name.

1423           4. Current accepted industry practices in the conducting  
 1424 of fumigation, termites and other wood-destroying organisms pest  
 1425 control, lawn and ornamental pest control, and household pest

1426 control.

1427 5. How to read labels, a review of current state and  
 1428 federal laws on labeling, and a review of changes in or  
 1429 additions to labels used in pest control.

1430 6. Integrated pest management.

1431 (b) The certificateholder must submit with her or his  
 1432 application for renewal a statement certifying that she or he  
 1433 has completed the required number of hours of continuing  
 1434 education. The statement must be on a form prescribed by the  
 1435 department and must identify at least the date, location,  
 1436 provider, and subject of the training and must provide such  
 1437 other information as required by the department.

1438 (c) The department shall charge the same fee for  
 1439 examination as provided in s. 482.141(2).

1440 **Section 34. Subsection (1) of section 482.141, Florida**  
 1441 **Statutes, is amended to read:**

1442 482.141 Examinations.—

1443 (1) Each individual seeking certification must  
 1444 satisfactorily pass an examination which must be written but  
 1445 ~~which~~ may include practical demonstration. The department shall  
 1446 provide in-person and remote testing through a third-party  
 1447 vendor. A third-party vendor may collect and retain a  
 1448 convenience fee ~~held at least two examinations each year~~. An  
 1449 applicant may seek certification in one or more categories.

1450 **Section 35. Paragraph (b) of subsection (1) of section**

1451 **482.155, Florida Statutes, is amended to read:**

1452 482.155 Limited certification for governmental pesticide  
1453 applicators or private applicators.—

1454 (1)

1455 (b) A person seeking limited certification under this  
1456 subsection must pass an examination that the department shall  
1457 provide in person and remotely through a third-party vendor. The  
1458 third-party vendor may collect and retain a convenience fee  
1459 ~~given or approved by the department.~~ Each application for  
1460 examination must be accompanied by an examination fee set by the  
1461 department, in an amount of not more than \$150 or less than \$50;  
1462 and a recertification fee of \$25 every 4 years. Until rules  
1463 setting these fees are adopted by the department, the  
1464 examination fee is \$50. Application for recertification must be  
1465 accompanied by proof of having completed 4 classroom hours of  
1466 acceptable continuing education. The limited certificate expires  
1467 4 years after the date of issuance. If the certificateholder  
1468 fails to renew his or her certificate and provide proof of  
1469 completion of the required continuing education units within 60  
1470 days after the expiration date, the certificateholder may be  
1471 recertified only after reexamination. The department shall make  
1472 available ~~provide~~ the appropriate reference material ~~and make~~  
1473 ~~the examination readily accessible and available to all~~  
1474 ~~applicants at least quarterly or as necessary in each county.~~

1475 **Section 36. Subsection (2) of section 482.156, Florida**

1476 **Statutes, is amended to read:**

1477 482.156 Limited certification for commercial landscape  
1478 maintenance personnel.-

1479 (2)(a) A person seeking limited certification under this  
1480 section must pass an examination that the department shall  
1481 provide in person and remotely through a third-party vendor. The  
1482 third-party vendor may collect and retain a convenience fee  
1483 ~~given by the department.~~ Each application for examination must  
1484 be accompanied by an examination fee set by rule of the  
1485 department, in an amount of not more than \$150 or less than \$50.  
1486 Before the department issues a limited certification under this  
1487 section, each person applying for the certification must furnish  
1488 proof of having a certificate of insurance which states that the  
1489 employer meets the requirements for minimum financial  
1490 responsibility for bodily injury and property damage required by  
1491 s. 482.071(4).

1492 (b) The department shall make available ~~provide~~ the  
1493 appropriate reference materials for the examination and provide  
1494 in-person and remote testing through a third-party vendor. A  
1495 third-party vendor may collect and retain a convenience fee ~~make~~  
1496 ~~the examination readily accessible and available to applicants~~  
1497 ~~at least quarterly or as necessary in each county.~~

1498 **Section 37. Subsection (2) of section 482.157, Florida**  
1499 **Statutes, is amended to read:**

1500 482.157 Limited certification for commercial wildlife

1501 management personnel.—

1502 (2) The department shall issue a limited certificate to an  
 1503 applicant who:

1504 (a) Submits an application and examination fee of at least  
 1505 \$150, but not more than \$300, as prescribed by the department by  
 1506 rule;

1507 (b) Passes an examination that the department shall  
 1508 provide in person and remotely through a third-party vendor. The  
 1509 third-party vendor may collect and retain a convenience fee  
 1510 administered by the department. The department shall make  
 1511 available ~~provide~~ the appropriate study materials for the  
 1512 examination ~~and make the examination readily available to~~  
 1513 ~~applicants in each county as necessary, but not less frequently~~  
 1514 ~~than quarterly;~~ and

1515 (c) Provides proof, including a certificate of insurance,  
 1516 that the applicant has met the minimum bodily injury and  
 1517 property damage insurance requirements in s. 482.071(4).

1518 **Section 38. Paragraph (m) is added to subsection (1) of**  
 1519 **section 482.161, Florida Statutes, to read:**

1520 482.161 Disciplinary grounds and actions; reinstatement.—

1521 (1) The department may issue a written warning to or  
 1522 impose a fine against, or deny the application for licensure or  
 1523 licensure renewal of, a licensee, certified operator, limited  
 1524 certificateholder, identification cardholder, or special  
 1525 identification cardholder or any other person, or may suspend,

1526 | revoke, or deny the issuance or renewal of any license,  
 1527 | certificate, limited certificate, identification card, or  
 1528 | special identification card that is within the scope of this  
 1529 | chapter, in accordance with chapter 120, upon any of the  
 1530 | following grounds:

1531 |       (m) Upon the issuance of a final order imposing civil  
 1532 | penalties under subsection 14(a) of the Federal Insecticide,  
 1533 | Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction  
 1534 | under subsection 14(b), of FIFRA.

1535 |       **Section 39. Subsection (2) of section 487.044, Florida**  
 1536 | **Statutes, is amended to read:**

1537 |       487.044 Certification; examination.—

1538 |       (2) The department shall require each applicant for a  
 1539 | certified applicator's license to demonstrate competence by a  
 1540 | written or oral examination in which the applicant must  
 1541 | demonstrate adequate knowledge concerning the proper use and  
 1542 | application of restricted-use pesticides in each classification  
 1543 | for which application for license is made. The department shall  
 1544 | provide in-person and remote testing through a third-party  
 1545 | vendor. A third-party vendor may collect and retain a  
 1546 | convenience fee. The examination may be prepared, administered,  
 1547 | and evaluated by the department. Each applicant for a certified  
 1548 | applicator's license must ~~shall~~ demonstrate minimum competence  
 1549 | as to:

1550 |       (a) The proper use of the equipment.

1551 (b) The environmental hazards that may be involved in  
 1552 applying restricted-use pesticides.

1553 (c) Calculating the concentration of restricted-use  
 1554 pesticides to be used in particular circumstances.

1555 (d) Identification of common pests to be controlled and  
 1556 the damages caused by such pests.

1557 (e) Protective clothing and respiratory equipment required  
 1558 during the handling and application of restricted-use  
 1559 pesticides.

1560 (f) General precautions to be followed in the disposal of  
 1561 containers, as well as the cleaning and decontamination of the  
 1562 equipment which the applicant proposes to use.

1563 (g) Applicable state and federal pesticide laws, rules,  
 1564 and regulations.

1565 (h) General safety precautions.

1566 **Section 40. Subsection (6) is added to section 487.175,**  
 1567 **Florida Statutes, to read:**

1568 487.175 Penalties; administrative fine; injunction.-

1569 (6) Licensure may be suspended, revoked, or denied by the  
 1570 department, upon the issuance of a final order to a licensee  
 1571 imposing civil penalties under subsection 14(a) of the Federal  
 1572 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
 1573 criminal conviction under subsection 14(b) of FIFRA.

1574 **Section 41. Subsections (13) through (28) of section**  
 1575 **496.404, Florida Statutes, are renumbered as subsections (15)**

1576 **through (30), respectively, and new subsections (13) and (14)**  
1577 **are added to that section, to read:**

1578 496.404 Definitions.—As used in ss. 496.401-496.424, the  
1579 term:

1580 (13) "Foreign country of concern" has the same meaning as  
1581 s. 286.101(1)(b).

1582 (14) "Foreign source of concern" means any of the  
1583 following:

1584 (a) The government or any official of the government of a  
1585 foreign country of concern;

1586 (b) A political party or member of a political party or  
1587 any subdivision of a political party in a foreign country of  
1588 concern;

1589 (c) A partnership, an association, a corporation, an  
1590 organization, or other combination of persons organized under  
1591 the laws of or having its principal place of business in a  
1592 foreign country of concern, or a subsidiary of such entity;

1593 (d) Any person who is domiciled in a foreign country of  
1594 concern and is not a citizen or lawful permanent citizen of the  
1595 United States;

1596 (e) An agent, including a subsidiary or an affiliate of a  
1597 foreign legal entity, acting on behalf of a foreign source of  
1598 concern; or

1599 (f) An entity in which a person, entity, or collection of  
1600 persons or entities described in paragraphs (a)-(e) has a



1601 controlling interest. As used in this paragraph, the term  
1602 "controlling interest" means the possession of the power to  
1603 direct or cause the direction of the management or policies of  
1604 an entity, whether through ownership of securities, by contract,  
1605 or otherwise. A person or an entity that directly or indirectly  
1606 has the right to vote 25 percent or more of the voting interest  
1607 of the company or is entitled to 25 percent or more of its  
1608 profits is presumed to possess a controlling interest.

1609 **Section 42. Paragraphs (d) through (g) of subsection (2)**  
1610 **of section 496.405, Florida Statutes, are redesignated as**  
1611 **paragraphs (f) through (i), respectively, new paragraphs (d) and**  
1612 **(e) are added to that subsection, subsection (1) and paragraph**  
1613 **(b) of subsection (7) are amended, and subsection (11) is added**  
1614 **to that section, to read:**

1615 496.405 Registration statements by charitable  
1616 organizations and sponsors.—

1617 (1) A charitable organization or sponsor, unless exempted  
1618 pursuant to s. 496.406, which intends to solicit contributions  
1619 in or from this state by any means or have funds solicited on  
1620 its behalf by any other person, charitable organization,  
1621 sponsor, commercial co-venturer, or professional solicitor, or  
1622 that participates in a charitable sales promotion or sponsor  
1623 sales promotion, must, before engaging in any of these  
1624 activities, file an initial registration statement, which  
1625 includes an attestation statement, and a renewal statement

1626 annually thereafter, with the department.

1627 (a) Except as provided in paragraph (b), any changes in  
1628 the information submitted on the initial registration statement  
1629 or the last renewal statement must be updated annually on a  
1630 renewal statement provided by the department on or before the  
1631 date that marks 1 year after the date the department approved  
1632 the initial registration statement as provided in this section.  
1633 The department shall annually provide a renewal statement to  
1634 each registrant by mail or by electronic mail at least 30 days  
1635 before the renewal date.

