



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
AUGUST 12, 2025
6:30 PM

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr Alternate

ADMINISTRATION

PZB Director Iramis Cabrera
PZB Planner Christian Melendez

Deputy Village Clerk Jane R. Worth
Village Attorney Christy Goddeau

If a person decides to appeal any decision made by this Board with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

Chairman Johnnie Tieche
Vice Chairman Richard Hughes
Ralph Lashells
Peter Braun
Kim Gehrman
Brenda Browning, Sr. Alternate
Ralph Wiles, Jr. Alternate

PZ&B Director, Iramis Cabrera
PZ&B Planner, Christian Melendez
Village Attorney Christy Goddeau
Deputy Village Clerk Jane R. Worth

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

2. **Approval of June 10, 2025, Planning and Zoning Advisory Board Meeting Minutes:** Approval of June 10, 2025, Planning and Zoning Board Advisory Board Meeting.
Staff: Jane Worth, Deputy Village Clerk
3. **Approval of July 8, 2025, Planning and Zoning Advisory Board Meeting Minutes:** Approval of July 8, 2025, Planning and Zoning Board Advisory Board Meeting.
Staff: Andrea Medero, Records Clerk

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

4. **Resolution No. 2025-49 - Amending Section 177.071, Florida Statutes by Designating an Administrative Official to Approve Plats and Replats Administratively:** Motion to recommend approval to Village Council to comply with Senate Bill 784 (2025), which amended Section 177.071, Florida Statutes, by requiring all plats and replats to be administratively approved and requiring all municipalities to designate an administrative official to approve administratively, approve with conditions, or deny plats and replats on or after July 1, 2025.
Staff: Iramis Cabrera, PZB Director
5. **Ordinance No. 2025-05 - Repealing Section 34-1337 of the Village of Palm Springs Code of Ordinances to comply with Florida Statutes Section 366.94:** Recommend approval to the Village Council for Ordinance No. 2025-05 to repeal Section 34-1337 of the Village of Palm Springs Code of Ordinances to comply with Florida Statutes Section 366.94 in reference to Electric Vehicle Charging stations.
Staff: Iramis Cabrera, PZB Director
6. **Ordinance No.2025-06 - Village Code Amendment - Section 14-61. - Hours of Operation of Establishments Where Served and Section 34-891. - Hours of Operation and Hours of Construction Activity:** Recommend approval to the Village Council for Ordinance No. 2025-06 for a Village Code Amendment Section 14-61 - Hours of Operation of Establishments Where Served and Section 34-891. - Hours of Operation and Hours of Construction Activity.

Staff: Iramis Cabrera, PZB Director

OTHER BUSINESS

ADJOURNMENT

**NEXT MEETING
TUESDAY, SEPTEMBER 9, 2025, AT 6:30 PM IN THE VILLAGE COUNCIL
CHAMBERS**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Administration

ITEM #2: June 10, 2025, Planning and Zoning Advisory Board Meeting Minutes

FISCAL IMPACT:

ATTACHMENTS:

1. June 10, 2025 Planning and Zoning Advisory Board Meeting Minutes



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
JUNE 10, 2025
6:30 M

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr. Alternate

ADMINISTRATION

PZ&B Director Iramis Cabrera
PZ&B Planner Christian Melendez

Deputy Village Clerk Jane R. Worth
Village Attorney Christy Goddeau

Persons who need an accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

Chair Johnnie Tieche called the Planning & Zoning Advisory Board Meeting to order at 6:37 p.m.

ROLL CALL

Present: Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, Peter Braun, and Ralph Wiles

Absent: Kim Gehrman, Brenda Browning

Also present: Planning, Zoning, and Building Director Iramis Cabrera, Planning, Zoning, and Building Planner Christian Melendez, Village Attorney Christy Goddeau, and Deputy Village Clerk Jane Worth

- 1. NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL**

DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

Staff: Jane Worth, Deputy Village Clerk

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

Planning, Zoning, and Building Director Iramis Cabrera informed the Board that the only item on the agenda would have to be postponed until July 8, 2025, at 6:30 PM. The agent did not show up, and there was no one to represent the project.

APPROVAL OF MINUTES

2. **Approval of May 13, 2025, Planning and Zoning Advisory Board Meeting Minutes:** motion to approve the May 13, 2025, minutes from the Planning and Zoning Advisory Board Meeting.

Staff: Jane Worth, Deputy Village Clerk

Chairman Tieche requested a motion for approval of the minutes from May 13, 2025. A motion to approve the minutes was made by Mr. Braun and seconded by Mr. Hughes. Motion carried 5-0.

ORDER OF BUSINESS

3. **Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes:** Motion to recommend approval of an application submitted Mr. Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Mr. Joseph Frantz ("Applicant") is requesting a Minor Site Development Plan approval (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Cornerstone Engineering Group, Inc., agent for Joseph Frantz ("Applicant"), is requesting a Minor Site Development Plan (**SPR25-06**) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

The 0.57-acre multifamily site is currently developed with two 450 square feet (each) residential single-family structures constructed in 1958, which the applicant is proposing to demolish and redevelop the property with the construction of three residential dwelling units within a two-story townhome structure and a parking area with a total of 3,168 square feet living space.

Each new unit will be configured with 3 bedrooms, an office space, a den room, 2.5 bathrooms, a kitchen with a dining room, a great room, each unit will be equipped with a washer and dryer, and each unit will have an outdoor patio. The project provides sidewalk connections from the parking lot to the residences and sufficient parking stalls for the residents and visitors.

The proposed site plan is consistent with the land use designation and generally meets land development regulations for a residential multiple-family (RM) zoning district.

Staff supports the applicant's request and recommends conditional approval based on consistency with the low-density allowances to permit a maximum of three residential dwelling units.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

PUBLIC HEARINGS

OTHER BUSINESS

ADJOURNMENT

Chairman Tieche adjourned the meeting at 6:40 PM.

Jane Worth, Deputy Clerk

ATTEST:

Johnnie Tieche, Chairman
Planning and Zoning Advisory Board Meeting Minutes

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

**NEXT MEETING
NEXT MEETING TUESDAY, JULY 8, 2025 @ 6:30 PM IN VILLAGE COUNCIL
CHAMBERS**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Administration

ITEM #3: July 8, 2025, Planning and Zoning Advisory Board Meeting Minutes.

FISCAL IMPACT:

ATTACHMENTS:

1. July 8, 2025 - Planning and Zoning Advisory Board Minutes



**MINUTES
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
JULY 8, 2025
6:30 PM**

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr. Alternate

ADMINISTRATION

PZ&B Director Iramis Cabrera
PZ&B Planner Christian Melendez

Records Clerk Andrea Medero
Village Attorney Christy Goddeau

Persons who need accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

Vice-Chairman Richard Hughes called the Planning & Zoning Advisory Board Meeting to order at 6:30 p.m.

ROLL CALL

Present: Vice-Chairman Richard Hughes, Board Member Ralph Lashells, Board Member Peter Braun and Board Member Kim Gehrman.

Also present: Planning, Zoning, and Building Director, Iramis Cabrera, Planning, Zoning, and Building Planner, Christian Melendez, Village Attorney Christy Goddeau, Records Clerk, Andrea Medero, Utilities Director Jimmie Johnson and Assistant Utilities Director Paul Ward.

Absent: Chairman, Johnnie Tieche, Junior Alternate Ralph Wiles, and Senior Alternate Brenda Browning.

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

Staff: Andrea Medero, Records Clerk

There were no ex-parte communications. The Records Clerk, Ms. Medero swore in the witnesses for testimony.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

Ms. Cabrera, the Planning, Zoning, and Building Director, requested the board to consider agenda item 3 first (Site Development Plan Amendment (SPR25-07) - Village of Palm Springs - Utility Department - New Operations Building - 360 Davis Road), followed by agenda item 2 (Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes).

Vice-Chairman Hughes confirmed board consensus and proceeded with a vote to amend the agenda. Although no formal motion was made, the amendment was approved unanimously with a vote of 4-0.

APPROVAL OF MINUTES

None.

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

2. **Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes:** Motion to recommend approval of an application submitted Mr. Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Mr. Joseph Frantz ("Applicant") is requesting a Minor Site Development Plan approval (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Cornerstone Engineering Group, Inc., agent for Joseph Frantz ("Applicant"), is requesting a Minor Site Development Plan (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

The 0.57-acre multifamily site is currently developed with two 450 square feet (each) residential single-family structures constructed in 1958, which the applicant is proposing to demolish and redevelop the property with the construction of three residential dwelling units within a two-story townhome structure and a parking area with a total of 3,168 square feet living space.

Each new unit will be configured with 3 bedrooms, an office space, a den room, 2.5 bathrooms, a kitchen with a dining room, a great room, each unit will be equipped with a washer and dryer, and each unit will have an outdoor patio. The project provides sidewalk connections from the parking lot to the residences and sufficient parking stalls for the residents and visitors.

The proposed site plan is consistent with the land use designation and generally meets land development regulations for a residential multiple-family (RM) zoning district.

Staff supports the applicant's request and recommends conditional approval based on consistency with the low-density allowances to permit a maximum of three residential dwelling units.

Mr. Melendez presented the article. Mr. Melendez stated that the applicant, Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Joseph Frantz is requesting a Minor Site Development Plan (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Joseph Cuidar from Cornerstone Engineering Group, Inc., presented a proposed three-unit townhome project to the Board. He explained that the plan involved demolishing two existing, aged structures and replacing them with two-story townhomes, along with a parking lot.

Mr. Cuidar shared the site plan with the Board, detailing a total of 11 parking spaces, which included one accessible parking space. He provided images that showed the design of the buildings from various angles.

The Board raised concerns about access for emergency vehicles and the potential for accidents. Ms. Cabrera noted that the Fire Department has already approved the project, indicating that there should be no issues related to these concerns.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Minor Site Development Plan (**SPR25-06**) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635

Gulfstream Road. Ms. Gehrman made a motion to approve, which Mr. Braun seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

3. **Site Development Plan Amendment (SPR25-07) - Village of Palm Springs - Utility Department - New Operations Building - 360 Davis Road:** Motion to recommend approval of an application submitted by Mr. Jess Sowards, AIA, and Jayson Hall on behalf of the Village of Palm Springs Utility Department ("Applicant"). Requesting approval for a Site Development Plan Amendment (SPR25-07) to allow the construction of a 22,670-square-foot operations building within the water treatment plant property located at 360 Davis Road.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Mr. Jess Sowards, AIA & Jayson Hall, on behalf of the Village of Palm Springs Utility Department ("Applicant"), are requesting a Site Development Plan Amendment approval (SPR25-07) to allow the construction of a 22,670 square-foot building designated for the operations building within the water treatment plant property located at 360 Davis Road.

The Village of Palm Springs Utility Department is planning to make improvements in the Utility EOC Operations Building at the Main Water Treatment Plant. The services generally consist of a two-story building for the Utility Department's Emergency Operations Center and Operations Building on the existing water utilities site.

The project includes the following demolitions:

1. Demolition of the existing Water Treatment Plant Office.
2. Demolition of the existing generator enclosure, fuel tank, fuel dispenser, and fuel storage building.
3. Demolition of existing Metal Building (one-story maintenance metal building).

The proposed operations building will be designed to accommodate the personnel of the water treatment plant and store essential components for water treatment operations. Additionally, the facility will provide storage for the VAC trucks utilized in the treatment processes.

The proposed operations building is approximately 22,670 gross square feet in total and includes:

- Office space within a two-story building with approximately 11,818 square feet.
- Water plant parts storage.
- Truck bays.
- And a mezzanine area of approximately 8,851 square feet.

Note: The mezzanine serves as overflow storage for water treatment plant parts.

Site improvements include enhancements to the impervious surfaces with new landscape islands, additional parking, a new generator enclosure, and the relocation of the fuel dispenser.

Staff reviewed the proposed Site Development Plan Amendment and found the proposed expansion to be generally consistent with the goals, objectives, and policies of the Village's Comprehensive Plan. The proposed project is generally consistent with the Land Development and Zoning Regulations and all other portions of the code.

The Planning, Zoning, and Building Staff supports the applicant's request and recommends conditional approval to facilitate improvements in the utility emergency operations center for the water treatment plant.

Mr. Melendez presented the article. Mr. Melendez stated that the applicant, Mr. Jess Sowards, AIA, and Jayson Hall, representing the Village of Palm Springs Utility Department, are seeking approval for a Site Development Plan Amendment (SPR25-07). This amendment would permit the construction of a 22,670-square-foot building, designated as the operations building, within the water treatment plant property located at 360 Davis Road. The Village of Palm Springs Utility Department is planning improvements to the Utility Emergency Operations Center (EOC) at the Main Water Treatment Plant, which will involve the construction of a two-story building for the Emergency Operations Center and Operations Building on the existing water utility site.