1636 (b) Any changes to the information submitted to the  
1637 department pursuant to paragraph (2)(f) ~~(2)(d)~~ on the initial  
1638 registration statement, which includes an attestation statement,  
1639 or the last renewal statement must be reported to the department  
1640 on a form prescribed by the department within 10 days after the  
1641 change occurs.

1642 (c) A charitable organization or sponsor that is required  
1643 to file an initial registration statement or annual renewal  
1644 statement may not, before approval of its statement by the  
1645 department in accordance with subsection (7), solicit  
1646 contributions or have contributions solicited on its behalf by  
1647 any other person, charitable organization, sponsor, commercial  
1648 co-venturer, or professional solicitor or participate in a  
1649 charitable sales promotion or sponsor sales promotion.

1650 (d) The registration of a charitable organization or

1651 sponsor may not continue in effect and shall expire without  
1652 further action of the department under either of the following  
1653 circumstances:

1654 1. After the date the charitable organization or sponsor  
1655 should have filed, but failed to file, its renewal statement in  
1656 accordance with this section.

1657 2. For failure to provide a financial statement within any  
1658 extension period provided under s. 496.407.

1659 (2) The initial registration statement must be submitted  
1660 on a form prescribed by the department, signed by an authorized  
1661 official of the charitable organization or sponsor who shall  
1662 certify that the registration statement is true and correct, and  
1663 include the following information or material:

1664 (d) An attestation statement, which must be submitted on a  
1665 form prescribed by the department and signed by an authorized  
1666 official of the charitable organization, who shall certify and  
1667 attest that the charitable organization, if engaged in  
1668 activities that would require registration pursuant to chapter  
1669 106 is registered with the Department of State, pursuant to  
1670 chapter 106.

1671 (e) An attestation statement on a form prescribed by the  
1672 department, signed by an authorized official of the charitable  
1673 organization, who shall certify and attest that the charitable  
1674 organization, if prohibited by applicable federal or state law,  
1675 is not engaged in activities that would require registration

1676 with the Department of State pursuant to chapter 106.

1677 (7)

1678 (b) If a charitable organization or sponsor discloses  
1679 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~  
1680 in the initial registration statement or annual renewal  
1681 statement, the time limits set forth in paragraph (a) are  
1682 waived, and the department shall process such initial  
1683 registration statement or annual renewal statement in accordance  
1684 with the time limits set forth in chapter 120. The registration  
1685 of a charitable organization or sponsor shall be automatically  
1686 suspended for failure to disclose any information specified in  
1687 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the  
1688 required information is submitted to the department.

1689 (11) The department may investigate and refer a charitable  
1690 organization or sponsor to the Florida Elections Commission for  
1691 investigation of violations pursuant to chapters 104 and 106.

1692 **Section 43. Subsection (20) is added to section 496.415,**  
1693 **Florida Statutes, to read:**

1694 496.415 Prohibited acts.—It is unlawful for any person in  
1695 connection with the planning, conduct, or execution of any  
1696 solicitation or charitable or sponsor sales promotion to:

1697 (20) Solicit or accept contributions or anything of value  
1698 from a foreign source of concern.

1699 **Section 44. Section 496.417, Florida Statutes, is amended**  
1700 **to read:**

1701 496.417 Criminal penalties.—Except as otherwise provided  
1702 in ss. 496.401-496.424, and in addition to any administrative or  
1703 civil penalties, any person who willfully and knowingly violates  
1704 ss. 496.401-496.424 commits a felony of the third degree,  
1705 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
1706 For a second or subsequent conviction, such violation  
1707 constitutes a felony of the second degree, punishable as  
1708 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1709 department may also investigate and refer a charitable  
1710 organization or sponsor to the Florida Elections Commission for  
1711 investigation of violations pursuant to chapters 104 and 106.

1712 **Section 45. Subsection (11) is added to section 496.419,**  
1713 **Florida Statutes, to read:**

1714 496.419 Powers of the department.—

1715 (11) A charitable organization or sponsor whose  
1716 registration is denied or revoked for submitting a false  
1717 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1718 subject to the penalties specified in subsection (5) at the  
1719 discretion of the department.

1720 **Section 46. Section 496.431, Florida Statutes, is created**  
1721 **to read:**

1722 496.431 Honest Service Registry.—

1723 (1) The department shall create the Honest Services  
1724 Registry to provide the residents of this state with the  
1725 information necessary to make an informed choice when deciding

1726 which charitable organizations to support.

1727 (2) To be included on the Honest Services Registry, a  
1728 charitable organization must, at a minimum, submit to the  
1729 department an attestation statement on a form prescribed by the  
1730 department, verified as provided in s. 92.525, attesting to all  
1731 of the following:

1732 (a) That the organization does not solicit or accept,  
1733 directly or indirectly, contributions, funding, support, or  
1734 services from a foreign source of concern.

1735 (b) That the organization's messaging and content are not  
1736 directly or indirectly produced or influenced by a foreign  
1737 source of concern.

1738 (3) The department shall publish the Honest Services  
1739 Registry on the department's website.

1740 (4) The department shall adopt rules to implement this  
1741 section.

1742 **Section 47. Paragraph (j) of subsection (1) of section**  
1743 **500.03, Florida Statutes, is amended to read:**

1744 500.03 Definitions; construction; applicability.—

1745 (1) For the purpose of this chapter, the term:

1746 (j) "Cottage food product" means food that is not time or  
1747 temperature controlled for safety or a potentially hazardous  
1748 food as defined by department rule which is sold by a cottage  
1749 food operation in accordance with s. 500.80.

1750 **Section 48. Paragraphs (a) and (b) of subsection (1) of**

1751 **section 500.12, Florida Statutes, are amended to read:**

1752 500.12 Food permits; building permits.—

1753 (1) (a) A food permit from the department is required of  
 1754 any person or business that ~~who~~ operates a food establishment,  
 1755 except:

1756 1. Persons or businesses operating minor food outlets that  
 1757 sell food that is commercially prepackaged, not potentially  
 1758 hazardous, not age restricted, and not time or temperature  
 1759 controlled for safety, if the shelf space for those items does  
 1760 not exceed 12 total linear feet and no other food is sold by the  
 1761 person or business minor food outlet.

1762 2. Persons subject to continuous, onsite federal or state  
 1763 inspection.

1764 3. Persons selling only legumes in the shell, either  
 1765 parched, roasted, or boiled.

1766 4. Persons selling sugar cane or sorghum syrup that has  
 1767 been boiled and bottled on a premise located within this state.  
 1768 Such bottles must contain a label listing the producer's name  
 1769 and street address, all added ingredients, the net weight or  
 1770 volume of the product, and a statement that reads, "This product  
 1771 has not been produced in a facility permitted by the Florida  
 1772 Department of Agriculture and Consumer Services."

1773 (b) Each food establishment regulated under this chapter  
 1774 must apply for and receive a food permit before operation  
 1775 begins. An application for a food permit from the department

1776 must be accompanied by a fee in an amount determined by  
1777 department rule. The department shall adopt by rule a schedule  
1778 of fees to be paid by each food establishment as a condition of  
1779 issuance or renewal of a food permit. Such fees may not exceed  
1780 \$650 and must be used solely for the recovery of costs for the  
1781 services provided, except that the fee accompanying an  
1782 application for a food permit for operating a bottled water  
1783 plant may not exceed \$1,000 and the fee accompanying an  
1784 application for a food permit for operating a packaged ice plant  
1785 may not exceed \$250. The fee for operating a bottled water plant  
1786 or a packaged ice plant must be set by rule of the department.  
1787 Food permits are not transferable from one person or physical  
1788 location to another. Food permits must be renewed in accordance  
1789 with subparagraphs 1.-3. If an application for renewal of a food  
1790 permit is not received by the department on or before its due  
1791 date, a late fee not exceeding \$100 must be paid in addition to  
1792 the food permit fee before the department may issue the food  
1793 permit. The moneys collected must be deposited in the General  
1794 Inspection Trust Fund.

1795 1. A food permit issued to a new food establishment ~~on or~~  
1796 ~~after September 1, 2023,~~ is valid for 1 calendar year after the  
1797 date of issuance and must be renewed annually on or before that  
1798 date thereafter.

1799 2. ~~Effective January 1, 2024,~~ A food permit issued before  
1800 September 1, 2023, expires on the month and day the initial



1801 permit was issued to the food establishment and must be renewed  
 1802 annually on or before that date thereafter. The department may  
 1803 charge a prorated permit fee for purposes of this subparagraph.

1804 3. The department may establish a single permit renewal  
 1805 date for multiple food establishments owned by the same entity  
 1806 ~~The owner of 100 or more permitted food establishment locations~~  
 1807 ~~may elect to set the expiration of food permits for such~~  
 1808 ~~establishments as December 31 of each calendar year.~~

1809 **Section 49. Section 500.166, Florida Statutes, is amended**  
 1810 **to read:**

1811 500.166 Records of interstate shipment.—For the purpose of  
 1812 enforcing this chapter, carriers engaged in interstate commerce  
 1813 and persons receiving food in interstate commerce shall retain  
 1814 all records for 3 years from the date of the record showing the  
 1815 movement in interstate commerce of any food, and the quantity,  
 1816 shipper and consignee thereof and, upon the request by an  
 1817 officer or employee duly designated by the department, permit  
 1818 the officer or employee to have access to and to copy all  
 1819 records showing the movement in interstate commerce of any food,  
 1820 and the quantity, shipper, and consignee thereof.

1821 **Section 50. Subsection (1) of section 500.172, Florida**  
 1822 **Statutes, is amended to read:**

1823 500.172 Embargoing, detaining, destroying of food, food  
 1824 processing equipment, or areas that are in violation.—

1825 (1) When the department, or its duly authorized agent who

1826 has received appropriate education and training regarding the  
1827 legal requirements of this chapter, finds or has probable cause  
1828 to believe that any food, food processing equipment, food  
1829 processing area, or food storage area is in violation of this  
1830 chapter or any rule adopted under this chapter so as to be  
1831 dangerous, unwholesome, mislabeled, fraudulent, or insanitary  
1832 within the meaning of this chapter, an agent of the department  
1833 may issue and enforce a stop-sale, stop-use, removal, or hold  
1834 order, which order gives notice that such article, processing  
1835 equipment, processing area, or storage area is or is suspected  
1836 of being in violation and has been detained or embargoed and  
1837 which order warns all persons not to remove, use, or dispose of  
1838 such article, processing equipment, processing area, or storage  
1839 area by sale or otherwise until permission for removal, use, or  
1840 disposal is given by the department or the court. The department  
1841 is authorized to enter into a written agreement with the owner  
1842 of such food, food processing equipment, food processing area,  
1843 or food storage area, or otherwise facilitate the destruction of  
1844 any article found or suspected by the department to be in  
1845 violation of this section. A person may not remove, use, or  
1846 dispose of such detained or embargoed article, processing  
1847 equipment, processing area, or storage area by sale or otherwise  
1848 without such permission from or in accordance with a written  
1849 agreement with the department.

1850 **Section 51. Section 500.75, Florida Statutes, is created**

1851 **to read:**

1852 500.75 Mushroom spores and mycelium; offenses.—It is  
1853 unlawful to transport or offer to transport, import into this  
1854 state, sell or offer for sale, furnish, or give away spores or  
1855 mycelium capable of producing mushrooms or other material which  
1856 will contain a controlled substance, including psilocybin or  
1857 psilocyn, during its lifecycle. A person who violates this  
1858 section commits a misdemeanor of the first degree, punishable as  
1859 provided in s. 775.082 or s. 775.083.

1860 **Section 52. Section 500.93, Florida Statutes, is created**  
1861 **to read:**

1862 500.93 Mislabeling of plant-based products as milk, meat,  
1863 poultry, or eggs.—

1864 (1) As used in this section, the term:

1865 (a) "Egg" and "egg product" have the same meanings as in  
1866 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

1867 (b) "FDA" means the United States Food and Drug  
1868 Administration.

1869 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2  
1870 and the Federal Meat Inspection Act.

1871 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
1872 and the Grade "A" pasteurized milk ordinance.

1873 (e) "Poultry" and "poultry product" have the same meanings  
1874 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1875 (2) (a) In accordance with the established standard of

1876 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
1877 "A" pasteurized milk ordinance, the department shall adopt rules  
1878 to enforce the FDA's standard of identity for milk, as adopted  
1879 in state law, to prohibit the sale of plant-based products  
1880 mislabeled as milk in this state.

1881 (b) This subsection is effective upon the enactment into  
1882 law of a mandatory labeling requirement to prohibit the sale of  
1883 plant-based products mislabeled as milk that is consistent with  
1884 this section by any 11 of the group of 14 states composed of  
1885 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1886 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1887 Texas, Virginia, and West Virginia.

1888 (3) (a) In accordance with the established standard of  
1889 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
1890 Meat Inspection Act, and both poultry and poultry products  
1891 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
1892 Act, the department shall adopt rules to enforce the FDA's  
1893 standard of identity for meat, poultry, and poultry products as  
1894 adopted in this section, to prohibit the sale of plant-based  
1895 products mislabeled as meat, poultry, or poultry products in  
1896 this state.

1897 (b) This subsection is effective upon the enactment into  
1898 law of a mandatory labeling requirement to prohibit the sale of  
1899 plant-based products mislabeled as meat, poultry, or poultry  
1900 products which is consistent with this section by any 11 of the

1901 group of 14 states composed of Alabama, Arkansas, Florida,  
1902 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
1903 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1904 (4) (a) In accordance with the established standard of  
1905 identity for eggs and egg products defined in 21 U.S.C. s. 1033  
1906 and the Egg Products Inspection Act, the department shall adopt  
1907 rules to enforce the FDA's standard of identity for eggs and egg  
1908 products, as adopted in state law, to prohibit the sale of  
1909 plant-based products mislabeled as egg or egg products in this  
1910 state.

1911 (b) This subsection is effective upon the enactment into  
1912 law of a mandatory labeling requirement to prohibit the sale of  
1913 plant-based products mislabeled as egg or egg products that is  
1914 consistent with this section by any 11 of the group of 14 states  
1915 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,  
1916 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
1917 Tennessee, Texas, Virginia, and West Virginia.

1918 (5) The Department of Agriculture and Consumer Services  
1919 shall notify the Division of Law Revision upon the enactment  
1920 into law by any 11 of the group of 14 states composed of  
1921 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1922 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1923 Texas, Virginia, and West Virginia of the mandatory labeling  
1924 requirements pursuant to subsections (2) and (3).

1925 (6) The department shall adopt rules to implement this

1926 section.

1927 (7) This section does not limit the department's authority  
 1928 to enforce its laws and regulations.

1929 **Section 53.** Section 501.135, Florida Statutes, is  
 1930 repealed.

1931 **Section 54. Subsection (1) of section 501.912, Florida**  
 1932 **Statutes, is amended to read:**

1933 501.912 Definitions.—As used in ss. 501.91-501.923:

1934 (1) "Antifreeze" means any substance or preparation,  
 1935 including, but not limited to, coolant, antifreeze-coolant,  
 1936 antifreeze and summer coolant, or summer coolant, that is sold,  
 1937 distributed, or intended for use:

1938 (a) As the cooling liquid, or to be added to the cooling  
 1939 liquid, in the cooling system of ~~internal combustion engines of~~  
 1940 motor vehicles to prevent freezing of the cooling liquid or to  
 1941 lower its freezing point; or

1942 (b) To raise the boiling point of water, aid in vehicle  
 1943 component cooling, or for the prevention of engine overheating,  
 1944 whether or not the liquid is used as a year-round cooling system  
 1945 fluid.

1946 **Section 55. Section 525.19, Florida Statutes, is created**  
 1947 **to read:**

1948 525.19 Petroleum registration.—

1949 (1) The department shall create an annual petroleum  
 1950 registration program for petroleum owners or operators and shall

1951 adopt rules detailing the requirements for such registration  
 1952 that include, at minimum:  
 1953 (a) Name of the petroleum owner or operator;  
 1954 (b) Address of the petroleum owner or operator;  
 1955 (c) Phone number of the petroleum owner or operator;  
 1956 (d) E-mail address of the petroleum owner or operator;  
 1957 (e) Requirements for the transfer switch;  
 1958 (f) Fuel and petroleum infrastructure; and  
 1959 (g) Fuel and petroleum inventory and delivery information.  
 1960 (2) The registration program must be free for all  
 1961 registrants.  
 1962 (3) The department has the authority to require  
 1963 registrants to provide updates related to the status of  
 1964 infrastructure, inventory, and delivery information during a  
 1965 state of emergency as declared by an executive order issued by  
 1966 the Governor.  
 1967 **Section 56. Section 526.147, Florida Statutes, is created**  
 1968 **to read:**  
 1969 526.147 Florida Retail Fuel Transfer Switch Modernization  
 1970 Grant Program.—  
 1971 (1) (a) There is created, subject to appropriation, the  
 1972 Florida Retail Fuel Transfer Switch Modernization Grant Program  
 1973 within the Department of Agriculture and Consumer Services.  
 1974 (b) The grant program shall provide grant funds, not to  
 1975 exceed \$10,000 per retail fuel facility, to be used for

1976 installation and equipment costs related to installing or  
1977 modernizing transfer switch infrastructure at retail fuel  
1978 facilities to allow for the continuity of fueling operations  
1979 under generated power.

1980 (c) The department shall award funds based upon the  
1981 following criteria:

1982 1. Up to \$10,000, of costs for transfer switch purchase  
1983 and installation for retail fuel locations in fiscally  
1984 constrained counties as designated under s. 218.67(1).

1985 2. Up to \$5,000, of costs for transfer switch purchase and  
1986 installation for all other retail fuel locations.

1987 (d) Retail fuel facilities which are awarded grant funds  
1988 must comply with s. 526.143 and must install a transfer switch  
1989 capable of operating all fuel pumps, dispensing equipment, life  
1990 safety systems, and payment acceptance equipment using an  
1991 alternative generated power source.

1992 (e) Before being awarded funding from the department,  
1993 retail fuel facilities must provide documentation on transfer  
1994 switch installation and required generator sizing to the  
1995 department.

1996 (f) Marinas and fueling facilities with fewer than 4  
1997 fueling positions are excluded from being awarded funding  
1998 through this program.

1999 (g) Fueling facilities subject to s. 526.143(2) are  
2000 excluded from being awarded funding through this program.



2001           (2) The department, in consultation with the Division of  
 2002 Emergency Management, shall adopt rules to implement and  
 2003 administer this section, including establishing grant  
 2004 application processes for the Florida Retail Fuel Transfer  
 2005 Switch Modernization Grant Program. The rules must include  
 2006 application deadlines and establish the supporting documentation  
 2007 necessary to be provided to the department.

2008           **Section 57. Section 531.48, Florida Statutes, is amended**  
 2009 **to read:**

2010           531.48 Declarations of unit price on random packages.—In  
 2011 addition to the declarations required by s. 531.47, any package  
 2012 being one of a lot containing random weights of the same  
 2013 commodity must ~~and bearing the total selling price of the~~  
 2014 ~~package shall~~ bear on the outside of the package a plain and  
 2015 conspicuous declaration of the price per single unit of weight  
 2016 and the total retail price of the package, as defined by  
 2017 department rule.

2018           **Section 58. Section 531.49, Florida Statutes, is amended**  
 2019 **to read:**

2020           531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
 2021 commodity ~~is advertised in any manner with the retail price~~  
 2022 ~~stated, there shall be~~ closely and conspicuously associated with  
 2023 the retail price must have a declaration of quantity as is  
 2024 required by law or rule to appear on the package.

2025           **Section 59. Subsection (10) of section 564.06, Florida**

2026 **Statutes, is amended to read:**

2027 564.06 Excise taxes on wines and beverages.—

2028 (10) Fifty percent of all revenues collected from the  
 2029 excise taxes imposed by this section on wine produced by  
 2030 manufacturers in this state from products grown in the state  
 2031 must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund  
 2032 established pursuant to s. 599.012.

2033 **Section 60. Subsections (44), (45), and (46) of section**  
 2034 **570.07, Florida Statutes, are renumbered as subsections (47),**  
 2035 **(48), and (49), respectively, and new subsections (44), (45),**  
 2036 **and (46) are added to that section, to read:**

2037 570.07 Department of Agriculture and Consumer Services;  
 2038 functions, powers, and duties.—The department shall have and  
 2039 exercise the following functions, powers, and duties:

2040 (44) (a) To foster and encourage the employment and  
 2041 retention of qualified veterinary pathologists. The department  
 2042 may reimburse the educational expenses of qualified veterinary  
 2043 pathologists who enter into an agreement with the department to  
 2044 retain employment for a specified period of time.

2045 (b) The department shall adopt rules to administer this  
 2046 subsection.

2047 (45) Subject to appropriation, to extend state and  
 2048 national Future Farmers of America opportunities to any public  
 2049 school student enrolled in agricultural education, at little or  
 2050 no cost to the student or school district, and to support

2051 statewide Future Farmers of America programming that helps such  
 2052 students develop their potential for premier leadership,  
 2053 personal growth, and career success.

2054 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use  
 2055 contracts procured by another agency.

2056 (b) As used in this subsection, the term "agency" has the  
 2057 same meaning as provided in s. 287.012.

2058 **Section 61. Subsection (2) of section 570.544, Florida**  
 2059 **Statutes, is amended to read:**

2060 570.544 Division of Consumer Services; director; powers;  
 2061 processing of complaints; records.—

2062 (2) The director shall supervise, direct, and coordinate  
 2063 the activities of the division and shall, under the direction of  
 2064 the department, enforce the provisions of ss. 366.94 and ss.  
 2065 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,  
 2066 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2067 **Section 62. Section 570.546, Florida Statutes, is created**  
 2068 **to read:**

2069 570.546 Licensing.—

2070 (1) The department is authorized to:

2071 (a) Create a process for the bulk renewal of licenses  
 2072 which will allow licensees the ability, upon request, to submit  
 2073 all license applications of the same type, notwithstanding any  
 2074 provisions of law applicable to each application process.