Utilities Director Mr. Johnson, on behalf of the Village of Palm Springs Utilities Department, introduced the engineering firm CHA Consulting Inc. and the architectural firm Currie Sowards Aguila Architects to present their plans to the Board. Jayson Hall, Senior Project Manager for Currie Sowards Aguila Architects, located at 185 NE 4th Avenue, Delray Beach, FL, presented a detailed overview to the Board of how the existing site plan would be renovated, including which structures would be demolished and what would be added. These renovations and additions include a new fuel station, a new generator area, a new building, new parking facilities, landscaping, and new dumpster enclosures. Mr. Hall detailed the locations of the additions and renovations, along with the changes to the current site plan. He also discussed the restrictions and regulations regarding height and lot coverage, presenting the Board with a proposal for the additions to the plant.

The Board raised questions regarding the age of the structures scheduled for demolition, as well as the timeline for submitting an improvement request for the newly added buildings. Mr. Paul Ward, the Assistant Utilities Director, responded that the three buildings were constructed between 1960 and 1974. He also stated that it would take approximately 50 years to file an improvement request for these structures.

Additionally, the Board inquired about the maintenance of the trees surrounding the water plant and sought clarification on who was responsible for their upkeep. Mr. Ward confirmed that the city is responsible for maintaining the trees.

The Board also expressed concerns about the timeline for constructing these additions, as well as the existing generator and the new one planned for installation. Questions regarding this were addressed by Mr. Hall and Ms. Stephanie Bortz, Project Manager at CHA Consulting Inc., who is involved in the engineering aspects of the project. Mr. Hall explained that construction would take a few years, while Ms. Bortz noted that the new generator would have a larger capacity than the existing one. She also assured the Board that the current generator would not be demolished until the new one had been installed correctly.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Site Development Plan Amendment (SPR25-07) for New Operations Buildings. Mr. Lashells made a motion to approve, which Ms. Gehrman seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

Funding to support the project is available within the FY 2025 and FY 2026 Budgets - Water and Sewer Enterprise Fund.

4. **Minor Site Development Plan (SPR25-08) 3715 Coconut Road – Coconut 3-Unit: Motion to recommend approval of an application submitted by Consultants for Construction, Co., representing Saman Esmaeili (“Applicant”). The applicant is requesting a Minor Site Development Plan (SPR25-08) for the construction of three residential dwelling units in a one-story building, which will be built alongside an existing single-family home on the Residential Multiple-Family property located at 3715 Coconut Road.**

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Consultants for Construction, CO., agent for Saman Esmaeili (“Applicant”), is requesting a Minor Site Development Plan (**SPR25-08**) for the construction of three residential dwelling units within a one-story building in addition to the existing single-family home, for a total of four dwelling units, within the Residential Multiple-Family property located at 3715 Coconut Road.

The 0.80-acre multifamily site is currently being developed as a residential single-family, and the applicant is proposing to retain it and redevelop the property with the addition of three residential dwelling units within a one-story structure and a parking area along the north side, for a total of 6,453 square feet of living space.

Each new unit will be configured with 3 bedrooms, 2 bathrooms, kitchen, a great room, and each unit equipped with a washer and dryer, and a storage room. The project provides a parking lot along the north side with sufficient parking stalls for the

residents and visitors. Additionally, the proposed site plan provides enhanced landscaped buffers and drainage improvements.

Staff supports the applicant's request and recommends conditional approval of the Minor site Plan to allow the improvements on the property based on consistency with the future land use designation and land development regulations for a residential multiple-family (RM) zoning district.

Mr. Melendez presented this item. Mr. Melendez stated that the Consultants for Construction, CO., agent for Saman Esmaeili ("Applicant"), is requesting a Minor Site Development Plan (SPR25-08) for the construction of three residential dwelling units within a one-story building in addition to the existing single-family home, for a total of four dwelling units, within the Residential Multiple-Family property located at 3715 Coconut Road.

Sarah Y. Moghadam, the owner of Consultants for Construction, located at 15850 Schweizer Court, Wellington, FL 33414, presented a project proposal to the Board. In her presentation, Ms. Moghadam outlined a development plan for a multiple-family site that is currently designated as a single-family residential area. She proposed to retain and redevelop the property by adding three residential dwelling units within a one-story structure, along with a parking area on the north side. The total living space would be 6,453 square feet.

The Board expressed concerns regarding the parking area. In response, Ms. Moghadam clarified that the proposal includes a total of 13 parking spaces that meet size regulations, as well as a driveway that is 21.8 feet wide. She also provided plans and a legal description to support her proposal.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Site Development Plan Amendment (SPR25-08) for the construction of three residential dwelling units in a one-story building, which will be built alongside an existing single-family home on the Residential Multiple-Family property located at 3715 Coconut Road. Mr. Lashells made a motion to approve, which Mr. Braun seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

OTHER BUSINESS

Vice-Chairman Hughes mentioned that they had discussed fencing a few months prior. He inquired if any other Board members had further input on the matter. Mrs. Gehrman expressed her preference for metal fencing over wooden fencing. Additionally, Mr.

Hughes asked about the required size for the fence, and Ms. Cabrera provided the necessary information.

ADJOURNMENT

Hearing no further business, Vice-Chairman Hughes adjourned the meeting at 7:21 p.m.

Andrea Medero, Records Clerk

ATTEST:

Johnnie Tieche, Chairman
Planning and Zoning Advisory Board Meeting Minutes

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

**THE NEXT MEETING IS SCHEDULED
TUESDAY, AUGUST 12, 2025 @ 6:30 P.M.**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Resolution No.2025-49 - Amending Section 177.071, Florida Statutes by Designating an Administrative Official to Administratively Approve Plats and Replats

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 784, which was signed into law on June 20, 2025, and became effective on July 1, 2025, amending Section 177.071, Florida Statutes, related to the platting and replatting approval process, and now requires be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements.

The law requires the Village Council to adopt a Resolution or Ordinance appointing an "administrative officer or employee" as the person who is to approve plats and replats. Staff recommends the Planning, Zoning, and Building Director as the administrative authority and official responsible for reviewing, processing, and administratively approving or denying plats and replats for the Village.

The proposed resolution was prepared by the Planning, Zoning & Building Director and reviewed by the Village Attorney.

FISCAL IMPACT:

Amending the Florida Statutes, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2025-49 - Plat and Replat
2. Senate Bill 784 - Platting and Replatting
3. Chapter 2025-164 - Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Resolution No.2025-49 - Amending Section 177.071, Florida Statutes by Designating an Administrative Official to Administratively Approve Plats and Replats

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 784, which was signed into law on June 20, 2025, and became effective on July 1, 2025, amending Section 177.071, Florida Statutes, related to the platting and replatting approval process, and now requires be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements.

The law requires the Village Council to adopt a Resolution or Ordinance appointing an "administrative officer or employee" as the person who is to approve plats and replats. Staff recommends the Planning, Zoning, and Building Director as the administrative authority and official responsible for reviewing, processing, and administratively approving or denying plats and replats for the Village.

The proposed resolution was prepared by the Planning, Zoning & Building Director and reviewed by the Village Attorney.

FISCAL IMPACT:

Amending the Florida Statutes, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2025-49 - Plat and Replat
2. Senate Bill 784 - Platting and Replatting
3. Chapter 2025-164 - Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

RESOLUTION NO. 2025-49

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, COMPLYING WITH SENATE BILL 784 (2025), WHICH AMENDED SECTION 177.071, FLORIDA STATUTES, BY REQUIRING ALL PLATS AND REPLATS TO BE ADMINISTRATIVELY APPROVED AND REQUIRING ALL MUNICIPALITIES TO DESIGNATE AN ADMINISTRATIVE OFFICIAL TO ADMINISTRATIVELY APPROVE, APPROVE WITH CONDITIONS, OR DENY PLATS AND REPLATS ON OR AFTER JULY 1, 2025; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article V, “Subdivisions”, within Chapter 34, “Land Development” of the Village Code of Ordinances sets forth the current process for the Village Council to be the final approval of all plats and replats; and

WHEREAS, on June 20, 2025, the Governor signed Senate Bill 784 (2025), which amended section 177.071, Florida Statutes, and removed the governing body of municipalities and counties from the process of approving plats and replats; and

WHEREAS, Section 177.071, Florida Statutes, as amended, requires that plats and replats be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements; and

WHEREAS, Section 177.071, Florida Statutes, as amended, authorizes each local government to designate by ordinance or resolution an administrative authority and official responsible for reviewing, processing, and administratively approving plats and replats; and

WHEREAS, this Resolution proposes to expedite the Village Council's compliance with Section 177.071, Florida Statutes, while allowing Village staff to come forward at a later date with other revisions to Article V, “Subdivisions”, within Chapter 34, “Land Development” of the Village Code of Ordinances to specifically address the new administrative process and make other amendments by ordinance; and

WHEREAS, the Planning & Zoning Board considered this Resolution during their meeting on August 12, 2025, and recommended approval; and

WHEREAS, the Village Council desires to promptly comply with the requirements of Section 177.071, Florida Statutes, and facilitate the efficient administrative review and approval of plats and replats.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The precatory language above is approved and included herein as if set forth below.

Section 2. Pursuant to Section 177.071, Florida Statutes, the Village of Palm Springs Council hereby designates the Planning, Zoning, and Building Director as the administrative official authorized to approve, approve with conditions, or deny plat and replat submittals as required by Section 177.071, Florida Statutes (2025).

Section 3. This Resolution shall take effect immediately upon its adoption.

Council Member _____ offered the foregoing resolution.
Council Member _____ seconded the motion, and
upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIM SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
_____, COUNCIL MEMBER			

The Mayor thereupon declared the Resolution duly passed and adopted
this _____ day of _____ 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: _____

CHRISTY GODDEAU, VILLAGE ATTORNEY

2025784er

1
2 An act relating to platting; amending s. 177.071,
3 F.S.; requiring that certain plat or replat submittals
4 be administratively approved with no further action by
5 certain entities under certain circumstances;
6 requiring the governing body of such county or
7 municipality to designate an administrative authority
8 to receive, review, and process plat or replat
9 submittals; providing requirements for such
10 designation; defining the term "administrative
11 authority"; requiring the administrative authority to
12 submit a certain notice to an applicant; providing
13 requirements for such notice; requiring the
14 administrative authority to approve, approve with
15 conditions, or deny a plat or replat submittal in
16 accordance with the timeframe in the initial written
17 notice to the applicant; requiring the administrative
18 authority to notify the applicant in writing if it
19 declines to approve a plat or replat submittal;
20 requiring that the written notification contain the
21 reasons for denial and other information; prohibiting
22 the administrative authority or other official,
23 employee, agent, or designee from requesting or
24 requiring that the applicant request an extension of
25 time; amending s. 177.111, F.S.; conforming provisions
26 to changes made by the act; providing an effective
27 date.

28
29 Be It Enacted by the Legislature of the State of Florida:

2025784er

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats ~~plat~~ by designated county or municipal official ~~governing bodies~~.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term "administrative authority" means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or

2025784er

replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)~~(1)~~ Before a plat or replat is offered for recording, it must be administratively approved as required by this section ~~by the appropriate governing body~~, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this

2025784er

part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the ~~governing body of the~~ municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the ~~governing body of the~~ county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both ~~governing body~~, two plats or replats must be prepared and each county or municipality ~~governing body~~ has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees ~~the governing bodies having said jurisdiction agree~~ that one plat is mutually acceptable.

~~(5)(2)~~ Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing plats ~~plat~~.—After the approval by the appropriate administrative authority ~~governing body~~ required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The

2025784er

circuit court clerk or other recording officer shall maintain in
his or her office a book of the proper size for such papers so
that they will ~~shall~~ not be folded, to be kept in the vault. A
print or photographic copy must be filed in a similar book and
kept in his or her office for the use of the public. The clerk
shall make available to the public a full size copy of the
record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

CHAPTER 2025-164

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

An act relating to platting; amending s. 177.071, F.S.; requiring that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances; requiring the governing body of such county or municipality to designate an administrative authority to receive, review, and process plat or replat submittals; providing requirements for such designation; defining the term “administrative authority”; requiring the administrative authority to submit a certain notice to an applicant; providing requirements for such notice; requiring the administrative authority to approve, approve with conditions, or deny a plat or replat submittal in accordance with the timeframe in the initial written notice to the applicant; requiring the administrative authority to notify the applicant in writing if it declines to approve a plat or replat submittal; requiring that the written notification contain the reasons for denial and other information; prohibiting the administrative authority or other official, employee, agent, or designee from requesting or requiring that the applicant request an extension of time; amending s. 177.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats plat by designated county or municipal official governing bodies.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term “administrative authority” means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect

oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)(1) Before a plat or replat is offered for recording, it must be administratively approved as required by this section by the appropriate governing body, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both governing body, two plats or replats must be prepared and each county or municipality governing body has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

(5)(2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the

State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing ~~plats~~ plat.—After the approval by the appropriate administrative authority governing body required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The circuit court clerk or other recording officer shall maintain in his or her office a book of the proper size for such papers so that they ~~will~~ shall not be folded, to be kept in the vault. A print or photographic copy must be filed in a similar book and kept in his or her office for the use of the public. The clerk shall make available to the public a full size copy of the record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 20, 2025.

Filed in Office Secretary of State June 20, 2025.



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #5: Ordinance No. 2025-05 - Repealing Section 34-1337 of the Village of Palm Springs Code Ordinance to comply with Section 366.94, Florida Statutes

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 700, which was signed into law on May 15, 2025, amended Section 366.94, Florida Statutes, related to electric vehicle charging stations, including the following revisions:

- Regulation of electric vehicle charging stations is preempted to the State.
- The requirement that local governments issue permits for electric vehicle charging stations is based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state law.
- Approving or denying the permit application shall follow the time period established by the Department of Agriculture and Consumer Services.
- Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the Department of Agriculture and Consumer Services in a form prescribed by department rules.

Note: On May 11, 2023, the Village Council approved a code amendment under Ordinance No.2023-05 to add a new Section 34-1337, including regulations for electric vehicle charging stations.

Currently, as required by Section 366.94, Florida Statutes, staff are requesting to repeal Village Code Section 34-1337 to be in compliance with the state laws and regulations.

From the permitting perspective, the Planning, Zoning, and Building Department will follow the standards established by the Department of Agriculture and Consumer Services and all applicable state laws.

FISCAL IMPACT:

Repealing the Village Code of Ordinances, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Ordinance No. 2025-05 - Repealing Code Section 34-1337 on Electric Vehicle Charging Stations
2. Senate Bill 700 - Electric Vehicle Charging Stations
3. Committee Substitute for Senate Bill No. 700 - Chapter 2025-22



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #5: Ordinance No. 2025-05 - Repealing Section 34-1337 of the Village of Palm Springs Code Ordinance to comply with Section 366.94, Florida Statutes

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 700, which was signed into law on May 15, 2025, amended Section 366.94, Florida Statutes, related to electric vehicle charging stations, including the following revisions:

- Regulation of electric vehicle charging stations is preempted to the State.
- The requirement that local governments issue permits for electric vehicle charging stations is based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state law.
- Approving or denying the permit application shall follow the time period established by the Department of Agriculture and Consumer Services.
- Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the Department of Agriculture and Consumer Services in a form prescribed by department rules.

Note: On May 11, 2023, the Village Council approved a code amendment under Ordinance No.2023-05 to add a new Section 34-1337, including regulations for electric vehicle charging stations.

Currently, as required by Section 366.94, Florida Statutes, staff are requesting to repeal Village Code Section 34-1337 to be in compliance with the state laws and regulations.

From the permitting perspective, the Planning, Zoning, and Building Department will follow the standards established by the Department of Agriculture and Consumer Services and all applicable state laws.

FISCAL IMPACT:

Repealing the Village Code of Ordinances, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Ordinance No. 2025-05 - Repealing Code Section 34-1337 on Electric Vehicle Charging Stations
2. Senate Bill 700 - Electric Vehicle Charging Stations
3. Committee Substitute for Senate Bill No. 700 - Chapter 2025-22

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34, "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 8, "OFF-STREET PARKING", BY REPEALING SECTION 34-1337 (ORDINANCE NO. 2023-05) TO COMPLY WITH SECTION 366.94, FLORIDA STATUTES, WHICH PREEMPTED TO THE STATE THE REGULATION OF ELECTRIC VEHICLE CHARGING STATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 11, 2023, the Village adopted Ordinance No. 2023-05, which added a new section 34-1337, "Electric Vehicle Charging Infrastructure", to the Land Development Code to set forth regulations for electric vehicle charging stations in the Village of Palm Springs; and

WHEREAS, on May 1, 2024, the Governor approved Senate Bill 1084 (2024) which amended section 366.94, Florida Statutes, and preempted to the State the regulation of electric vehicle charging stations; and

WHEREAS, on May 15, 2025, the Governor approved Senate Bill 700 (2025), which amended section 366.94, Florida Statutes, to clarify the State preemption of electric vehicle charging stations and to authorize the Department of Agriculture and Consumer Services to establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations; and

WHEREAS, Section 366.94, Florida Statutes, as amended, requires that local governments issue permits for electric vehicle charging stations based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state laws; and

WHEREAS, section 34-1337 of the Village Code of Ordinances (adopted through Ordinance No. 2023-05) must be repealed to comply with the requirements of Section 366.94, Florida Statutes; and

WHEREAS, the Planning & Zoning Board considered this proposed Ordinance during their meeting on August 12, 2025, and recommended approval; and

WHEREAS, the Village Council desires to comply with the requirements of Section 366.94, Florida Statutes, and facilitate the efficient review and approval of electric vehicle charging stations consistent with the Department of Agriculture and Consumer Services standards.

NOW THEREFORE, BE ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The precatory language above is approved and included herein as if set forth below.

Section 2. As required by Section 366.94, Florida Statutes, the Village of Palm Springs Council hereby repeals Section 34-1337 of the Village of Palm Springs Code of Ordinances, Chapter 34, "Land Development", Article VI, "Land Use", Division 8, "Off-Street Parking".

Section 3. All electric vehicle charging stations shall be reviewed administratively consistent with Section 366.94, Florida Statutes, and consistent with the Department of Agriculture and Consumer Services standards.

Section 4. Repeal of Conflicting Ordinances. All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIMBERLY SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, on this ____day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEVERLY SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY:

BY: _____
CHRISTY GODDEAU, VILLAGE ATTORNEY

2025700er

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

2025700er

changes made by the act; amending s. 253.0341, F.S.;
authorizing the department to surplus certain lands
determined to be suitable for bona fide agricultural
production; requiring the department to consult with
the Department of Environmental Protection before
making such determination; requiring the Department of
Agriculture and Consumer Services to retain a rural-
lands-protection easement for all surplus lands and
deposit all proceeds into a specified trust fund;
requiring the department to provide a report of lands
surplused to the board of trustees; providing that
certain lands are ineligible to be surplus;
providing for retroactive applicability; amending s.
330.41, F.S.; defining terms; prohibiting a person
from knowingly or willfully performing certain actions
on lands classified as agricultural; providing
criminal penalties; providing applicability;
prohibiting a person from knowingly or willfully
performing certain actions on private property, state
wildlife management lands, or a sport shooting and
training range; providing criminal penalties;
providing applicability; creating s. 366.20, F.S.;
requiring that certain lands acquired or owned by an
electric utility by a certain date be offered for fee
simple acquisition by the department before the land
may be offered for sale or transfer to a private
individual or entity; requiring an electric utility to
issue a written intent to sell through certified mail
to the Commissioner of Agriculture within a specified

2025700er

timeframe before offering to sell or transferring certain lands; authorizing the commissioner to issue a written intent to purchase via certified mail within a specified timeframe after receipt of such written intent to sell; requiring the electric utility to be released from certain provisions under certain circumstances; requiring that certain offers accepted and received by the department within a specified timeframe be executed no later than a certain date; requiring the department to adopt rules; amending s. 366.94, F.S.; defining the term "electric vehicle charging station"; authorizing the department to adopt rules; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring that an electric vehicle charger be registered with the department before being placed into service for use by the public; providing the department with certain authority relating to electric vehicle charging stations; providing a penalty; authorizing the department to issue an immediate final order to an electric vehicle charging station under certain circumstances; providing that the department may bring an action to enjoin a violation of specified provisions or rules; requiring the court to issue a temporary or permanent injunction under certain circumstances; amending s. 388.011, F.S.; revising the definition of the terms "board of commissioners" and "district"; defining the term "program"; amending s.

2025700er

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

2025700er

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

118 requiring that all funds, supplies, and services

119 released to programs be used in accordance with the

120 integrated arthropod management plan and certified

121 budget; requiring that such integrated arthropod

122 management plan and certified budget be approved by

123 both the department and the board of county

124 commissioners or an appropriate representative;

125 conforming provisions to changes made by the act;

126 amending s. 388.291, F.S.; providing that a program

127 may perform certain source reduction measures in any

128 area providing that the department has approved the

129 operating or construction plan as outlined in the

130 integrated arthropod management plan; conforming

131 provisions to changes made by the act; amending s.

132 388.301, F.S.; revising the schedule by which state

133 funds for the control of mosquitos and other

134 arthropods may be paid; conforming provisions to

135 changes made by the act; amending s. 388.311, F.S.;

136 conforming provisions to changes made by the act;

137 amending s. 388.321, F.S.; conforming provisions to

138 changes made by the act; amending s. 388.322, F.S.;

139 requiring the department to maintain a record and

140 inventory of certain property purchased with state

141 funds for arthropod control use; conforming provisions

142 to changes made by the act; amending s. 388.323, F.S.;

143 requiring that certain equipment no longer needed by a

144 program be first offered for sale to other programs

145 engaged in arthropod control at a specified price;

2025700er

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

2025700er

a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; prohibiting the use of certain additives in a water system which do not meet specified requirements; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.141, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-

2025700er

person and remote testing for the examination through
a third-party vendor for an individual seeking a
limited certification for commercial landscape
maintenance; authorizing a third-party vendor to
collect and retain a convenience fee; deleting
provisions requiring the department to make such
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.157, F.S.; revising requirements for issuance of a
limited certification for commercial wildlife
management personnel; authorizing a third-party vendor
to collect and retain a convenience fee; deleting
provisions requiring the department to make an
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.161, F.S.; authorizing the department to take
specified disciplinary action upon the issuance of a
final order imposing civil penalties or a criminal
conviction pursuant to the Federal Insecticide,
Fungicide, and Rodenticide Act; amending s. 487.044,
F.S.; requiring the department to provide in-person
and remote testing through a third-party vendor for
the examination of an individual seeking a limited
certification for pesticide application; authorizing a
third-party vendor to collect and retain a convenience
fee; amending s. 487.175, F.S.; providing that the
department may suspend, revoke, or deny licensure of a
pesticide applicator upon issuance of a final order to
a licensee which imposes civil penalties or a criminal

2025700er

conviction under the Federal Insecticide, Fungicide,
and Rodenticide Act; amending s. 496.404, F.S.;
defining the terms "foreign country of concern" and
"foreign source of concern"; amending s. 496.405,
F.S.; revising which documents a charitable
organization or sponsor must file before engaging in
specified activities; requiring that any changes to
such documents be reported to the department on a
specified form in a specified timeframe; revising the
requirements of the charitable organization's initial
registration statement; authorizing the department to
investigate or refer to the Florida Elections
Commission certain violations of the charitable
organization or sponsor; amending s. 496.415, F.S.;
prohibiting specified persons from soliciting or
accepting anything of value from a foreign source of
concern; providing penalties; amending s. 496.417,
F.S.; authorizing the department to investigate or
refer to the Florida Elections Commission certain
violations of a charitable organization or sponsor;
amending s. 496.419, F.S.; providing discretionary
penalties for a charitable organization or sponsor
whose registration is denied or revoked for submitting
a false attestation; creating s. 496.431, F.S.;
requiring the department to create the Honest Services
Registry to provide residents with information
relating to charitable organizations; requiring a
charitable organization included in the Honest
Services Registry to submit an attestation statement

2025700er

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

2025700er

misabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department,

2025700er

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

2025700er

department to change the expiration date for current licenses for a certain purpose; requiring the department to prorate the licensing fee for certain licenses; requiring the department to adopt rules; creating s. 570.694, F.S.; creating the Florida Aquaculture Foundation as a direct support organization within the department; providing the purpose of the foundation; providing governance for the foundation; authorizing the department to appoint an advisory committee adjunct to the foundation; amending s. 570.822, F.S.; defining the term "declared emergency," rather than "declared natural disaster," and revising the definition of the term "program"; providing that loan funds from the department may be used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency;

2025700er

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

2025700er

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

2025700er

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

2025700er

suspension remain in effect upon a certain disposition of a criminal case or injunction; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50, F.S.; deleting certain exceptions from the prohibited uses of drones; providing that a drone may be used for certain purposes by a local governmental entity or person under contract with or acting under the direction of such entity; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to

2025700er

incorporate the amendment made to s. 110.205, F.S., in
a reference thereto; reenacting s. 189.062(1)(a),
F.S., relating to special procedures for inactive
districts and state aid to counties, to incorporate
the amendment made to s. 388.271, F.S., in references
thereto; reenacting ss. 482.072(3)(b) and 482.163,
F.S., relating to pest control customer contact
centers and responsibility for pest control activities
of employee, respectively, to incorporate the
amendment made to s. 482.161, F.S., in references
thereto; reenacting s. 487.156, F.S., relating to
governmental agencies, to incorporate the amendment
made to s. 487.044, F.S., in a reference thereto;
reenacting ss. 496.4055(2) and 496.406(2) and (4),
F.S., relating to charitable organization or sponsor
board duties and exemption from registration,
respectively, to incorporate the amendment made to s.
496.405, F.S., in references thereto; reenacting s.
500.80(1)(a), F.S., relating to cottage food
operations, to incorporate the amendment made to s.
500.12, F.S., in a reference thereto; reenacting s.
500.121(6), F.S., relating to disciplinary procedures,
to incorporate the amendment made to s. 500.172, F.S.,
in a reference thereto; reenacting s. 790.061, F.S.,
relating to judges and justices, to incorporate the
amendment made to s. 790.06, F.S., in a reference
thereto; providing effective dates.