2075 (b) Create a process that will allow licensees, upon

2076 request, to align the expiration dates of licenses within a  
 2077 statutory program.

2078 (c) Change the expiration dates for current licensees for  
 2079 the purpose of reducing large numbers of license expirations  
 2080 that occur during the same month.

2081 (2) The department shall prorate any licensing fee for  
 2082 which the term of the license was reduced for the purposes of  
 2083 alignment.

2084 (3) The department shall adopt rules to implement this  
 2085 section.

2086 **Section 63. Section 570.694, Florida Statutes, is created**  
 2087 **to read:**

2088 570.694 Florida Aquaculture Foundation.—

2089 (1) The Florida Aquaculture Foundation is established as a  
 2090 direct-support organization within the Department of Agriculture  
 2091 and Consumer Services. The purpose of the foundation is to:

2092 (a) Conduct programs and activities related to the  
 2093 assistance, promotion, and furtherance of aquaculture and  
 2094 aquaculture producers in this state.

2095 (b) Identify and pursue methods to provide statewide  
 2096 resources and materials for these programs.

2097 (2) The foundation shall be governed by s. 570.691.

2098 (3) The department is authorized to appoint an advisory  
 2099 committee adjunct to the foundation pursuant to s. 570.232.

2100 **Section 64. Section 570.822, Florida Statutes, is amended**

2101 **to read:**

2102 570.822 Agriculture and Aquaculture Producers Emergency  
 2103 ~~Natural Disaster~~ Recovery Loan Program.—

2104 (1) DEFINITIONS.—As used in this section, the term:

2105 (a) "Bona fide farm operation" means a farm operation  
 2106 engaged in a good faith commercial agricultural use of land on  
 2107 land classified as agricultural pursuant to s. 193.461 or on  
 2108 sovereign submerged land that is leased to the applicant by the  
 2109 department pursuant to s. 597.010 and that produces agricultural  
 2110 products within the definition of agriculture under s. 570.02.

2111 (b) "Declared emergency ~~natural disaster~~" means an  
 2112 emergency ~~a natural disaster~~ for which a state of emergency is  
 2113 declared pursuant to s. 252.36 or s. 570.07(21).

2114 (c) "Department" means the Department of Agriculture and  
 2115 Consumer Services.

2116 (d) "Essential physical property" means fences; equipment;  
 2117 structural production facilities, such as shade houses and  
 2118 greenhouses; or other agriculture or aquaculture facilities or  
 2119 infrastructure.

2120 (e) "Program" means the Agriculture and Aquaculture  
 2121 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2122 (2) USE OF LOAN FUNDS; LOAN TERMS.—

2123 (a) The program is established within the department to  
 2124 make loans to agriculture and aquaculture producers that have  
 2125 experienced damage or destruction from a declared emergency

2126 ~~natural disaster~~. Loan funds may be used to restore, repair, or  
2127 replace essential physical property or remove vegetative debris  
2128 from essential physical property, or restock aquaculture. A  
2129 structure or building constructed using loan proceeds must  
2130 comply with storm-hardening standards for nonresidential farm  
2131 buildings as defined in s. 604.50(2). The department shall adopt  
2132 such standards by rule.

2133 (b) The department may make a low-interest or interest-  
2134 free loan to an eligible applicant. The maximum amount that an  
2135 applicant may receive during the application period for a loan  
2136 is \$500,000. An applicant may not receive more than one loan per  
2137 application period and no more than two loans per year or no  
2138 more than five loans in any 3-year period. A loan term is 10  
2139 years.

2140 (3) ELIGIBLE APPLICANTS.—To be eligible for the program,  
2141 an applicant must:

2142 (a) Own or lease a bona fide farm operation that is  
2143 located in a county named in a declared emergency ~~natural~~  
2144 ~~disaster~~ and that was damaged or destroyed as a result of such  
2145 declared emergency ~~natural disaster~~.

2146 (b) Maintain complete and acceptable farm records,  
2147 pursuant to criteria published by the department, and present  
2148 them as proof of production levels and bona fide farm  
2149 operations.

2150 (4) LOAN APPLICATION AND AGREEMENT.—

2151 (a) Requests for loans must be made by application to the  
2152 department. Upon a determination that funding for loans is  
2153 available, the department shall publicly notice an application  
2154 period for the declared emergency ~~natural disaster~~, beginning  
2155 within 60 days after the date of the declared emergency ~~natural~~  
2156 ~~disaster~~ and running up to 1 year after the date of the declared  
2157 emergency ~~natural disaster~~ or until all available loan funds are  
2158 exhausted, whichever occurs first. The application may be  
2159 renewed upon a determination from the department and pursuant to  
2160 an active declared emergency.

2161 (b) An applicant must demonstrate the need for financial  
2162 assistance and an ability to repay or meet a standard credit  
2163 rating determined by the department.

2164 (c) Loans must be made pursuant to written agreements  
2165 specifying the terms and conditions agreed to by the approved  
2166 applicant and the department. The loan agreement must specify  
2167 that the loan is due upon sale if the property or other  
2168 collateral for the loan is sold.

2169 (d) An approved applicant must agree to stay in production  
2170 for the duration of the loan. A loan is not assumable.

2171 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
2172 by a lien, subordinate only to any mortgage held by a financial  
2173 institution as defined in s. 655.005, on property or other  
2174 collateral as set forth in the loan agreement. The specific type  
2175 of collateral required may vary depending upon the loan purpose,

2176 repayment ability, and the particular circumstances of the  
2177 applicant. The department shall record the lien in public  
2178 records in the county where the property is located and, in the  
2179 case of personal property, perfect the security interest by  
2180 filing appropriate Uniform Commercial Code forms with the  
2181 Florida Secured Transaction Registry as required pursuant to  
2182 chapter 679.

2183 (6) LOAN REPAYMENT.—

2184 (a) A loan is due and payable in accordance with the terms  
2185 of the loan agreement.

2186 (b) The department shall defer payments for the first 3  
2187 years of the loan. After 3 years, the department shall reduce  
2188 the principal balance annually through the end of the loan term  
2189 such that the original principal balance is reduced by 30  
2190 percent. If the principal balance is repaid before the end of  
2191 the 10th year, the applicant may not be required to pay more  
2192 than 70 percent of the original principal balance. The approved  
2193 applicant must continue to be actively engaged in production in  
2194 order to receive the original principal balance reductions and  
2195 must continue to meet the loan agreement terms to the  
2196 satisfaction of the department.

2197 (c) An approved applicant may make payments on the loan at  
2198 any time without penalty. Early repayment is encouraged as other  
2199 funding sources or revenues become available to the approved  
2200 applicant.



2201 (d) All repayments of principal and interest, if  
 2202 applicable, received by the department in a fiscal year must be  
 2203 returned to the loan fund and made available for loans to other  
 2204 applicants in the next application period.

2205 (e) The department may periodically review an approved  
 2206 applicant to determine whether he or she continues to be in  
 2207 compliance with the terms of the loan agreement. If the  
 2208 department finds that an applicant is no longer in production or  
 2209 has otherwise violated the loan agreement, the department may  
 2210 seek repayment of the full original principal balance  
 2211 outstanding, including any interest or costs, as applicable, and  
 2212 excluding any applied or anticipated original principal balance  
 2213 reductions.

2214 (f) The department may defer or waive loan payments if at  
 2215 any time during the repayment period of a loan, the approved  
 2216 applicant experiences a significant hardship such as crop loss  
 2217 from a weather-related event or from impacts from a natural  
 2218 disaster or declared emergency.

2219 (7) ADMINISTRATION.—

2220 (a) The department shall create and maintain a separate  
 2221 account in the General Inspection Trust Fund as a fund for the  
 2222 program. All repayments must be returned to the loan fund and  
 2223 made available as provided in this section. Notwithstanding s.  
 2224 216.301, funds appropriated for the loan program are not subject  
 2225 to reversion. The department shall manage the fund, establishing

2226 loan practices that must include, but are not limited to,  
2227 procedures for establishing loan interest rates, uses of  
2228 funding, application procedures, and application review  
2229 procedures. The department is authorized to contract with a  
2230 third-party administrator to administer the program and manage  
2231 the loan fund. A contract for a third-party administrator that  
2232 includes management of the loan fund must, at a minimum, require  
2233 maintenance of the loan fund to ensure that the program may  
2234 operate in a revolving manner.

2235 (b) The department shall coordinate with other state  
2236 agencies and other entities to ensure to the greatest extent  
2237 possible that agriculture and aquaculture producers in this  
2238 state have access to the maximum financial assistance available  
2239 following a declared emergency ~~natural disaster~~. The  
2240 coordination must endeavor to ensure that there is no  
2241 duplication of financial assistance between the loan program and  
2242 other funding sources, such as any federal or other state  
2243 programs, including public assistance requests to the Federal  
2244 Emergency Management Agency or financial assistance from the  
2245 United States Department of Agriculture, which could render the  
2246 approved applicant ineligible for other financial assistance.

2247 (8) PUBLIC RECORDS EXEMPTION.—

2248 (a) The following information held by the department  
2249 pursuant to its administration of the program is exempt from s.  
2250 119.07(1) and s. 24(a), Art. I of the State Constitution:

- 2251           1. Tax returns.  
 2252           2. Credit history information, credit reports, and credit  
 2253 scores.

2254           (b) This subsection does not prohibit the disclosure of  
 2255 information held by the department pursuant to its  
 2256 administration of the program in an aggregated and anonymized  
 2257 format.

2258           (c) This subsection is subject to the Open Government  
 2259 Sunset Review Act in accordance with s. 119.15 and shall stand  
 2260 repealed on October 2, 2029, unless reviewed and saved from  
 2261 repeal through reenactment by the Legislature.

2262           (9) RULES.—The department shall adopt rules to implement  
 2263 this section.

2264           (10) REPORTS.—By December 1, 2024, and each December 1  
 2265 thereafter, the department shall provide a report on program  
 2266 activities during the previous fiscal year to the President of  
 2267 the Senate and the Speaker of the House of Representatives. The  
 2268 report must include information on noticed application periods,  
 2269 the number and value of loans awarded under the program for each  
 2270 application period, the number and value of loans outstanding,  
 2271 the number and value of any loan repayments received, and an  
 2272 anticipated repayment schedule for all loans.

2273           (11) SUNSET.—This section expires July 1, 2043, unless  
 2274 reviewed and saved from repeal through reenactment by the  
 2275 Legislature.

2276           **Section 65. Section 570.823, Florida Statutes, is created**  
 2277 **to read:**

2278           570.823 Silviculture emergency recovery program.—

2279           (1) DEFINITIONS.—As used in this section, the term:

2280           (a) "Bona fide farm operation" means a farm operation  
 2281 engaged in a good faith commercial agricultural use of land on  
 2282 land classified as agricultural pursuant to s. 193.461 that  
 2283 produces agricultural products within the definition of  
 2284 agriculture under s. 570.02.