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

2025700er

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

110.205 Career service; exemptions.—

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

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

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

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

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

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

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

2025700er

Financial Administrator.

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

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

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

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

163.3162 Agricultural Lands and Practices.—

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

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

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

(g) "Legally verified agricultural worker" means a person

2025700er

who:

1. Is lawfully present in the United States;

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

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

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

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

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

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

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

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

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If a written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with

2025700er

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

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

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

2025700er

by a governmental entity.

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

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

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

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

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

(f) Notwithstanding this subsection, the construction or

2025700er

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

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

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

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

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

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

(7) ENFORCEMENT.—

(a) In addition to the enforcement methods of employment

2025700er

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

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

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

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

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

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

746 253.0341 Surplus of state-owned lands.—

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

2025700er

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

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

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

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

778 330.41 Unmanned Aircraft Systems Act.—

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

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

2025700er

commercial, industrial, or agricultural purposes.

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

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

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

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

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

(6) PROTECTION OF AGRICULTURAL LANDS.—

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

1. Operate a drone.

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

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

2025700er

813 agricultural production.

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

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

- 821 1. The owner of the agricultural lands.
822 2. A person acting under the prior written consent of the
823 owner of the agricultural lands.
824 3. A person or entity acting in compliance with the
825 provisions of s. 934.50.

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

366.94 Electric vehicle charging.—

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

2025700er

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

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

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

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

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

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

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

2025700er

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

931 1. Issuance of a warning letter.

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

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

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

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

954 388.011 Definitions.—As used in this chapter:

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

2025700er

similar governing bodies when context so indicates.

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

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

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

388.021 Creation of mosquito control special districts.—

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

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

2025700er

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

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

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

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

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

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

2025700er

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

(4) The governing board shall:

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

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

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

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

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

2025700er

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

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

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

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

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

2025700er

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

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

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

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

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

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

2025700er

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

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

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

1113 388.271 Prerequisites to participation.—

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

2025700er

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

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

388.281 Use of state matching funds.—

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

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

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

388.291 Source reduction measures; supervision by department.—

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

2025700er

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

established by the board of commissioners owning the equipment.

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

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

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

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

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

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

2025700er

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

388.361 Department authority and rules; administration.—

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

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

388.3711 Enforcement.—

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

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

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

2025700er

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

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

1356 403.067, Florida Statutes, is amended to read:

1357 403.067 Establishment and implementation of total maximum

1358 daily loads.—

1359 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1360 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

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

1362 *plans and management strategies*.—

1363 1. Basin management action plans are enforceable pursuant

2025700er

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

Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

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

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

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

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

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

2025700er

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

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

- a. A parcel not more than 25 acres in size;
- b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- c. A parcel with water use not exceeding 100,000 gallons per day on average unless the entire use is met using recycled

2025700er

1422 water from wet detention treatment ponds or reuse water;

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

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

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

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

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

2025700er

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

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

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

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

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

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

(c) Improving water quality.

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

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

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

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

482.111 Pest control operator’s certificate.—

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

2025700er

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

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

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

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

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

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

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

6. Integrated pest management.

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

2025700er

other information as required by the department.

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

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

482.141 Examinations.—

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

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

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

(1)

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

2025700er

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

1592 482.161 Disciplinary grounds and actions; reinstatement.—

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

2025700er

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

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

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

487.044 Certification; examination.—

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

(a) The proper use of the equipment.

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

2025700er

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

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

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

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

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

(h) General safety precautions.

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

487.175 Penalties; administrative fine; injunction.—

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

496.405 Registration statements by charitable organizations and sponsors.—

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

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

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

2025700er

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

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

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

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

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

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

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

2025700er

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

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

(7)

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

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

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

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

(20) Solicit or accept contributions or anything of value

2025700er

1770 from a foreign source of concern.

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

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

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

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

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

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

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

2025700er

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

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

496.419 Powers of the department.—

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

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

496.431 Honest Services Registry.—

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

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

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

2025700er

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

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

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

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

500.03 Definitions; construction; applicability.—

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

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

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

500.12 Food permits; building permits.—

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

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

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

2025700er

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

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

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

2025700er

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

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

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

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

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

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

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

2025700er

Statutes, is amended to read:

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

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

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

2025700er

read:

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

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

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

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

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

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

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

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

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

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

2025700er

1973 mislabeled as milk in this state.

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

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

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

2025700er

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

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

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

525.19 Petroleum registration.—

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

(a) The name of the petroleum owner or operator;

(b) The address of the petroleum owner or operator;

(c) The phone number of the petroleum owner or operator;

(d) The e-mail address of the petroleum owner or operator;

(e) Requirements for the transfer switch;

(f) Fuel and petroleum infrastructure; and

(g) Fuel and petroleum inventory and delivery information.

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

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

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

2025700er

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

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

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

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

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

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

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

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

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

2025700er

through this program.

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

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

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

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

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

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

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

2025700er

564.06 Excise taxes on wines and beverages.—

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

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

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

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

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

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

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

2025700er

contracts procured by another agency.

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

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

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

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

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

570.546 Licensing.—

(1) The department is authorized to:

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

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

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

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

2025700er

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

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

570.694 Florida Aquaculture Foundation.—

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

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

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

(2) USE OF LOAN FUNDS; LOAN TERMS.—

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

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

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

2025700er

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

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

(4) LOAN APPLICATION AND AGREEMENT.—

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

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

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

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

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

2025700er

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

(6) LOAN REPAYMENT.—

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

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

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

2025700er

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

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

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

(7) ADMINISTRATION.—

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

2025700er

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

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

(8) PUBLIC RECORDS EXEMPTION.—

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

1. Tax returns.

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

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

(c) This subsection is subject to the Open Government

2025700er

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

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

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

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

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

570.823 Silviculture emergency recovery program.—

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

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

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

2025700er

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

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

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

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

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

2392 2. Site preparation, and tree replanting; or

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

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

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

2025700er

approved applicant ineligible for other financial assistance.

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

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

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

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

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

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

2025700er

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

2025700er

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

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

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

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

(c) Provide grants for viticultural research.

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

Section 74. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

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

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law.

However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the

2025700er

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

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

687.16 Florida Farmer Financial Protection Act.—

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

(a) A financial institution may not discriminate in the

2025700er

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

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

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

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

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

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

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

1. A psychologist licensed under chapter 490.
2. A clinical social worker licensed under chapter 491.
3. A marriage and family therapist licensed under chapter
491.

2025700er

4. A mental health counselor licensed under chapter 491.

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

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

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

790.06 License to carry concealed weapon or concealed firearm.—

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

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

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

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

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

2025700er

Department of Agriculture and Consumer Services;

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

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

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

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

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

2025700er

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

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement ~~and subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. If the criminal case or injunction results in a nondisqualifying disposition and the applicant or licensee is otherwise eligible, the suspension shall end. The department must issue an order confirming the end

2025700er

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

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

(6)

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

1. Issue the license; or
2. Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsection (2) or subsection (3). If the Department of

2025700er

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

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

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

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

2842 (b) Develops or sustains a physical infirmity which

2025700er

prevents the safe handling of a weapon or firearm;

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

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

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

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

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

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

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

2025700er

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

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

812.0151 Retail fuel theft.—

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

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

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

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

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

2025700er

dispenser; or

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

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

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

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

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

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

812.136 Mail theft.—

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

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

2025700er

2930 along with its contents.

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

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

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

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

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

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

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

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

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

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

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

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

2025700er

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

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

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

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

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

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

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

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

934.50 Searches and seizure using a drone.—

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

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

2025700er

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

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

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

1013.373 Educational facilities used for agricultural education.—

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

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

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

2025700er

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

295.07 Preference in appointment and retention.—

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

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

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

189.062 Special procedures for inactive districts.—

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

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

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

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

2025700er

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

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

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

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

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

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

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

2025700er

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

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

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

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

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

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

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

2025700er

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

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

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

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

496.4055 Charitable organization or sponsor board duties.—

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

2025700er

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

3137 496.406 Exemption from registration.—

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

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

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

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

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

3154 (e) A financial statement of support, revenue, and expenses
3155 and a statement of functional expenses that must include, but
3156 not be limited to, expenses in the following categories:

3157 program, management and general, and fundraising. In lieu of the
3158 financial statement, a charitable organization or sponsor may
3159 submit a copy of its Internal Revenue Service Form 990 and all
3160 attached schedules or Internal Revenue Service Form 990-EZ and
3161 Schedule O.

2025700er

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

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

500.80 Cottage food operations.—

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

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

500.121 Disciplinary procedures.—

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

2025700er

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

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

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

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

CHAPTER 2025-22

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 700

An act relating to the Department of Agriculture and Consumer Services; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from the Career Service System; amending s. 163.3162, F.S.; defining terms; prohibiting governmental entities from adopting or enforcing any legislation that inhibits the construction of housing for legally verified agricultural workers on agricultural land operated as a bona fide farm; requiring that the construction or installation of such housing units on agricultural lands satisfies certain criteria; requiring that local ordinances comply with certain regulations; authorizing governmental entities to adopt local land use regulations that are less restrictive; requiring property owners to maintain certain records for a specified timeframe; requiring that use of a housing site be discontinued and authorizing the removal of such a site under certain circumstances; specifying applicability of permit allocation systems in certain areas of critical state concern; authorizing the continued use of housing sites constructed before the effective date of the act if certain conditions are met; requiring the department to adopt certain rules; providing for enforcement; requiring the department to submit certain information to the State Board of Immigration Enforcement on a certain schedule; amending s. 201.25, F.S.; conforming a provision to changes made by the act; amending s. 253.0341, F.S.; authorizing the department to surplus certain lands determined to be suitable for bona fide agricultural production; requiring the department to consult with the Department of Environmental Protection before making such determination; requiring the Department of Agriculture and Consumer Services to retain a rural-lands-protection easement for all surplus lands and deposit all proceeds into a specified trust fund; requiring the department to provide a report of lands surplus to the board of trustees; providing that certain lands are ineligible to be surplus; providing for retroactive applicability; amending s. 330.41, F.S.; defining terms; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; providing criminal penalties; providing applicability; prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range; providing criminal penalties; providing applicability; creating s. 366.20, F.S.; requiring that certain lands acquired or owned by an electric utility by a certain date be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; requiring an electric utility to issue a written intent to sell through certified mail to the Commissioner of Agriculture within a specified timeframe before offering to sell or transferring certain lands; authorizing the commissioner to issue a written intent to purchase via certified mail within a specified timeframe

after receipt of such written intent to sell; requiring the electric utility to be released from certain provisions under certain circumstances; requiring that certain offers accepted and received by the department within a specified timeframe be executed no later than a certain date; requiring the department to adopt rules; amending s. 366.94, F.S.; defining the term “electric vehicle charging station”; authorizing the department to adopt rules; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring that an electric vehicle charger be registered with the department before being placed into service for use by the public; providing the department with certain authority relating to electric vehicle charging stations; providing a penalty; authorizing the department to issue an immediate final order to an electric vehicle charging station under certain circumstances; providing that the department may bring an action to enjoin a violation of specified provisions or rules; requiring the court to issue a temporary or permanent injunction under certain circumstances; amending s. 388.011, F.S.; revising the definition of the terms “board of commissioners” and “district”; defining the term “program”; amending s. 388.021, F.S.; making a technical change; amending s. 388.181, F.S.; authorizing programs to perform specified actions; amending s. 388.201, F.S.; conforming provisions to changes made by the act; requiring that the tentative work plan budget covering the proposed operations and requirements for arthropod control measures show the estimated amount to be raised by county, municipality, or district taxes; requiring that county commissioners’ or a similar governing body’s mosquito control budget be made and adopted pursuant to specified provisions and requiring that summary figures be incorporated into the county budgets as prescribed by the department; amending s. 388.241, F.S.; providing that certain rights, powers, and duties be vested in the board of county commissioners or similar governing body of a county, or municipality; amending s. 388.261, F.S.; increasing the maximum annual amount that a county, municipality, or district may receive, without contributing matching funds, in state funds, supplies, services, or equipment for a certain number of years for any new program for the control of mosquitos and other arthropods which serves an area not previously served by a county, municipality, or district; conforming a provision to changes made by the act; amending s. 388.271, F.S.; requiring each program participating in arthropod control activities to file a tentative integrated arthropod management plan with the department by a specified date; conforming provisions to changes made by the act; amending s. 388.281, F.S.; requiring that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management plan and certified budget; requiring that such integrated arthropod management plan and certified budget be approved by both the department and the board of county commissioners or an appropriate representative; conforming provisions to changes made by the act; amending s. 388.291, F.S.; providing that a program may perform certain source reduction measures in any area providing that the department has approved the operating or construction plan as outlined in the integrated

arthropod management plan; conforming provisions to changes made by the act; amending s. 388.301, F.S.; revising the schedule by which state funds for the control of mosquitos and other arthropods may be paid; conforming provisions to changes made by the act; amending s. 388.311, F.S.; conforming provisions to changes made by the act; amending s. 388.321, F.S.; conforming provisions to changes made by the act; amending s. 388.322, F.S.; requiring the department to maintain a record and inventory of certain property purchased with state funds for arthropod control use; conforming provisions to changes made by the act; amending s. 388.323, F.S.; requiring that certain equipment no longer needed by a program be first offered for sale to other programs engaged in arthropod control at a specified price; requiring that all proceeds from the sale of certain property owned by a program and purchased using state funds be deposited in the program's state fund account; conforming provisions to changes made by the act; amending s. 388.341, F.S.; requiring a program receiving state aid to submit a monthly report of all expenditures from all funds for arthropod control by a specified timeframe as may be required by the department; conforming provisions to changes made by the act; amending s. 388.351, F.S.; conforming provisions to changes made by the act; amending s. 388.361, F.S.; conforming provisions to changes made by the act; amending s. 388.3711, F.S.; revising the department's enforcement powers; amending s. 388.381, F.S.; conforming provisions to changes made by the act; amending s. 388.391, F.S.; conforming provisions to changes made by the act; amending s. 388.401, F.S.; conforming provisions to changes made by the act; amending s. 388.46, F.S.; revising the composition of the Florida Coordinating Council on Mosquito Control; amending s. 403.067, F.S.; providing an exception for inspection requirements for certain agricultural producers; authorizing the department to adopt rules establishing an enrollment in best management practices by rule process; authorizing the department to identify best management practices for specified land-owners; requiring the department to perform onsite inspections annually of a certain percentage of all enrollments that meet specified qualifications within a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; prohibiting the use of certain additives in a water system which do not meet specified requirements; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.141, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private

applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking a limited certification for commercial landscape maintenance; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.157, F.S.; revising requirements for issuance of a limited certification for commercial wildlife management personnel; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make an examination readily accessible and available to all applicants on a specified schedule; amending s. 482.161, F.S.; authorizing the department to take specified disciplinary action upon the issuance of a final order imposing civil penalties or a criminal conviction pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 487.044, F.S.; requiring the department to provide in-person and remote testing through a third-party vendor for the examination of an individual seeking a limited certification for pesticide application; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 487.175, F.S.; providing that the department may suspend, revoke, or deny licensure of a pesticide applicator upon issuance of a final order to a licensee which imposes civil penalties or a criminal conviction under the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 496.404, F.S.; defining the terms “foreign country of concern” and “foreign source of concern”; amending s. 496.405, F.S.; revising which documents a charitable organization or sponsor must file before engaging in specified activities; requiring that any changes to such documents be reported to the department on a specified form in a specified timeframe; revising the requirements of the charitable organization’s initial registration statement; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of the charitable organization or sponsor; amending s. 496.415, F.S.; prohibiting specified persons from soliciting or accepting anything of value from a foreign source of concern; providing penalties; amending s. 496.417, F.S.; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of a charitable organization or sponsor; amending s. 496.419, F.S.; providing discretionary penalties for a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation; creating s. 496.431, F.S.; requiring the department to create the Honest Services Registry to provide residents with information relating to charitable organizations; requiring a charitable organization included in the Honest Services Registry to submit an attestation statement to the department; requiring the department to publish the Honest Services Registry on the department’s website; requiring the department to adopt rules; amending s. 500.03, F.S.; revising the definition of the term “cottage food product”; amending s. 500.12, F.S.; providing that the department requires a food

permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to retain all records that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to transport or offer to transport, import into this state, sell or offer for sale, furnish, or give away certain spores or mycelium; providing a penalty; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's standard of identity for milk, meat, poultry, and poultry products, and eggs and egg products to prohibit the sale of plant-based products mislabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department, in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 564.06, F.S.; requiring that a certain percentage of revenues collected from certain excise taxes be deposited into the Florida Wine Trust Fund; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the department to adopt certain rules; requiring the department to extend

certain opportunities to public school students enrolled in agricultural education to support Future Farmers of America programming; requiring the department to use contracts procured by agencies; defining the term “agency”; amending s. 570.544, F.S.; revising which provisions the director of the Division of Consumer Services must enforce; creating s. 570.546, F.S.; authorizing the department to create a process for the bulk renewal of licenses; authorizing the department to create a process that will allow licensees to align the expiration dates of licenses within a specified program; authorizing the department to change the expiration date for current licenses for a certain purpose; requiring the department to prorate the licensing fee for certain licenses; requiring the department to adopt rules; creating s. 570.694, F.S.; creating the Florida Aquaculture Foundation as a direct support organization within the department; providing the purpose of the foundation; providing governance for the foundation; authorizing the department to appoint an advisory committee adjunct to the foundation; amending s. 570.822, F.S.; defining the term “declared emergency,” rather than “declared natural disaster,” and revising the definition of the term “program”; providing that loan funds from the department may be used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency; providing construction; authorizing the department to adopt rules to implement this section including emergency rules that may be effective for a specified timeframe; creating s. 570.831, F.S.; requiring, subject to appropriation of funds, the Cattle Enhancement Board, Inc., in coordination with the department, to establish a Florida beef marketing program; providing a purpose for such program; amending s. 581.1843, F.S.; deleting provisions that exclude certain citrus nurseries from certain requirements; deleting provisions relating to regulated areas around the perimeter of commercial citrus nurseries; repealing ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department’s authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program;

regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively; amending s. 595.404, F.S.; revising the department's powers and duties regarding school nutrition programs; amending s. 599.002, F.S.; renaming the Viticulture Advisory Council as the Florida Wine Advisory Council; revising the membership of the Florida Wine Advisory Council; conforming provisions to changes made by the act; amending s. 599.003, F.S.; renaming the State Viticulture Plan as the State Wine Plan; conforming provisions to changes made by the act; amending s. 599.004, F.S.; making technical changes; providing that wineries that fail to recertify annually or pay a specified licensing fee are subject to certain actions and costs; conforming provisions to changes made by the act; amending s. 599.012, F.S.; conforming provisions to changes made by the act; amending s. 616.12, F.S.; deleting provisions requiring a person who operates a minstrel show in connection with any certain public fairs to pay specified license taxes; deleting a provision that exempts such person from paying specified taxes; creating s. 687.16, F.S.; providing a short title; defining terms; prohibiting a financial institution from discriminating in the provision of financial services to an agricultural producer based on an ESG factor; providing an inference with regard to a certain violation; providing that the financial institution may overcome the inference by making certain demonstrations regarding its denial or restriction of financial services to an agricultural producer; authorizing the Attorney General to enforce specified provisions; providing that a violation of specified provisions constitutes an unfair and deceptive trade practice; authorizing the Attorney General to investigate and seek remedies for such unfair trade practices; authorizing an aggrieved party to seek an action for damages; amending s. 741.0305, F.S.; conforming a cross-reference; amending s. 790.06, F.S.; revising the circumstances under which the department may temporarily suspend a person's license to carry a concealed weapon or concealed firearm or the processing of an application for such license; requiring the department to notify certain licensees or applicants of their right to a hearing; requiring the department to issue an order confirming the end of a suspension within a specified timeframe after an applicant or licensee submits a copy of a specified document to the department; requiring that such document be sent through electronic or certified mail to a specified location; requiring that the suspension remain in effect upon a certain disposition of a criminal case or injunction; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail

fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50, F.S.; deleting certain exceptions from the prohibited uses of drones; providing that a drone may be used for certain purposes by a local governmental entity or person under contract with or acting under the direction of such entity; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to incorporate the amendment made to s. 110.205, F.S., in a reference thereto; reenacting s. 189.062(1)(a), F.S., relating to special procedures for inactive districts and state aid to counties, to incorporate the amendment made to s. 388.271, F.S., in references thereto; reenacting ss. 482.072(3)(b) and 482.163, F.S., relating to pest control customer contact centers and responsibility for pest control activities of employee, respectively, to incorporate the amendment made to s. 482.161, F.S., in references thereto; reenacting s. 487.156, F.S., relating to governmental agencies, to incorporate the amendment made to s. 487.044, F.S., in a reference thereto; reenacting ss. 496.4055(2) and 496.406(2) and (4), F.S., relating to charitable organization or sponsor board duties and exemption from registration, respectively, to incorporate the amendment made to s. 496.405, F.S., in references thereto; reenacting s. 500.80(1)(a), F.S., relating to cottage food operations, to incorporate the amendment made to s. 500.12, F.S., in a reference thereto; reenacting s. 500.121(6), F.S., relating to disciplinary procedures, to incorporate the amendment made to s. 500.172, F.S., in a reference thereto; reenacting s. 790.061, F.S., relating to judges and justices, to incorporate the amendment made to s. 790.06, F.S., in a reference thereto; providing effective dates.

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

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

110.205 Career service; exemptions.—

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

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

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

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

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

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

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

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

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

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

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

163.3162 Agricultural Lands and Practices.—

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

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

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

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

1. Is lawfully present in the United States;
2. Meets the definition of eligible worker pursuant to 29 C.F.R. s. 502.10;
3. Has been verified through the process provided in s. 448.095(2) and is authorized to work at the time of employment;
4. Is seasonally or annually employed in bona fide agricultural production;
5. Remains lawfully present and authorized to work throughout the duration of that employment; and
6. Is not an unauthorized alien as defined in s. 448.095(1).

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) ENFORCEMENT.—

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

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

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

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

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

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

253.0341 Surplus of state-owned lands.—

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

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

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

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

330.41 Unmanned Aircraft Systems Act.—

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

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

(f) “Private property” means any residential or commercial property.

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

(h) “Residential property” means real property zoned as residential or multifamily residential and composed of four or fewer dwelling units.

(i) “Sport shooting and training range” has the same meaning as in s. 790.333(3)(h).

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.

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

(6) PROTECTION OF AGRICULTURAL LANDS.—

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

1. Operate a drone.

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

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

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

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

1. The owner of the agricultural lands.
2. A person acting under the prior written consent of the owner of the agricultural lands.
3. A person or entity acting in compliance with the provisions of s. 934.50.

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

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

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

(c) A person who violates paragraph (a) and records video of the private property, state wildlife management lands, or sport shooting and training range, including any person or object on the premises of or within the private property, state wildlife management lands, or sport shooting and training range, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

1. The property owner of the private property or sport shooting and training range, or a person acting under the prior written consent of the property owner.
2. A person or entity acting in compliance with the provisions of s. 934.50.

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

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

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

(2) Lands owned by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which were classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the date of acquisition of the land by the electric utility must be offered for fee simple acquisition by the department through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

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

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

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

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

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

366.94 Electric vehicle charging.—

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

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

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

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

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

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

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

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

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

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

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

388.011 Definitions.—As used in this chapter:

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

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

(10) “Program” means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

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

388.021 Creation of mosquito control special districts.—

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

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

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

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

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

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

(1) The fiscal year of programs ~~districts~~ operating under ~~the provisions of~~ this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~ shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations

and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget must ~~shall~~ set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other purposes, for the operation and maintenance of the program's ~~district's~~ works, the conduct of the program ~~district~~ generally, to which may be added an amount to be held as a reserve.

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

(4) The governing board shall:

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

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

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

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

388.241 Board of county commissioners vested with powers and duties of board of commissioners in certain counties.—In those counties or municipalities where there has been no formation of a separate or special board of commissioners, all the rights, powers, and duties of a board of commissioners as conferred in this chapter shall be vested in the board of county commissioners or similar governing body of said county or municipality.

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

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

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

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

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

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

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

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

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

(8) The department is authorized to use up to 5 percent of the funds appropriated annually by the Legislature under this section to provide

technical assistance to the counties, municipalities, or districts, or to purchase equipment, supplies, or services necessary to administer the provisions of this chapter.

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

388.271 Prerequisites to participation.—

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

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

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

388.281 Use of state matching funds.—

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

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

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

388.291 Source reduction measures; supervision by department.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

388.361 Department authority and rules; administration.—

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

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

388.3711 Enforcement.—

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

- (a) Violation of any rule of the department or provision of this chapter.
- (b) Violation of FIFRA or any relevant EPA rule or regulation pertaining to the use of arthropod control pesticides by the licensee.
- (c) Failure to give the department, or any authorized representative thereof, true information upon request regarding methods and materials used, work performed, or other information essential to the administration of this chapter.

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

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

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

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

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

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

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

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

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

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

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

1. The Secretary of Environmental Protection.
2. The State Surgeon General.
3. The executive director of the Fish and Wildlife Conservation Commission.
4. The state epidemiologist.
5. The Commissioner of Agriculture.
6. The Board of Trustees of the Internal Improvement Trust Fund.
7. Representatives from:
 - a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory.
 - b. The United States Environmental Protection Agency.

c. The United States Department of Agriculture, Center of Medical, Agricultural, and Veterinary Entomology Insects Affecting Man Laboratory.

d. The United States Fish and Wildlife Service.

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

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

403.067 Establishment and implementation of total maximum daily loads.—

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

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

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

2. No later than January 1, 2017:

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

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

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

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible

person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

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

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

- a. A parcel not more than 25 acres in size;
- b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- c. A parcel with water use not exceeding 100,000 gallons per day on average unless the entire use is met using recycled water from wet detention treatment ponds or reuse water;
- d. A parcel where the agricultural activity on the parcel is not a vegetable crop, an agronomic crop, a nursery, or a dairy operation;
- e. A parcel not abutting an impaired water body identified in subsection (4); and
- f. A parcel not part of a larger operation that is enrolled in the Department of Agriculture and Consumer Services best management practices or conducting water quality monitoring prescribed by the department or a water management district.