2285           (b) "Declared emergency" means an emergency for which a  
 2286 state of emergency is declared pursuant to s. 252.36 or s.  
 2287 570.07(21).

2288           (c) "Department" means the Department of Agriculture and  
 2289 Consumer Services.

2290           (d) "Program" means the silviculture emergency recovery  
 2291 program.

2292           (2) USE OF GRANT FUNDS; GRANT TERMS.—

2293           (a) The silviculture emergency recovery program is  
 2294 established within the department to administer a grant program  
 2295 to assist timber landowners whose timber land was damaged as a  
 2296 result of a declared emergency. Grants provided to eligible  
 2297 timber landowners must be used for:

2298           1. Timber stand restoration, including downed tree removal  
 2299 on land which will retain the existing trees on site which are  
 2300 lightly or completely undamaged;

2301           2. Site preparation, and tree replanting; or  
 2302           3. Road and trail clearing on private timber lands to  
 2303 provide emergency access and facilitate salvage operations.

2304           (b) Only timber land located on lands classified as  
 2305 agricultural lands under s. 193.461 are eligible for the  
 2306 program.

2307           (c) The department shall coordinate with state agencies  
 2308 and other entities to ensure to the greatest extent possible  
 2309 that timber landowners have access to the maximum financial  
 2310 assistance available following a specified declared emergency.  
 2311 The coordination must endeavor to ensure that there is no  
 2312 duplication of financial assistance between these funds and  
 2313 other funding sources, such as any federal or other state  
 2314 programs, including public assistance requests to the Federal  
 2315 Emergency Management Agency or financial assistance from the  
 2316 United States Department of Agriculture, which would render the  
 2317 approved applicant ineligible for other financial assistance.

2318           (d) The department is authorized to adopt rules to  
 2319 implement this section, including emergency rules.  
 2320 Notwithstanding any other provision of law, emergency rules  
 2321 adopted pursuant to this subsection are effective for 6 months  
 2322 after adoption and may be renewed during the pendency of  
 2323 procedures to adopt permanent rules addressing the subject of  
 2324 the emergency rules.

2325           **Section 66. Subsections (6) and (7) of section 581.1843,**

2326 **Florida Statutes, are renumbered as subsections (5) and (6),**  
2327 **respectively, and subsection (2) and present subsection (5) of**  
2328 **that section are amended, to read:**

2329       581.1843 Citrus nursery stock propagation and production  
2330 and the establishment of regulated areas around citrus  
2331 nurseries.—

2332       (2) Effective January 1, 2007, it is unlawful for any  
2333 person to propagate for sale or movement any citrus nursery  
2334 stock that was not propagated or grown on a site and within a  
2335 protective structure approved by the department ~~and that is not~~  
2336 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
2337 ~~nursery registered with the department prior to April 1, 2006,~~  
2338 ~~shall not be required to comply with the 1-mile setback from~~  
2339 ~~commercial citrus groves while continuously operating at the~~  
2340 ~~same location for which it was registered. However, the nursery~~  
2341 shall be required to propagate citrus within a protective  
2342 structure approved by the department. Effective January 1, 2008,  
2343 it is ~~shall be~~ unlawful to distribute any citrus nursery stock  
2344 that was not produced in a protective structure approved by the  
2345 department.

2346       ~~(5) The department shall establish regulated areas around~~  
2347 ~~the perimeter of commercial citrus nurseries that were~~  
2348 ~~established on sites after April 1, 2006, not to exceed a radius~~  
2349 ~~of 1 mile. The planting of citrus in an established regulated~~  
2350 ~~area is prohibited. The planting of citrus within a 1-mile~~

2351 ~~radius of commercial citrus nurseries that were established on~~  
2352 ~~sites prior to April 1, 2006, must be approved by the~~  
2353 ~~department. Citrus plants planted within a regulated area prior~~  
2354 ~~to the establishment of the regulated area may remain in the~~  
2355 ~~regulated area unless the department determines the citrus~~  
2356 ~~plants to be infected or infested with citrus canker or citrus~~  
2357 ~~greening. The department shall require the removal of infected~~  
2358 ~~or infested citrus, nonapproved planted citrus, and citrus that~~  
2359 ~~has sprouted by natural means in regulated areas. The property~~  
2360 ~~owner shall be responsible for the removal of citrus planted~~  
2361 ~~without proper approval. Notice of the removal of citrus trees,~~  
2362 ~~by immediate final order of the department, shall be provided to~~  
2363 ~~the owner of the property on which the trees are located. An~~  
2364 ~~immediate final order issued by the department under this~~  
2365 ~~section shall notify the property owner that the citrus trees,~~  
2366 ~~which are the subject of the immediate final order, must be~~  
2367 ~~removed and destroyed unless the property owner, no later than~~  
2368 ~~10 days after delivery of the immediate final order, requests~~  
2369 ~~and obtains a stay of the immediate final order from the~~  
2370 ~~district court of appeal with jurisdiction to review such~~  
2371 ~~requests. The property owner shall not be required to seek a~~  
2372 ~~stay from the department of the immediate final order prior to~~  
2373 ~~seeking a stay from the district court of appeal.~~

2374 **Section 67.** Sections 593.101, 593.102, 593.103, 593.104,  
2375 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,

2376 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
 2377 and 593.117, Florida Statutes, are repealed.

2378 **Section 68. Subsection (11) of section 595.404, Florida**  
 2379 **Statutes, is amended to read:**

2380 595.404 School food and other nutrition programs; powers  
 2381 and duties of the department.—The department has the following  
 2382 powers and duties:

2383 (11) To adopt and implement an appeal process by rule, as  
 2384 required by federal regulations, for applicants and participants  
 2385 under the programs implemented pursuant to this chapter,  
 2386 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~  
 2387 ~~120.569 and 120.57-120.595.~~

2388 **Section 69. Section 599.002, Florida Statutes, is amended**  
 2389 **to read:**

2390 599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

2391 (1) There is created within the Department of Agriculture  
 2392 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory  
 2393 Council, to be composed ~~consist~~ of eight members as follows: the  
 2394 president of the Florida Wine and Grape Growers Association  
 2395 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
 2396 representative from the Institute of Food and Agricultural  
 2397 Sciences; a representative from the viticultural science program  
 2398 at Florida Agricultural and Mechanical University; and five  
 2399 additional commercial members, to be appointed for a 2-year term  
 2400 each by the Commissioner of Agriculture, including a wine



2401 producer, a fresh fruit producer, a nonwine product (juice,  
 2402 jelly, pie fillings, etc.) producer, and a viticultural nursery  
 2403 operator.

2404 (2) The meetings, powers and duties, procedures, and  
 2405 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council  
 2406 shall be pursuant to s. 570.232.

2407 (3) The primary responsibilities of the Florida Wine  
 2408 ~~Viticulture~~ Advisory Council are to submit to the Commissioner  
 2409 of Agriculture, annually, the industry's recommendations for  
 2410 wine and viticultural research, promotion, and education and, as  
 2411 necessary, the industry's recommendations for revisions to the  
 2412 State Wine ~~Viticulture~~ Plan.

2413 **Section 70. Section 599.003, Florida Statutes, is amended**  
 2414 **to read:**

2415 599.003 State Wine ~~Viticulture~~ Plan.—

2416 (1) The Commissioner of Agriculture, in consultation with  
 2417 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and  
 2418 coordinate the implementation of the State Wine ~~Viticulture~~  
 2419 Plan, which shall identify problems and constraints of the wine  
 2420 and viticulture industry, propose possible solutions to those  
 2421 problems, and develop planning mechanisms for the orderly growth  
 2422 of the industry, including:

2423 (a) Criteria for wine and viticultural research, service,  
 2424 and management priorities.

2425 (b) Additional proposed legislation that may be required.

2426 (c) Plans and goals to improve research and service  
 2427 capabilities at Florida Agricultural and Mechanical University  
 2428 and the University of Florida in their efforts to address  
 2429 current and future needs of the industry.

2430 (d) The potential for viticulture products in terms of  
 2431 market and needs for development.

2432 (e) Evaluation of wine policy alternatives, including, but  
 2433 not limited to, continued improvement in wine quality, blending  
 2434 considerations, promotion and advertising, labeling and vineyard  
 2435 designations, and development of production and marketing  
 2436 strategies.

2437 (f) Evaluation of production and fresh fruit policy  
 2438 alternatives, including, but not limited to, setting minimum  
 2439 grades and standards, promotion and advertising, development of  
 2440 production and marketing strategies, and setting minimum  
 2441 standards on types and quality of nursery plants.

2442 (g) Evaluation of policy alternatives for nonwine  
 2443 processed products, including, but not limited to, setting  
 2444 minimum quality standards and development of production and  
 2445 marketing strategies.

2446 (h) Research and service priorities for further  
 2447 development of the wine and viticulture industry.

2448 (i) The identification of state agencies and public and  
 2449 private institutions concerned with research, education,  
 2450 extension, services, planning, promotion, and marketing

2451 functions related to wine and viticultural development and the  
 2452 delineation of contributions and responsibilities.

2453 (j) Business planning, investment potential, financial  
 2454 risks, and economics of production and utilization.

2455 (2) A revision and update of the State Wine ~~Viticulture~~  
 2456 Plan must ~~shall~~ be submitted biennially to the President of the  
 2457 Senate, the Speaker of the House of Representatives, and the  
 2458 chairs of appropriate committees of the Senate and House of  
 2459 Representatives, and a progress report and budget request must  
 2460 ~~shall~~ be submitted annually.

2461 **Section 71. Paragraph (a) of subsection (2) and subsection**  
 2462 **(3) of section 599.004, Florida Statutes, are amended, and**  
 2463 **paragraph (d) is added to subsection (2) of that section, to**  
 2464 **read:**

2465 599.004 Florida Farm Winery Program; registration; logo;  
 2466 fees.—

2467 (2) (a) The department, in coordination with the Florida  
 2468 Wine ~~Viticulture~~ Advisory Council, shall develop and designate  
 2469 by rule a Florida Farm Winery logo, emblem, and directional sign  
 2470 to guide the public to certified Florida Farm Wineries ~~Winery~~  
 2471 ~~tourist attractions~~. The logo and emblem of certified Florida  
 2472 Farm Winery signs must ~~shall~~ be uniform.

2473 (d) Wineries that fail to recertify annually or pay the  
 2474 licensing fee required in paragraph (c) are subject to having  
 2475 the signs referenced in paragraph (b) removed and will be

2476 responsible for all costs incurred by the Department of  
 2477 Transportation in connection with the removal.

2478 (3) All fees collected, except as otherwise provided by  
 2479 this section, shall be deposited into the Florida Wine  
 2480 ~~Viticulture~~ Trust Fund and used to develop consumer information  
 2481 on the native characteristics and proper use of wines.