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

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of 20 percent for all enrollments that meet the qualifications pursuant to subparagraph 4. by rule within basin management action plan areas, to ensure that practices are being properly implemented. Such inspections must include a collection and review of the identified best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus application records for the previous calendar year, to the Department of Agriculture and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

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

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

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

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

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

(c) Improving water quality.

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

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

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

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

482.111 Pest control operator’s certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect

~~and retain a convenience fee given by the department.~~ The department may not renew a certificate if the continuing education or examination requirement is not met.

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

1. The law and rules of this state pertaining to pest control.
2. Precautions necessary to safeguard life, health, and property in the conducting of pest control and the application of pesticides.
3. Pests, their habits, recognition of the damage they cause, and identification of them by accepted common name.
4. Current accepted industry practices in the conducting of fumigation, termites and other wood-destroying organisms pest control, lawn and ornamental pest control, and household pest control.
5. How to read labels, a review of current state and federal laws on labeling, and a review of changes in or additions to labels used in pest control.
6. Integrated pest management.

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

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

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

482.141 Examinations.—

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

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

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

(1)

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

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

482.156 Limited certification for commercial landscape maintenance personnel.—

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

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

Section 37. Subsection (2) of section 482.157, Florida Statutes, is amended to read:

482.157 Limited certification for commercial wildlife management personnel.—

(2) The department shall issue a limited certificate to an applicant who:

(a) Submits an application and examination fee of at least \$150, but not more than \$300, as prescribed by the department by rule;

(b) Passes an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee administered by the department. The department shall make available ~~provide~~ the appropriate study materials for the examination and ~~make the examination readily available to applicants in each county as necessary, but not less frequently than quarterly;~~ and

(c) Provides proof, including a certificate of insurance, that the applicant has met the minimum bodily injury and property damage insurance requirements in s. 482.071(4).

Section 38. Paragraph (m) is added to subsection (1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose a fine against, or deny the application for licensure or licensure renewal of, a licensee, certified operator, limited certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

(m) Issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 39. Subsection (2) of section 487.044, Florida Statutes, is amended to read:

487.044 Certification; examination.—

(2) The department shall require each applicant for a certified applicator's license to demonstrate competence by a written or oral examination in which the applicant must demonstrate adequate knowledge concerning the proper use and application of restricted-use pesticides in each classification for which application for license is made. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee. The examination may be prepared, administered, and evaluated by the department. Each applicant for a certified applicator's license must ~~shall~~ demonstrate minimum competence as to:

- (a) The proper use of the equipment.
- (b) The environmental hazards that may be involved in applying restricted-use pesticides.
- (c) Calculating the concentration of restricted-use pesticides to be used in particular circumstances.
- (d) Identification of common pests to be controlled and the damages caused by such pests.
- (e) Protective clothing and respiratory equipment required during the handling and application of restricted-use pesticides.
- (f) General precautions to be followed in the disposal of containers, as well as the cleaning and decontamination of the equipment which the applicant proposes to use.
- (g) Applicable state and federal pesticide laws, rules, and regulations.
- (h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

(6) Licensure may be suspended, revoked, or denied by the department, upon the issuance of a final order to a licensee imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 41. Present subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and new subsections (13) and (14) are added to that section, to read:

496.404 Definitions.—As used in ss. 496.401-496.424, the term:

(13) “Foreign country of concern” has the same meaning as in s. 286.101(1)(b).

(14) “Foreign source of concern” means any of the following:

(a) The government or any official of the government of a foreign country of concern;

(b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;

(c) A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal

place of business in a foreign country of concern, or a subsidiary of such entity;

(d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent citizen of the United States;

(e) An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a foreign source of concern; or

(f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term “controlling interest” means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

Section 42. Present paragraphs (d) through (g) of subsection (2) of section 496.405, Florida Statutes, are redesignated as paragraphs (f) through (i), respectively, new paragraphs (d) and (e) are added to that subsection, subsection (11) is added to that section, and subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

496.405 Registration statements by charitable organizations and sponsors.—

(1) A charitable organization or sponsor, unless exempted pursuant to s. 496.406, which intends to solicit contributions in or from this state by any means or have funds solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor, or that participates in a charitable sales promotion or sponsor sales promotion, must, before engaging in any of these activities, file an initial registration statement, which includes an attestation statement, and a renewal statement annually thereafter, with the department.

(a) Except as provided in paragraph (b), any changes in the information submitted on the initial registration statement or the last renewal statement must be updated annually on a renewal statement provided by the department on or before the date that marks 1 year after the date the department approved the initial registration statement as provided in this section. The department shall annually provide a renewal statement to each registrant by mail or by electronic mail at least 30 days before the renewal date.

(b) Any changes to the information submitted to the department pursuant to paragraph ~~(2)(f)~~ ~~(2)(d)~~ on the initial registration statement, which includes an attestation statement, or the last renewal statement must be reported to the department on a form prescribed by the department within 10 days after the change occurs.

(c) A charitable organization or sponsor that is required to file an initial registration statement or annual renewal statement may not, before approval of its statement by the department in accordance with subsection (7), solicit contributions or have contributions solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor or participate in a charitable sales promotion or sponsor sales promotion.

(d) The registration of a charitable organization or sponsor may not continue in effect and shall expire without further action of the department under either of the following circumstances:

1. After the date the charitable organization or sponsor should have filed, but failed to file, its renewal statement in accordance with this section.

2. For failure to provide a financial statement within any extension period provided under s. 496.407.

(2) The initial registration statement must be submitted on a form prescribed by the department, signed by an authorized official of the charitable organization or sponsor who shall certify that the registration statement is true and correct, and include the following information or material:

(d) An attestation statement, which must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if engaged in activities that would require registration pursuant to chapter 106, is registered with the Department of State, pursuant to chapter 106.

(e) An attestation statement on a form prescribed by the department, signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the Department of State pursuant to chapter 106.

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs ~~(2)(f)2.-7.~~ ~~(2)(d)2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department shall process such initial registration statement or annual renewal statement in accordance with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs ~~(2)(f)2.-7.~~ ~~(2)(d)2.-7.~~ until such time as the required information is submitted to the department.

(11) The department may investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

496.415 Prohibited acts.—It is unlawful for any person in connection with the planning, conduct, or execution of any solicitation or charitable or sponsor sales promotion to:

(20) Solicit or accept contributions or anything of value from a foreign source of concern.

(a) For a first violation of this subsection, this prohibited act is considered involuntary, and shall result in no punitive action from the department if the charitable organization satisfies all of the following requirements:

1. Provides the department with a solicitation or contribution form containing an attestation from such foreign source or country of concern in which the person, country, or entity falsely certifies that they are not a foreign country of concern as defined in s. 496.404(13) or a foreign source of concern as defined in s. 496.404(14);

2. Provides the department with a copy of a refund to the foreign source or country of concern within 30 days after notification by the department of the prohibited act; and

3. Provides the department with a plan of action to prevent the acceptance of contributions from a foreign country or source of concern in future solicitation activities by the charitable organization.

(b) A second or subsequent violation of this subsection is considered voluntary, and the charitable organization or sponsor is subject to the penalties specified in s. 496.419(5) at the discretion of the department.

Section 44. Section 496.417, Florida Statutes, is amended to read:

496.417 Criminal penalties.—Except as otherwise provided in ss. 496.401-496.424, and in addition to any administrative or civil penalties, any person who willfully and knowingly violates ss. 496.401-496.424 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For a second or subsequent conviction, such violation constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The department may also investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 45. Subsection (11) is added to section 496.419, Florida Statutes, to read:

496.419 Powers of the department.—

(11) A charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation required pursuant to s. 496.405(2)(d) or (2)(e) is subject to the penalties specified in subsection (5) at the discretion of the department.

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Services Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

(b) That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department's website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(j) "Cottage food product" means food that is not time or temperature controlled for safety or a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

(1)(a) A food permit from the department is required of any person or business that ~~who~~ operates a food establishment, except:

1. Persons or businesses operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, not age restricted, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the person or business minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

3. Persons selling only legumes in the shell, either parched, roasted, or boiled.

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within this state. Such bottles must contain a label listing the producer's name and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, "This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

(b) Each food establishment regulated under this chapter must apply for and receive a food permit before operation begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment as a condition of issuance or renewal of a food permit. Such fees may not exceed \$650 and must be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed \$1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed \$250. The fee for operating a bottled water plant or a packaged ice plant must be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed in accordance with subparagraphs 1.-3. If an application for renewal of a food permit is not received by the department on or before its due date, a late fee not exceeding \$100 must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected must be deposited in the General Inspection Trust Fund.

1. A food permit issued to a new food establishment ~~on or after September 1, 2023,~~ is valid for 1 calendar year after the date of issuance and must be renewed annually on or before that date thereafter.

2. ~~Effective January 1, 2024,~~ A food permit issued before September 1, 2023, expires on the month and day the initial permit was issued to the food establishment and must be renewed annually on or before that date thereafter. The department may charge a prorated permit fee for purposes of this subparagraph.

3. The department may establish a single permit renewal date for multiple food establishments owned by the same entity ~~The owner of 100 or more permitted food establishment locations may elect to set the expiration of food permits for such establishments as December 31 of each calendar year.~~

Section 49. Section 500.166, Florida Statutes, is amended to read:

500.166 Records of interstate shipment.—For the purpose of enforcing this chapter, carriers engaged in interstate commerce and persons receiving food in interstate commerce shall retain all records for 3 years from the date of the record showing the movement in interstate commerce of any food, and the quantity, shipper and consignee thereof and, upon the request by an officer or employee duly designated by the department, permit the officer or employee to have access to and to copy all records showing the movement in interstate commerce of any food, and the quantity, shipper, and consignee thereof.

Section 50. Subsection (1) of section 500.172, Florida Statutes, is amended to read:

500.172 Embargoing, detaining, destroying of food, food processing equipment, or areas that are in violation.—

(1) When the department, or its duly authorized agent who has received appropriate education and training regarding the legal requirements of this chapter, finds or has probable cause to believe that any food, food processing equipment, food processing area, or food storage area is in violation of this chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, mislabeled, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to read:

500.75 Mushroom spores and mycelium; offenses.—It is unlawful to transport or offer to transport, import into this state, sell or offer for sale,

furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. A person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 52. Section 500.93, Florida Statutes, is created to read:

500.93 Mislabeling of plant-based products as milk, meat, or poultry.

(1) As used in this section, the term:

(a) “Egg” or “egg product” has the same meaning as in 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

(b) “FDA” means the United States Food and Drug Administration.

(c) “Meat” has the same meaning as in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act.

(d) “Milk” has the same meaning as in 21 C.F.R. s. 131.110 and the Grade “A” pasteurized milk ordinance.

(e) “Poultry” or “poultry product” has the same meaning as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

(2)(a) In accordance with the established standard of identity for milk defined in 21 C.F.R. s. 131.110 and the Grade “A” pasteurized milk ordinance, the department shall adopt rules to enforce the FDA’s standard of identity for milk, as adopted in state law, to prohibit the sale of plant-based products mislabeled as milk in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as milk that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(3)(a) In accordance with the established standard of identity for meat defined in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act, and both poultry and poultry products defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act, the department shall adopt rules to enforce the FDA’s standard of identity for meat, poultry, and poultry products as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products which is consistent with this section by any 11 of the group of 14 states composed of Alabama,

Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(4)(a) In accordance with the established standard of identity for eggs and egg products as defined in 21 U.S.C. s. 1033 and the Egg Products Inspection Act, the department shall adopt rules to enforce the FDA's standard of identity for eggs and egg products, as adopted in state law, to prohibit the sale of plant-based products mislabeled as egg or egg products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as egg or egg products that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(5) The Department of Agriculture and Consumer Services shall notify the Division of Law Revision upon the enactment into law by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia of the mandatory labeling requirements pursuant to subsections (2) and (3).

(6) The department shall adopt rules to implement this section.

(7) This section may not be construed to limit the department's authority to enforce laws and regulations.

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

501.912 Definitions.—As used in ss. 501.91-501.923:

(1) “Antifreeze” means any substance or preparation, including, but not limited to, coolant, antifreeze-coolant, antifreeze and summer coolant, or summer coolant, that is sold, distributed, or intended for use:

(a) As the cooling liquid, or to be added to the cooling liquid, in the cooling system of ~~internal combustion engines of motor vehicles~~ to prevent freezing of the cooling liquid or to lower its freezing point; or

(b) To raise the boiling point of water, aid in vehicle component cooling, or for the prevention of engine overheating, whether or not the liquid is used as a year-round cooling system fluid.

Section 55. Section 525.19, Florida Statutes, is created to read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum registration program for petroleum owners or operators and shall adopt rules detailing the requirements for such registration that include, at minimum:

- (a) The name of the petroleum owner or operator;
 - (b) The address of the petroleum owner or operator;
 - (c) The phone number of the petroleum owner or operator;
 - (d) The e-mail address of the petroleum owner or operator;
 - (e) Requirements for the transfer switch;
 - (f) Fuel and petroleum infrastructure; and
 - (g) Fuel and petroleum inventory and delivery information.
- (2) The registration program must be free for all registrants.

(3) The department has the authority to require registrants to provide updates related to the status of infrastructure, inventory, and delivery information during a state of emergency as declared by an executive order issued by the Governor.

Section 56. Section 526.147, Florida Statutes, is created to read:

526.147 Florida Retail Fuel Transfer Switch Modernization Grant Program.—

(1)(a) There is created, subject to appropriation, the Florida Retail Fuel Transfer Switch Modernization Grant Program within the Department of Agriculture and Consumer Services.

(b) The grant program shall provide grant funds, not to exceed \$10,000 per retail fuel facility, to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities to allow for the continuity of fueling operations under generated power.

(c) The department shall award funds based upon the following criteria:

1. Up to \$10,000, of costs for transfer switch purchase and installation for retail fuel locations in fiscally constrained counties as designated under s. 218.67(1).

2. Up to \$5,000, of costs for transfer switch purchase and installation for all other retail fuel locations.

(d) Retail fuel facilities which are awarded grant funds must comply with s. 526.143 and must install a transfer switch capable of operating all

fuel pumps, dispensing equipment, life safety systems, and payment acceptance equipment using an alternative generated power source.

(e) Before being awarded funding from the department, retail fuel facilities must provide documentation on transfer switch installation and required generator sizing to the department.

(f) Marinas and fueling facilities with fewer than four fueling positions are excluded from being awarded funding through this program.

(g) Fueling facilities subject to s. 526.143(2) are excluded from being awarded funding through this program.

(2) The department, in consultation with the Division of Emergency Management, shall adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include application deadlines and establish the supporting documentation necessary to be provided to the department.

Section 57. Section 531.48, Florida Statutes, is amended to read:

531.48 Declarations of unit price on random packages.—In addition to the declarations required by s. 531.47, any package being one of a lot containing random weights of the same commodity must and ~~bearing the total selling price of the package shall bear on the outside of the package a~~ plain and conspicuous declaration of the price per single unit of weight and the total retail price of the package, as defined by department rule.

Section 58. Section 531.49, Florida Statutes, is amended to read:

531.49 Advertising packages for sale.—Whenever A packaged commodity is advertised ~~in any manner with the retail price stated, there shall be~~ closely and conspicuously associated with the retail price must have a declaration of quantity as is required by law or rule to appear on the package.

Section 59. Subsection (10) of section 564.06, Florida Statutes, is amended to read:

564.06 Excise taxes on wines and beverages.—

(10) Fifty percent of all revenues collected from the excise taxes imposed by this section on wine produced by manufacturers in this state from products grown in the state must be deposited into the Florida Wine Viticulture Trust Fund established pursuant to s. 599.012.

Section 60. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as subsections (47), (48), and (49), respectively, and new subsections (44), (45), and (46) are added to that section, to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(44)(a) To foster and encourage the employment and retention of qualified veterinary pathologists. The department may reimburse the educational expenses of qualified veterinary pathologists who enter into an agreement with the department to retain employment for a specified period of time.

(b) The department shall adopt rules to administer this subsection.

(45) Subject to appropriation, to extend state and national Future Farmers of America opportunities to any public school student enrolled in agricultural education, at little or no cost to the student or school district, and to support statewide Future Farmers of America programming that helps such students develop their potential for premier leadership, personal growth, and career success.

(46)(a) Notwithstanding ss. 287.042 and 287.057, to use contracts procured by another agency.

(b) As used in this subsection, the term “agency” has the same meaning as provided in s. 287.012.

Section 61. Subsection (2) of section 570.544, Florida Statutes, is amended to read:

570.544 Division of Consumer Services; director; powers; processing of complaints; records.—

(2) The director shall supervise, direct, and coordinate the activities of the division and shall, under the direction of the department, enforce the provisions of ~~ss. 366.94 and ss. 604.15-604.34~~ and chapters ~~177, 472, 496, 501, 507, 525, 526, 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.~~

Section 62. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

(a) Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

(c) Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

(2) The department shall prorate any licensing fee for which the term of the license was reduced for the purposes of alignment.

(3) The department shall adopt rules to implement this section.

Section 63. Section 570.694, Florida Statutes, is created to read:

570.694 Florida Aquaculture Foundation.—

(1) The Florida Aquaculture Foundation is established as a direct-support organization within the Department of Agriculture and Consumer Services. The purpose of the foundation is to:

(a) Conduct programs and activities related to the assistance, promotion, and furtherance of aquaculture and aquaculture producers in this state.

(b) Identify and pursue methods to provide statewide resources and materials for these programs.

(2) The foundation shall be governed by s. 570.691.

(3) The department is authorized to appoint an advisory committee adjunct to the foundation pursuant to s. 570.232.

Section 64. Section 570.822, Florida Statutes, is amended to read:

570.822 Agriculture and Aquaculture Producers ~~Emergency~~ Natural Disaster Recovery Loan Program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Bona fide farm operation” means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 or on sovereign submerged land that is leased to the applicant by the department pursuant to s. 597.010 and that produces agricultural products within the definition of agriculture under s. 570.02.

(b) “~~Declared emergency natural disaster~~” means ~~an emergency a natural disaster~~ for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) “Department” means the Department of Agriculture and Consumer Services.

(d) “Essential physical property” means fences; equipment; structural production facilities, such as shade houses and greenhouses; or other agriculture or aquaculture facilities or infrastructure.

(e) “Program” means the Agriculture and Aquaculture Producers Emergency Natural Disaster Recovery Loan Program.

(2) USE OF LOAN FUNDS; LOAN TERMS.—

(a) The program is established within the department to make loans to agriculture and aquaculture producers that have experienced damage or destruction from a declared emergency natural disaster. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property, or restock aquaculture. A structure or building constructed using loan proceeds must comply with storm-hardening standards for nonresidential farm buildings as defined in s. 604.50(2). The department shall adopt such standards by rule.

(b) The department may make a low-interest or interest-free loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is \$500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

(3) ELIGIBLE APPLICANTS.—To be eligible for the program, an applicant must:

(a) Own or lease a bona fide farm operation that is located in a county named in a declared emergency natural disaster and that was damaged or destroyed as a result of such declared emergency natural disaster.

(b) Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.

(4) LOAN APPLICATION AND AGREEMENT.—

(a) Requests for loans must be made by application to the department. Upon a determination that funding for loans is available, the department shall publicly notice an application period for the declared emergency natural disaster, beginning within 60 days after the date of the declared emergency natural disaster and running up to 1 year after the date of the declared emergency natural disaster or until all available loan funds are exhausted, whichever occurs first. The application period may be renewed upon a determination from the department and pursuant to an active declared emergency.

(b) An applicant must demonstrate the need for financial assistance and an ability to repay or meet a standard credit rating determined by the department.

(c) Loans must be made pursuant to written agreements specifying the terms and conditions agreed to by the approved applicant and the

department. The loan agreement must specify that the loan is due upon sale if the property or other collateral for the loan is sold.

(d) An approved applicant must agree to stay in production for the duration of the loan. A loan is not assumable.

(5) **LOAN SECURITY REQUIREMENTS.**—All loans must be secured by a lien, subordinate only to any mortgage held by a financial institution as defined in s. 655.005, on property or other collateral as set forth in the loan agreement. The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant. The department shall record the lien in public records in the county where the property is located and, in the case of personal property, perfect the security interest by filing appropriate Uniform Commercial Code forms with the Florida Secured Transaction Registry as required pursuant to chapter 679.

(6) **LOAN REPAYMENT.**—

(a) A loan is due and payable in accordance with the terms of the loan agreement.

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

(c) An approved applicant may make payments on the loan at any time without penalty. Early repayment is encouraged as other funding sources or revenues become available to the approved applicant.

(d) All repayments of principal and interest, if applicable, received by the department in a fiscal year must be returned to the loan fund and made available for loans to other applicants in the next application period.

(e) The department may periodically review an approved applicant to determine whether he or she continues to be in compliance with the terms of the loan agreement. If the department finds that an applicant is no longer in production or has otherwise violated the loan agreement, the department may seek repayment of the full original principal balance outstanding, including any interest or costs, as applicable, and excluding any applied or anticipated original principal balance reductions.

(f) The department may defer or waive loan payments if at any time during the repayment period of a loan, the approved applicant experiences a

significant hardship such as crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

(a) The following information held by the department pursuant to its administration of the program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. Tax returns.
2. Credit history information, credit reports, and credit scores.

(b) This subsection does not prohibit the disclosure of information held by the department pursuant to its administration of the program in an aggregated and anonymized format.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

(9) RULES.—The department shall adopt rules to implement this section.

(10) **REPORTS.**—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

(11) **SUNSET.**—This section expires July 1, 2043, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 65. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Bona fide farm operation” means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 that produces agricultural products within the definition of agriculture under s. 570.02.

(b) “Declared emergency” means an emergency for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) “Department” means the Department of Agriculture and Consumer Services.

(d) “Program” means the silviculture emergency recovery program.

(2) USE OF GRANT FUNDS; GRANT TERMS.—

(a) The silviculture emergency recovery program is established within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency. Grants provided to eligible timber landowners must be used for:

1. Timber stand restoration, including downed tree removal on land which will retain the existing trees on site which are lightly or completely undamaged;

2. Site preparation, and tree replanting; or

3. Road and trail clearing on private timber lands to provide emergency access and facilitate salvage operations.

(b) Only timber land located on lands classified as agricultural lands under s. 193.461 are eligible for the program.

(c) The department shall coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners

have access to the maximum financial assistance available following a specified declared emergency. The coordination must endeavor to ensure that there is no duplication of financial assistance between these funds and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which would render the approved applicant ineligible for other financial assistance.

(d) The department is authorized to adopt rules to implement this section, including emergency rules. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 66. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the market position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

Section 67. Subsections (2) and (5) of section 581.1843, Florida Statutes, are amended to read:

581.1843 Citrus nursery stock propagation and production and the establishment of regulated areas around citrus nurseries.—

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department and that is not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered. However, the nursery shall be required to propagate citrus within a protective structure approved by the department. Effective January 1, 2008, it is shall be unlawful to distribute any citrus nursery stock that was not produced in a protective structure approved by the department.

(5) ~~The department shall establish regulated areas around the perimeter of commercial citrus nurseries that were established on sites after April 1, 2006, not to exceed a radius of 1 mile. The planting of citrus in an established regulated area is prohibited. The planting of citrus within a 1-mile radius of commercial citrus nurseries that were established on sites prior to April 1, 2006, must be approved by the department. Citrus plants planted within a~~

regulated area prior to the establishment of the regulated area may remain in the regulated area unless the department determines the citrus plants to be infected or infested with citrus canker or citrus greening. The department shall require the removal of infected or infested citrus, nonapproved planted citrus, and citrus that has sprouted by natural means in regulated areas. The property owner shall be responsible for the removal of citrus planted without proper approval. Notice of the removal of citrus trees, by immediate final order of the department, shall be provided to the owner of the property on which the trees are located. ~~An immediate final order issued by the department under this section shall notify the property owner that the citrus trees, which are the subject of the immediate final order, must be removed and destroyed unless the property owner, no later than 10 days after delivery of the immediate final order, requests and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.~~

Section 68. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

Section 69. Subsection (11) of section 595.404, Florida Statutes, is amended to read:

595.404 School food and other nutrition programs; powers and duties of the department.—The department has the following powers and duties:

(11) To adopt and implement an appeal process by rule, as required by federal regulations, for applicants and participants under the programs implemented pursuant to this chapter, notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ss. 120.569 and 120.57-120.595.

Section 70. Section 599.002, Florida Statutes, is amended to read:

599.002 Florida Wine Viticulture Advisory Council.—

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine Viticulture Advisory Council, to be composed ~~consist~~ of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural Sciences; a representative from the viticultural science program at Florida Agricultural and Mechanical University; and five additional commercial members, to be appointed for a 2-year term each by the Commissioner of Agriculture, including a wine producer, a fresh fruit producer, a nonwine product (juice, jelly, pie fillings, etc.) producer, and a viticultural nursery operator.

(2) The meetings, powers and duties, procedures, and recordkeeping of the Florida Wine Viticulture Advisory Council shall be pursuant to s. 570.232.

(3) The primary responsibilities of the Florida Wine Viticulture Advisory Council are to submit to the Commissioner of Agriculture, annually, the industry's recommendations for wine and viticultural research, promotion, and education and, as necessary, the industry's recommendations for revisions to the State Wine Viticulture Plan.

Section 71. Section 599.003, Florida Statutes, is amended to read:

599.003 State Wine Viticulture Plan.—

(1) The Commissioner of Agriculture, in consultation with the Florida Wine Viticulture Advisory Council, shall develop and coordinate the implementation of the State Wine Viticulture Plan, which shall identify problems and constraints of the wine and viticulture industry, propose possible solutions to those problems, and develop planning mechanisms for the orderly growth of the industry, including:

(a) Criteria for wine and viticultural research, service, and management priorities.