2482 **Section 72. Section 599.012, Florida Statutes, is amended**  
 2483 **to read:**

2484 599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.—

2485 (1) There is established the Florida Wine ~~Viticulture~~  
 2486 Trust Fund within the Department of Agriculture and Consumer  
 2487 Services. The department shall use the moneys deposited in the  
 2488 trust fund pursuant to subsection (2) to do all the following:

2489 (a) Develop and coordinate the implementation of the State  
 2490 Viticulture Plan.

2491 (b) Promote viticulture products manufactured from  
 2492 products grown in the state.

2493 (c) Provide grants for viticultural research.

2494 (2) Fifty percent of the revenues collected from the  
 2495 excise taxes imposed under s. 564.06 on wine produced by  
 2496 manufacturers in this state from products grown in the state  
 2497 will be deposited in the Florida Wine ~~Viticulture~~ Trust Fund in  
 2498 accordance with that section.

2499 **Section 73. Subsection (1) of section 616.12, Florida**  
 2500 **Statutes, is amended to read:**

2501           616.12 Licenses upon certain shows; distribution of fees;  
2502 exemptions.—

2503           (1) Each person who operates any traveling show,  
2504 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
2505 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
2506 device, dramatic repertoire, other show or amusement, or  
2507 concession, including a concession operating in a tent,  
2508 enclosure, or other temporary structure, within the grounds of,  
2509 and in connection with, any annual public fair held by a fair  
2510 association shall pay the license taxes provided by law.  
2511 However, if the association satisfies the requirements of this  
2512 chapter, including securing the required fair permit from the  
2513 department, the license taxes and local business tax authorized  
2514 in chapter 205 are waived and the department shall issue a tax  
2515 exemption certificate. The department shall adopt the proper  
2516 forms and rules to administer this section, including the  
2517 necessary tax exemption certificate, showing that the fair  
2518 association has met all requirements and that the traveling  
2519 show, exhibition, amusement enterprise, carnival, vaudeville,  
2520 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
2521 riding device, dramatic repertoire, other show or amusement, or  
2522 concession is exempt.

2523           **Section 74. Section 687.16, Florida Statutes, is created**  
2524 **to read:**

2525           687.16 Florida Farmer Financial Protection Act.—

2526           (1) SHORT TITLE.—This section may be cited as the "Florida  
2527 Farmer Financial Protection Act."

2528           (2) DEFINITIONS.—

2529           (a) "Agriculture producer" means a person or company  
2530 authorized to do business in this state and engaged in the  
2531 production of goods derived from plants or animals, including,  
2532 but not limited to, the growing of crops, silviculture, animal  
2533 husbandry, or the production of livestock or dairy products.

2534           (b) "Agritourism activity" has the same meaning as  
2535 provided in s. 570.86.

2536           (c) "Commissioner" means the Commissioner of Agriculture.

2537           (d) "Company" means a for-profit organization,  
2538 association, corporation, partnership, joint venture, sole  
2539 proprietorship, limited partnership, limited liability  
2540 partnership, or limited liability company, including a wholly  
2541 owned subsidiary, majority-owned subsidiary, parent company, or  
2542 affiliate of those entities or business associations authorized  
2543 to do business in this state.

2544           (e) "Denies or restricts" means refusing to provide  
2545 services, terminating existing services, or restricting or  
2546 burdening the scope or nature of services offered or provided.

2547           (f) "Discriminate in the provision of financial services"  
2548 means to deny or restrict services and thereby decline to  
2549 provide financial services.

2550           (g) "ESG factor" means any factor or consideration that is

2551 collateral to or not reasonably likely to affect or impact  
2552 financial risk and includes the promotion, furtherance, or  
2553 achievement of environmental, social, or political goals,  
2554 objectives, or outcomes, which may include the agriculture  
2555 producer's greenhouse gas emissions, use of fossil-fuel derived  
2556 fertilizer, or use of fossil-fuel powered machinery.

2557 (h) "Farm" means the land, buildings, support facilities,  
2558 machinery, and other appurtenances used in the production of  
2559 farm or aquaculture products.

2560 (i) "Financial institution" means a company authorized to  
2561 do business in this state which has total assets of more than  
2562 \$100 million and offers financial services. A financial  
2563 institution includes any affiliate or subsidiary company, even  
2564 if that affiliate or subsidiary company is also a financial  
2565 institution.

2566 (j) "Financial service" means any product or service that  
2567 is of a financial nature and is offered by a financial  
2568 institution.

2569 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2570 (a) A financial institution may not discriminate in the  
2571 provision of financial services to an agriculture producer  
2572 based, in whole or in part, upon an ESG factor.

2573 (b) If a financial institution has made any ESG commitment  
2574 related to agriculture, there is an inference that the  
2575 institution's denial or restriction of a financial service to an

2576 agriculture producer violates paragraph (a).

2577 (c) A financial institution may overcome the inference in  
 2578 paragraph (b) by demonstrating that its denial or restriction of  
 2579 a financial service was based solely on documented risk  
 2580 analysis, and not on any ESG factor.

2581 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
 2582 General, in consultation with the Office of Financial  
 2583 Regulation, is authorized to enforce subsection (3). Any  
 2584 violation of subsection (3) constitutes an unfair trade practice  
 2585 under part II of chapter 501 and the Attorney General is  
 2586 authorized to investigate and seek remedies as provided in  
 2587 general law. Actions for damages may be sought by an aggrieved  
 2588 party.

2589 **Section 75. Paragraph (a) of subsection (3) of section**  
 2590 **741.0305, Florida Statutes, is amended to read:**

2591 741.0305 Marriage fee reduction for completion of  
 2592 premarital preparation course.—

2593 (3) (a) All individuals electing to participate in a  
 2594 premarital preparation course shall choose from the following  
 2595 list of qualified instructors:

- 2596 1. A psychologist licensed under chapter 490.
- 2597 2. A clinical social worker licensed under chapter 491.
- 2598 3. A marriage and family therapist licensed under chapter
- 2599 491.
- 2600 4. A mental health counselor licensed under chapter 491.



2601           5. An official representative of a religious institution  
2602 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the  
2603 representative has relevant training.

2604           6. Any other provider designated by a judicial circuit,  
2605 including, but not limited to, school counselors who are  
2606 certified to offer such courses. Each judicial circuit may  
2607 establish a roster of area course providers, including those who  
2608 offer the course on a sliding fee scale or for free.

2609           **Section 76. Paragraph (h) of subsection (2), subsection**  
2610 **(3), paragraph (c) of subsection (6), and subsection (10) of**  
2611 **section 790.06, Florida Statutes, are amended to read:**

2612           790.06 License to carry concealed weapon or concealed  
2613 firearm.—

2614           (2) The Department of Agriculture and Consumer Services  
2615 shall issue a license if the applicant:

2616           (h) Demonstrates competence with a firearm by any one of  
2617 the following:

2618           1. Completion of any hunter education or hunter safety  
2619 course approved by the Fish and Wildlife Conservation Commission  
2620 or a similar agency of another state;

2621           2. Completion of any National Rifle Association firearms  
2622 safety or training course;

2623           3. Completion of any firearms safety or training course or  
2624 class available to the general public offered by a law  
2625 enforcement agency, junior college, college, or private or

2626 public institution or organization or firearms training school,  
 2627 using instructors certified by the National Rifle Association,  
 2628 Criminal Justice Standards and Training Commission, or the  
 2629 Department of Agriculture and Consumer Services;

2630 4. Completion of any law enforcement firearms safety or  
 2631 training course or class offered for security guards,  
 2632 investigators, special deputies, or any division or subdivision  
 2633 of a law enforcement agency or security enforcement;

2634 5. Presents evidence of equivalent experience with a  
 2635 firearm through participation in organized shooting competition  
 2636 or United States military service;

2637 6. Is licensed or has been licensed to carry a concealed  
 2638 weapon or concealed firearm in this state or a county or  
 2639 municipality of this state, unless such license has been revoked  
 2640 for cause; or

2641 7. Completion of any firearms training or safety course or  
 2642 class conducted by a state-certified or National Rifle  
 2643 Association certified firearms instructor;

2644  
 2645 A photocopy of a certificate of completion of any of the courses  
 2646 or classes; an affidavit from the instructor, school, club,  
 2647 organization, or group that conducted or taught such course or  
 2648 class attesting to the completion of the course or class by the  
 2649 applicant; or a copy of any document that shows completion of  
 2650 the course or class or evidences participation in firearms

2651 competition shall constitute evidence of qualification under  
2652 this paragraph. A person who conducts a course pursuant to  
2653 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
2654 an instructor, attests to the completion of such courses, must  
2655 maintain records certifying that he or she observed the student  
2656 safely handle and discharge the firearm in his or her physical  
2657 presence and that the discharge of the firearm included live  
2658 fire using a firearm and ammunition as defined in s. 790.001;

2659       (3) (a) The Department of Agriculture and Consumer Services  
2660 shall deny a license if the applicant has been found guilty of,  
2661 had adjudication of guilt withheld for, or had imposition of  
2662 sentence suspended for one or more crimes of violence  
2663 constituting a misdemeanor, unless 3 years have elapsed since  
2664 probation or any other conditions set by the court have been  
2665 fulfilled or the record has been sealed or expunged. The  
2666 Department of Agriculture and Consumer Services shall revoke a  
2667 license if the licensee has been found guilty of, had  
2668 adjudication of guilt withheld for, or had imposition of  
2669 sentence suspended for one or more crimes of violence within the  
2670 preceding 3 years. The department shall, upon notification by a  
2671 law enforcement agency, a court, clerk's office, or the Florida  
2672 Department of Law Enforcement ~~and subsequent written~~  
2673 ~~verification~~, temporarily suspend a license or the processing of  
2674 an application for a license if the licensee or applicant is  
2675 arrested or formally charged with a crime that would disqualify

2676 such person from having a license under this section, until  
2677 final disposition of the case. The department shall suspend a  
2678 license or the processing of an application for a license if the  
2679 licensee or applicant is issued an injunction that restrains the  
2680 licensee or applicant from committing acts of domestic violence  
2681 or acts of repeat violence. The department shall notify the  
2682 licensee or applicant suspended under this section of his or her  
2683 right to a hearing pursuant to chapter 120. A hearing conducted  
2684 regarding the temporary suspension must be for the limited  
2685 purpose of determining whether the licensee has been arrested or  
2686 charged with a disqualifying crime or issued an injunction or  
2687 court order. If the criminal case or injunction results in a  
2688 nondisqualifying disposition, the department must issue an order  
2689 lifting the suspension upon the applicant or licensee's  
2690 submission to the department of a certified copy of the final  
2691 resolution. If the criminal case results in a disqualifying  
2692 disposition, the suspension remains in effect and the department  
2693 must proceed with denial or revocation proceedings pursuant to  
2694 chapter 120.

2695 (b) This subsection does not limit, restrict, or inhibit  
2696 the constitutional right to bear arms and carry a concealed  
2697 weapon in this state. The Legislature finds it a matter of  
2698 public policy and public safety that it is necessary to ensure  
2699 that potentially disqualifying information about an applicant or  
2700 licensee is investigated and processed in a timely manner by the

2701 department pursuant to this section. The Legislature intends to  
 2702 clarify that suspensions pursuant to this section are temporary,  
 2703 and the department has the duty to make an eligibility  
 2704 determination and issue a license in the time frame prescribed  
 2705 in this subsection.

2706 (6)

2707 (c) The Department of Agriculture and Consumer Services  
 2708 shall, within 90 days after the date of receipt of the items  
 2709 listed in subsection (5):

2710 1. Issue the license; or

2711 2. Deny the application based solely on the ground that  
 2712 the applicant fails to qualify under the criteria listed in  
 2713 subsection (2) or subsection (3). If the Department of  
 2714 Agriculture and Consumer Services denies the application, it  
 2715 shall notify the applicant in writing, stating the ground for  
 2716 denial and informing the applicant of any right to a hearing  
 2717 pursuant to chapter 120.

2718 3. In the event the result of the criminal history  
 2719 screening identifies ~~department receives~~ criminal history  
 2720 information related to a crime that may disqualify the applicant  
 2721 but does not contain ~~with no~~ final disposition of the crime or  
 2722 lacks sufficient information to make an eligibility  
 2723 determination ~~on a crime which may disqualify the applicant,~~ the  
 2724 time limitation prescribed by this paragraph may be extended for  
 2725 up to an additional 90 days after the receipt of the information

2726 ~~suspended until receipt of the final disposition or proof of~~  
 2727 ~~restoration of civil and firearm rights. The department may make~~  
 2728 ~~a request for information to the jurisdiction where the criminal~~  
 2729 ~~history information originated but must issue a license if it~~  
 2730 ~~does not obtain a disposition or sufficient information to make~~  
 2731 ~~an eligibility determination within the additional 90 days if~~  
 2732 ~~the applicant is otherwise eligible. The department may take any~~  
 2733 ~~action authorized in this section if it receives disqualifying~~  
 2734 ~~criminal history information during the additional 90-day review~~  
 2735 ~~or after issuance of a license.~~

2736 (10) A license issued under this section must ~~shall~~ be  
 2737 temporarily suspended as provided for in subparagraph (6)(c)3.,  
 2738 or revoked pursuant to chapter 120 if the license was issued in  
 2739 error or if the licensee:

2740 (a) Is found to be ineligible under the criteria set forth  
 2741 in subsection (2);

2742 (b) Develops or sustains a physical infirmity which  
 2743 prevents the safe handling of a weapon or firearm;

2744 (c) Is convicted of a felony which would make the licensee  
 2745 ineligible to possess a firearm pursuant to s. 790.23;

2746 (d) Is found guilty of a crime under chapter 893, or  
 2747 similar laws of any other state, relating to controlled  
 2748 substances;

2749 (e) Is committed as a substance abuser under chapter 397,  
 2750 or is deemed a habitual offender under s. 856.011(3), or similar

2751 laws of any other state;

2752 (f) Is convicted of a second violation of s. 316.193, or a  
 2753 similar law of another state, within 3 years after a first  
 2754 conviction of such section or similar law of another state, even  
 2755 though the first violation may have occurred before the date on  
 2756 which the application was submitted;

2757 (g) Is adjudicated an incapacitated person under s.  
 2758 744.331, or similar laws of any other state; or

2759 (h) Is committed to a mental institution under chapter  
 2760 394, or similar laws of any other state.

2761

2762 Notwithstanding s. 120.60(5), service of a notice of the  
 2763 suspension or revocation of a concealed weapon or concealed  
 2764 firearm license must be given by either certified mail, return  
 2765 receipt requested, to the licensee at his or her last known  
 2766 mailing address furnished to the Department of Agriculture and  
 2767 Consumer Services, or by personal service. If a notice given by  
 2768 certified mail is returned as undeliverable, a second attempt  
 2769 must be made to provide notice to the licensee at that address,  
 2770 by either first-class mail in an envelope, postage prepaid,  
 2771 addressed to the licensee at his or her last known mailing  
 2772 address furnished to the department, or, if the licensee has  
 2773 provided an e-mail address to the department, by e-mail. Such  
 2774 mailing by the department constitutes notice, and any failure by  
 2775 the licensee to receive such notice does not stay the effective

2776 date or term of the suspension or revocation. A request for  
 2777 hearing must be filed with the department within 21 days after  
 2778 notice is received by personal delivery, or within 26 days after  
 2779 the date the department deposits the notice in the United States  
 2780 mail (21 days plus 5 days for mailing). The department shall  
 2781 document its attempts to provide notice, and such documentation  
 2782 is admissible in the courts of this state and constitutes  
 2783 sufficient proof that notice was given.

2784 **Section 77. Subsection (2) of section 812.0151, Florida**  
 2785 **Statutes, is amended to read:**

2786 812.0151 Retail fuel theft.—

2787 (2) (a) A person commits a felony of the third degree,  
 2788 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 2789 if he or she willfully, knowingly, and without authorization:

2790 1. Breaches a retail fuel dispenser or accesses any  
 2791 internal portion of a retail fuel dispenser; or

2792 2. Possesses any device constructed for the purpose of  
 2793 fraudulently altering, manipulating, or interrupting the normal  
 2794 functioning of a retail fuel dispenser.

2795 (b) A person commits a felony of the second degree,  
 2796 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 2797 if he or she willfully, knowingly, and without authorization:

2798 1. Physically tampers with, manipulates, removes,  
 2799 replaces, or interrupts any mechanical or electronic component  
 2800 located on ~~within~~ the internal or external portion of a retail



2801 fuel dispenser; or

2802 2. Uses any form of electronic communication to  
 2803 fraudulently alter, manipulate, or interrupt the normal  
 2804 functioning of a retail fuel dispenser.

2805 (c) A person commits a felony of the third degree,  
 2806 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 2807 if he or she:

2808 1. Obtains fuel as a result of violating paragraph (a) or  
 2809 paragraph (b); ~~or~~

2810 2. Modifies a vehicle's factory installed fuel tank or  
 2811 possesses any item used to hold fuel which was not fitted to a  
 2812 vehicle or conveyance at the time of manufacture with the intent  
 2813 to use such fuel tank or item to hold or transport fuel obtained  
 2814 as a result of violating paragraph (a) or paragraph (b); or

2815 3. Possesses or uses any form of a payment instrument that  
 2816 can be used, alone or in conjunction with another access device,  
 2817 to authorize a fuel transaction or obtain fuel, including, but  
 2818 not limited to, a plastic payment card with a magnetic stripe or  
 2819 a chip encoded with account information or both, with the intent  
 2820 to defraud the fuel retailer, the authorized payment instrument  
 2821 financial account holder, or the banking institution that issued  
 2822 the payment instrument financial account.

2823 **Section 78. Section 812.136, Florida Statutes, is created**  
 2824 **to read:**

2825 812.136 Mail theft.—

2826 (1) As used in this section, unless the context otherwise  
2827 requires:

2828 (a) "Mail" means any letter, postal card, parcel,  
2829 envelope, package, bag, or any other sealed article addressed to  
2830 another, along with its contents.

2831 (b) "Mail depository" means a mail box, letter box, mail  
2832 route, or mail receptacle of a postal service, an office of a  
2833 postal service, or mail carrier of a postal service, or a  
2834 vehicle of a postal service.

2835 (c) "Postal service" means the United States Postal  
2836 Service or its contractors, or any commercial courier that  
2837 delivers mail.

2838 (2) Any of the following acts constitutes mail theft:

2839 (a) Removing mail from a mail depository or taking mail  
2840 from a mail carrier of a postal service with the intent to  
2841 commit a theft in violation of s. 812.014.

2842 (b) Obtaining custody of mail by fraud or deception with  
2843 the intent to commit a theft in violation of s. 812.014.

2844 (c) Selling, receiving, possessing, transferring, buying,  
2845 or concealing mail obtained by acts described in paragraph (a)  
2846 or paragraph (b) of this subsection, while knowing or having  
2847 reason to know the mail was obtained illegally.

2848 (3) Any of the following constitutes theft of or  
2849 unauthorized reproduction of a mail depository key or lock:

2850 (a) Theft or obtaining by false pretense any key or lock

2851 adopted by a postal service for a mail depository or other  
 2852 authorized receptacle for the deposit or delivery of mail.

2853 (b) Knowingly and unlawfully making, forging, or  
 2854 counterfeiting any such key or possessing any such key or lock  
 2855 adopted by a postal service with the intent to unlawfully or  
 2856 improperly use, sell, or otherwise dispose of the key or lock,  
 2857 or to cause the key or lock to be unlawfully or improperly used,  
 2858 sold, or otherwise disposed.

2859 (4) A person who commits a first violation of this section  
 2860 commits a misdemeanor of the first degree, punishable as  
 2861 provided in s. 775.082 or s. 775.083. A person who commits a  
 2862 second or subsequent violation of this section commits a felony  
 2863 of the third degree, punishable as provided in s. 775.082, s.  
 2864 775.083, or s. 775.084.

2865 **Section 79. Paragraph (i) of subsection (4) of section**  
 2866 **934.50, Florida Statutes, is amended to read:**

2867 934.50 Searches and seizure using a drone.—

2868 (4) EXCEPTIONS.—This section does not prohibit the use of  
 2869 a drone:

2870 ~~(i) By a person or an entity engaged in a business or~~  
 2871 ~~profession licensed by the state, or by an agent, employee, or~~  
 2872 ~~contractor thereof, if the drone is used only to perform~~  
 2873 ~~reasonable tasks within the scope of practice or activities~~  
 2874 ~~permitted under such person's or entity's license. However, this~~  
 2875 ~~exception does not apply to a profession in which the licensee's~~

2876 ~~authorized scope of practice includes obtaining information~~  
 2877 ~~about the identity, habits, conduct, movements, whereabouts,~~  
 2878 ~~affiliations, associations, transactions, reputation, or~~  
 2879 ~~character of any society, person, or group of persons.~~

2880 **Section 80. Section 1013.373, Florida Statutes, is created**  
 2881 **to read:**

2882 1013.373 Educational facilities used for agricultural  
 2883 education.-

2884 (1) Notwithstanding any other provision of law, a local  
 2885 government may not adopt any ordinance, regulation, rule, or  
 2886 policy to prohibit, restrict, regulate, or otherwise limit any  
 2887 activities of public educational facilities and auxiliary  
 2888 facilities constructed by a board for agricultural education,  
 2889 for Future Farmers of America or 4-H activities, or the storage  
 2890 of any animal or equipment therein.

2891 (2) Lands used for agricultural education or for Future  
 2892 Farmers of America or 4-H activities are considered agricultural  
 2893 lands pursuant to s. 193.461 and subject to s. 823.14.

2894 **Section 81. For the purpose of incorporating the amendment**  
 2895 **made by this act to section 110.205, Florida Statutes, in a**  
 2896 **reference thereto, paragraph (a) of subsection (5) of section**  
 2897 **295.07, Florida Statutes, is reenacted to read:**

2898 295.07 Preference in appointment and retention.-

2899 (5) The following positions are exempt from this section:

2900 (a) Those positions that are exempt from the state Career

2901 Service System under s. 110.205(2); however, all positions under  
 2902 the University Support Personnel System of the State University  
 2903 System as well as all Career Service System positions under the  
 2904 Florida College System and the School for the Deaf and the  
 2905 Blind, or the equivalent of such positions at state  
 2906 universities, Florida College System institutions, or the School  
 2907 for the Deaf and the Blind, are not exempt.

2908 **Section 82. For the purpose of incorporating the amendment**  
 2909 **made by this act to section 388.271, Florida Statutes, in a**  
 2910 **reference thereto, paragraph (a) of subsection (1) of section**  
 2911 **189.062, Florida Statutes, is reenacted to read:**

2912 189.062 Special procedures for inactive districts.—

2913 (1) The department shall declare inactive any special  
 2914 district in this state by documenting that:

2915 (a) The special district meets one of the following  
 2916 criteria:

2917 1. The registered agent of the district, the chair of the  
 2918 governing body of the district, or the governing body of the  
 2919 appropriate local general-purpose government notifies the  
 2920 department in writing that the district has taken no action for  
 2921 2 or more years;

2922 2. The registered agent of the district, the chair of the  
 2923 governing body of the district, or the governing body of the  
 2924 appropriate local general-purpose government notifies the  
 2925 department in writing that the district has not had a governing

2926 | body or a sufficient number of governing body members to  
 2927 | constitute a quorum for 2 or more years;

2928 |         3. The registered agent of the district, the chair of the  
 2929 | governing body of the district, or the governing body of the  
 2930 | appropriate local general-purpose government fails to respond to  
 2931 | an inquiry by the department within 21 days;

2932 |         4. The department determines, pursuant to s. 189.067, that  
 2933 | the district has failed to file any of the reports listed in s.  
 2934 | 189.066;

2935 |         5. The district has not had a registered office and agent  
 2936 | on file with the department for 1 or more years;

2937 |         6. The governing body of a special district provides  
 2938 | documentation to the department that it has unanimously adopted  
 2939 | a resolution declaring the special district inactive. The  
 2940 | special district is responsible for payment of any expenses  
 2941 | associated with its dissolution;

2942 |         7. The district is an independent special district or a  
 2943 | community redevelopment district created under part III of  
 2944 | chapter 163 that has reported no revenue, no expenditures, and  
 2945 | no debt under s. 189.016(9) or s. 218.32 for at least 5  
 2946 | consecutive fiscal years beginning no earlier than October 1,  
 2947 | 2018. This subparagraph does not apply to a community  
 2948 | development district established under chapter 190 or to any  
 2949 | independent special district operating pursuant to a special act  
 2950 | that provides that any amendment to chapter 190 to grant

2951 additional powers constitutes a power of that district; or  
 2952 8. For a mosquito control district created pursuant to  
 2953 chapter 388, the department has received notice from the  
 2954 Department of Agriculture and Consumer Services that the  
 2955 district has failed to file a tentative work plan and tentative  
 2956 detailed work plan budget as required by s. 388.271.

2957 **Section 83. For the purpose of incorporating the amendment**  
 2958 **made by this act to section 388.271, Florida Statutes, in a**  
 2959 **reference thereto, subsection (7) of section 388.261, Florida**  
 2960 **Statutes, is reenacted to read:**

2961 388.261 State aid to counties and districts for arthropod  
 2962 control; distribution priorities and limitations.—

2963 (7) The department may use state funds appropriated for a  
 2964 county or district under subsection (1) or subsection (2) to  
 2965 provide state mosquito or other arthropod control equipment,  
 2966 supplies, or services when requested by a county or district  
 2967 eligible to receive state funds under s. 388.271.

2968 **Section 84. For the purpose of incorporating the amendment**  
 2969 **made by this act to section 482.161, Florida Statutes, in a**  
 2970 **reference thereto, paragraph (b) of subsection (3) of section**  
 2971 **482.072, Florida Statutes, is reenacted to read:**

2972 482.072 Pest control customer contact centers.—

2973 (3)

2974 (b) Notwithstanding any other provision of this section:

2975 1. A customer contact center licensee is subject to

2976 disciplinary action under s. 482.161 for a violation of this  
 2977 section or a rule adopted under this section committed by a  
 2978 person who solicits pest control services or provides customer  
 2979 service in a customer contact center.

2980 2. A pest control business licensee may be subject to  
 2981 disciplinary action under s. 482.161 for a violation of this  
 2982 section or a rule adopted under this section committed by a  
 2983 person who solicits pest control services or provides customer  
 2984 service in a customer contact center operated by a licensee if  
 2985 the licensee participates in the violation.

2986 **Section 85. For the purpose of incorporating the amendment**  
 2987 **made by this act to section 482.161, Florida Statutes, in a**  
 2988 **reference thereto, section 482.163, Florida Statutes, is**  
 2989 **reenacted to read:**

2990 482.163 Responsibility for pest control activities of  
 2991 employee.—Proper performance of pest control activities by a  
 2992 pest control business employee is the responsibility not only of  
 2993 the employee but also of the certified operator in charge, and  
 2994 the certified operator in charge may be disciplined pursuant to  
 2995 the provisions of s. 482.161 for the pest control activities of  
 2996 an employee. A licensee may not automatically be considered  
 2997 responsible for violations made by an employee. However, the  
 2998 licensee may not knowingly encourage, aid, or abet violations of  
 2999 this chapter.

3000 **Section 86. For the purpose of incorporating the amendment**



3001 **made by this act to section 487.044, Florida Statutes, in a**  
 3002 **reference thereto, section 487.156, Florida Statutes, is**  
 3003 **reenacted to read:**

3004       487.156 Governmental agencies.—All governmental agencies  
 3005 shall be subject to the provisions of this part and rules  
 3006 adopted under this part. Public applicators using or supervising  
 3007 the use of restricted-use pesticides shall be subject to  
 3008 examination as provided in s. 487.044.

3009       **Section 87. For the purpose of incorporating the amendment**  
 3010 **made by this act to section 496.405, Florida Statutes, in a**  
 3011 **reference thereto, subsection (2) of section 496.4055, Florida**  
 3012 **Statutes, is reenacted to read:**

3013       496.4055 Charitable organization or sponsor board duties.—

3014       (2) The board of directors, or an authorized committee  
 3015 thereof, of a charitable organization or sponsor required to  
 3016 register with the department under s. 496.405 shall adopt a  
 3017 policy regarding conflict of interest transactions. The policy  
 3018 shall require annual certification of compliance with the policy  
 3019 by all directors, officers, and trustees of the charitable  
 3020 organization. A copy of the annual certification shall be  
 3021 submitted to the department with the annual registration  
 3022 statement required by s. 496.405.

3023       **Section 88. For the purpose of incorporating the amendment**  
 3024 **made by this act to section 496.405, Florida Statutes, in**  
 3025 **references thereto, subsections (2) and (4) of section 496.406,**

3026 **Florida Statutes, are reenacted to read:**

3027 496.406 Exemption from registration.—

3028 (2) Before soliciting contributions, a charitable  
 3029 organization or sponsor claiming to be exempt from the  
 3030 registration requirements of s. 496.405 under paragraph (1) (d)  
 3031 must submit annually to the department, on forms prescribed by  
 3032 the department:

3033 (a) The name, street address, and telephone number of the  
 3034 charitable organization or sponsor, the name under which it  
 3035 intends to solicit contributions, the purpose for which it is  
 3036 organized, and the purpose or purposes for which the  
 3037 contributions to be solicited will be used.

3038 (b) The tax exempt status of the organization.

3039 (c) The date on which the organization's fiscal year ends.

3040 (d) The names, street addresses, and telephone numbers of  
 3041 the individuals or officers who have final responsibility for  
 3042 the custody of the contributions and who will be responsible for  
 3043 the final distribution of the contributions.

3044 (e) A financial statement of support, revenue, and  
 3045 expenses and a statement of functional expenses that must  
 3046 include, but not be limited to, expenses in the following  
 3047 categories: program, management and general, and fundraising. In  
 3048 lieu of the financial statement, a charitable organization or  
 3049 sponsor may submit a copy of its Internal Revenue Service Form  
 3050 990 and all attached schedules or Internal Revenue Service Form

3051 990-EZ and Schedule O.

3052 (4) Exemption from the registration requirements of s.  
 3053 496.405 does not limit the applicability of other provisions of  
 3054 this section to a charitable organization or sponsor.

3055 **Section 89. For the purpose of incorporating the amendment**  
 3056 **made by this act to section 500.12, Florida Statutes, in a**  
 3057 **reference thereto, paragraph (a) of subsection (1) of section**  
 3058 **500.80, Florida Statutes, is reenacted to read:**

3059 500.80 Cottage food operations.—

3060 (1)(a) A cottage food operation must comply with the  
 3061 applicable requirements of this chapter but is exempt from the  
 3062 permitting requirements of s. 500.12 if the cottage food  
 3063 operation complies with this section and has annual gross sales  
 3064 of cottage food products that do not exceed \$250,000.

3065 **Section 90. For the purpose of incorporating the amendment**  
 3066 **made by this act to section 500.172, Florida Statutes, in a**  
 3067 **reference thereto, subsection (6) of section 500.121, Florida**  
 3068 **Statutes, is reenacted to read:**

3069 500.121 Disciplinary procedures.—

3070 (6) If the department determines that a food offered in a  
 3071 food establishment is labeled with nutrient claims that are in  
 3072 violation of this chapter, the department shall retest or  
 3073 reexamine the product within 90 days after notification to the  
 3074 manufacturer and to the firm at which the product was collected.  
 3075 If the product is again found in violation, the department shall

3076 test or examine the product for a third time within 60 days  
 3077 after the second notification. The product manufacturer shall  
 3078 reimburse the department for the cost of the third test or  
 3079 examination. If the product is found in violation for a third  
 3080 time, the department shall exercise its authority under s.  
 3081 500.172 and issue a stop-sale or stop-use order. The department  
 3082 may impose additional sanctions for violations of this  
 3083 subsection.

3084 **Section 91. For the purpose of incorporating the amendment**  
 3085 **made by this act to section 790.06, Florida Statutes, in a**  
 3086 **reference thereto, section 790.061, Florida Statutes, is**  
 3087 **reenacted to read:**

3088 790.061 Judges and justices; exceptions from licensure  
 3089 provisions.—A county court judge, circuit court judge, district  
 3090 court of appeal judge, justice of the supreme court, federal  
 3091 district court judge, or federal court of appeals judge serving  
 3092 in this state is not required to comply with the provisions of  
 3093 s. 790.06 in order to receive a license to carry a concealed  
 3094 weapon or firearm, except that any such justice or judge must  
 3095 comply with the provisions of s. 790.06(2)(h). The Department of  
 3096 Agriculture and Consumer Services shall issue a license to carry  
 3097 a concealed weapon or firearm to any such justice or judge upon  
 3098 demonstration of competence of the justice or judge pursuant to  
 3099 s. 790.06(2)(h).

3100 **Section 92.** This act shall take effect July 1, 2025.