(b) Additional proposed legislation that may be required.

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University and the University of Florida in their efforts to address current and future needs of the industry.

(d) The potential for viticulture products in terms of market and needs for development.

(e) Evaluation of wine policy alternatives, including, but not limited to, continued improvement in wine quality, blending considerations, promotion and advertising, labeling and vineyard designations, and development of production and marketing strategies.

(f) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.

(g) Evaluation of policy alternatives for nonwine processed products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.

(h) Research and service priorities for further development of the wine and viticulture industry.

(i) The identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to wine and viticultural development and the delineation of contributions and responsibilities.

(j) Business planning, investment potential, financial risks, and economics of production and utilization.

(2) A revision and update of the State Wine Viticulture Plan must shall be submitted biennially to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request must shall be submitted annually.

Section 72. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

599.004 Florida Farm Winery Program; registration; logo; fees.—

(2)(a) The department, in coordination with the Florida Wine Viticulture Advisory Council, shall develop and designate by rule a Florida Farm Winery logo, emblem, and directional sign to guide the public to certified Florida Farm Wineries ~~Winery~~ tourist attractions. The logo and emblem of certified Florida Farm Winery signs must shall be uniform.

(d) Wineries that fail to recertify annually or pay the licensing fee required in paragraph (c) are subject to having the signs referenced in paragraph (b) removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

(3) All fees collected, except as otherwise provided by this section, shall be deposited into the Florida Wine Viticulture Trust Fund and used to develop consumer information on the native characteristics and proper use of wines.

Section 73. Section 599.012, Florida Statutes, is amended to read:

599.012 Florida Wine Viticulture Trust Fund; creation.—

(1) There is established the Florida Wine Viticulture Trust Fund within the Department of Agriculture and Consumer Services. The department shall use the moneys deposited in the trust fund pursuant to subsection (2) to do all the following:

(a) Develop and coordinate the implementation of the State Viticulture Plan.

(b) Promote viticulture products manufactured from products grown in the state.

(c) Provide grants for viticultural research.

(2) Fifty percent of the revenues collected from the excise taxes imposed under s. 564.06 on wine produced by manufacturers in this state from products grown in the state will be deposited in the Florida Wine Viticulture Trust Fund in accordance with that section.

Section 74. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

616.12 Licenses upon certain shows; distribution of fees; exemptions.

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law. However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession is exempt.

Section 75. Section 687.16, Florida Statutes, is created to read:

687.16 Florida Farmer Financial Protection Act.—

(1) SHORT TITLE.—This section may be cited as the “Florida Farmer Financial Protection Act.”

(2) DEFINITIONS.—As used in this section, the term:

(a) “Agriculture producer” means a person or company authorized to do business in this state and engaged in the production of goods derived from plants or animals, including, but not limited to, the growing of crops, silviculture, animal husbandry, or the production of livestock or dairy products.

(b) “Agritourism activity” has the same meaning as provided in s. 570.86.

(c) “Commissioner” means the Commissioner of Agriculture.

(d) “Company” means a for-profit organization, association, corporation, partnership, joint venture, sole proprietorship, limited partnership, limited liability partnership, or limited liability company, including a wholly owned

subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations authorized to do business in this state.

(e) “Denies or restricts” means refusing to provide services, terminating existing services, or restricting or burdening the scope or nature of services offered or provided.

(f) “Discriminate in the provision of financial services” means to deny or restrict services and thereby decline to provide financial services.

(g) “ESG factor” means any factor or consideration that is collateral to or not reasonably likely to affect or impact financial risk and includes the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes, which may include the agriculture producer’s greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

(h) “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

(i) “Financial institution” means a company defined under s. 655.005(1)(h) and (i), which has total assets of more than \$100 million. A financial institution includes any affiliate as defined in s. 655.005(1)(a) or subsidiary company as defined in s. 655.005(1)(x), even if such affiliate or subsidiary company is also a financial institution.

(j) “Financial service” means any product or service that is of a financial nature and is offered by a financial institution.

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.

(a) A financial institution may not discriminate in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.

(b) If a financial institution has made any ESG commitment related to agriculture, there is an inference that the institution’s denial or restriction of a financial service to an agriculture producer violates paragraph (a).

(c) A financial institution may overcome the inference in paragraph (b) by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

(4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney General, in consultation with the Office of Financial Regulation, is authorized to enforce subsection (3). Any violation of subsection (3) constitutes an unfair trade practice under part II of chapter 501 and the Attorney General is authorized to investigate and seek remedies as provided in general law. Actions for damages may be sought by an aggrieved party.

Section 76. Paragraph (a) of subsection (3) of section 741.0305, Florida Statutes, is amended to read:

741.0305 Marriage fee reduction for completion of premarital preparation course.—

(3)(a) All individuals electing to participate in a premarital preparation course shall choose from the following list of qualified instructors:

1. A psychologist licensed under chapter 490.
2. A clinical social worker licensed under chapter 491.
3. A marriage and family therapist licensed under chapter 491.
4. A mental health counselor licensed under chapter 491.
5. An official representative of a religious institution which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the representative has relevant training.
6. Any other provider designated by a judicial circuit, including, but not limited to, school counselors who are certified to offer such courses. Each judicial circuit may establish a roster of area course providers, including those who offer the course on a sliding fee scale or for free.

Section 77. Paragraph (h) of subsection (2), subsection (3), paragraph (c) of subsection (6), and subsection (10) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or concealed firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;
2. Completion of any National Rifle Association firearms safety or training course;
3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or United States military service;

6. Is licensed or has been licensed to carry a concealed weapon or concealed firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. A person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement and ~~subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. If the criminal case or injunction results in a nondisqualifying

disposition and the applicant or licensee is otherwise eligible, the suspension shall end. The department must issue an order confirming the end of the suspension within 90 days after the applicant or licensee's submission to the department of a copy of the final resolution of the criminal case or injunction. The copy provided to the department must be sent through electronic or certified mail to a location that shall be specified on the notice of suspension received by the licensee or applicant. If the criminal case or injunction results in a disqualifying disposition, the suspension must remain in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

(b) This subsection may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The Legislature finds it a matter of public policy and public safety that it is necessary to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner by the department pursuant to this section. The Legislature intends to clarify that suspensions pursuant to this section are temporary, and the department has the duty to make an eligibility determination and issue a license in the time frame prescribed in this subsection.

(6)

(c) The Department of Agriculture and Consumer Services shall, within 90 days after the date of receipt of the items listed in subsection (5):

1. Issue the license; or

2. Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsection (2) or subsection (3). If the Department of Agriculture and Consumer Services denies the application, it shall notify the applicant in writing, stating the ground for denial and informing the applicant of any right to a hearing pursuant to chapter 120.

3. In the event the result of the criminal history screening identifies department receives criminal history information related to a crime that may disqualify the applicant but does not contain with no final disposition of the crime or lacks sufficient information to make an eligibility determination on a crime which may disqualify the applicant, the time limitation prescribed by this paragraph may be extended for up to an additional 45 days after the receipt of the information suspended until receipt of the final disposition or proof of restoration of civil and firearm rights. The department may make a request for information to the jurisdiction where the criminal history information originated but must issue a license if it does not obtain a disposition or sufficient information to make an eligibility determination within the additional 45 days if the applicant is otherwise eligible. The department may take any action authorized in this section if it receives disqualifying criminal history information during the additional 45-day review period or after issuance of a license.

(10) A license issued under this section must ~~shall~~ be temporarily suspended as provided for in subparagraph (6)(c)3., or revoked pursuant to chapter 120 if the license was issued in error or if the licensee:

- (a) Is found to be ineligible under the criteria set forth in subsection (2);
- (b) Develops or sustains a physical infirmity which prevents the safe handling of a weapon or firearm;
- (c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;
- (d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;
- (e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar laws of any other state;
- (f) Is convicted of a second violation of s. 316.193, or a similar law of another state, within 3 years after a first conviction of such section or similar law of another state, even though the first violation may have occurred before the date on which the application was submitted;
- (g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or
- (h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

Section 78. Subsection (2) of section 812.0151, Florida Statutes, is amended to read:

812.0151 Retail fuel theft.—

(2)(a) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Breaches a retail fuel dispenser or accesses any internal portion of a retail fuel dispenser; or

2. Possesses any device constructed for the purpose of fraudulently altering, manipulating, or interrupting the normal functioning of a retail fuel dispenser.

(b) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Physically tampers with, manipulates, removes, replaces, or interrupts any mechanical or electronic component located on within the internal or external portion of a retail fuel dispenser; or

2. Uses any form of electronic communication to fraudulently alter, manipulate, or interrupt the normal functioning of a retail fuel dispenser.

(c) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

1. Obtains fuel as a result of violating paragraph (a) or paragraph (b); ~~or~~

2. Modifies a vehicle's factory installed fuel tank or possesses any item used to hold fuel which was not fitted to a vehicle or conveyance at the time of manufacture with the intent to use such fuel tank or item to hold or transport fuel obtained as a result of violating paragraph (a) or paragraph (b); or

3. Possesses or uses any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card with a magnetic stripe or a chip encoded with account information or both, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

Section 79. Section 812.136, Florida Statutes, is created to read:

812.136 Mail theft.—

(1) As used in this section, unless the context otherwise requires:

(a) "Mail" means any letter, postal card, parcel, envelope, package, bag, or any other sealed article addressed to another, along with its contents.

(b) "Mail depository" means a mail box, letter box, mail route, or mail receptacle of a postal service, an office of a postal service, or mail carrier of a postal service, or a vehicle of a postal service or any other authorized receptacle.

(c) "Postal service" means the United States Postal Service or its contractors, or any commercial courier that delivers mail.

(2) Any of the following acts constitutes mail theft:

(a) Knowingly removing mail from a mail depository or taking mail from a mail carrier of a postal service with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of his or her right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of such mail.

(b) Knowingly obtaining custody of mail by fraud or deception with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of his or her right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of the mail.

(c) Selling, receiving, possessing, transferring, buying, or concealing mail in violation of paragraph (a) or paragraph (b) of this subsection, while knowing or having reason to know the mail was obtained illegally.

(3) Any of the following constitutes theft of or unauthorized reproduction of a mail depository key or lock:

(a) Knowingly obtaining or using, or endeavoring to obtain or use, any key or lock used by a postal service for a mail depository with the intent to either temporarily or permanently:

1. Deprive the owner of such key or lock of his or her right to such key or lock.

2. Appropriate the key or lock to his or her own use or the use of any person not entitled to the use of such key or lock.

(b) Knowingly and unlawfully making, forging, or counterfeiting any such key or possessing any such key or lock adopted by a postal service with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or otherwise disposed.

(c) Selling, receiving, possessing, transferring, buying, or concealing a key or lock obtained in violation of paragraph (a) or paragraph (b) while knowing or having reason to know such key or lock was obtained illegally.

(4)(a) Except as provided in paragraph (b), a violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A second or subsequent violation of this section is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.084.

Section 80. Paragraph (i) of subsection (4) of section 934.50, Florida Statutes, is amended, and a new paragraph (q) is added to that subsection, to read:

934.50 Searches and seizure using a drone.—

(4) EXCEPTIONS.—This section does not prohibit the use of a drone:

~~(i) By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.~~

(q) By a local governmental entity, or a person under contract with or acting under the direction of such entity, for the purpose of managing and eradicating plant or animal diseases or activities consistent with chapters 369, 388, and 487.

Section 81. Section 1013.373, Florida Statutes, is created to read:

1013.373 Educational facilities used for agricultural education.—

(1) Notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animal or equipment therein.

(2) Lands used for agricultural education or for Future Farmers of America or 4-H activities are considered agricultural lands pursuant to s. 193.461 and subject to s. 823.14.

Section 82. For the purpose of incorporating the amendment made by this act to section 110.205, Florida Statutes, in a reference thereto,

paragraph (a) of subsection (5) of section 295.07, Florida Statutes, is reenacted to read:

295.07 Preference in appointment and retention.—

(5) The following positions are exempt from this section:

(a) Those positions that are exempt from the state Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the Florida College System and the School for the Deaf and the Blind, or the equivalent of such positions at state universities, Florida College System institutions, or the School for the Deaf and the Blind, are not exempt.

Section 83. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. 189.067, that the district has failed to file any of the reports listed in s. 189.066;

5. The district has not had a registered office and agent on file with the department for 1 or more years;

6. The governing body of a special district provides documentation to the department that it has unanimously adopted a resolution declaring the

special district inactive. The special district is responsible for payment of any expenses associated with its dissolution;

7. The district is an independent special district or a community redevelopment district created under part III of chapter 163 that has reported no revenue, no expenditures, and no debt under s. 189.016(9) or s. 218.32 for at least 5 consecutive fiscal years beginning no earlier than October 1, 2018. This subparagraph does not apply to a community development district established under chapter 190 or to any independent special district operating pursuant to a special act that provides that any amendment to chapter 190 to grant additional powers constitutes a power of that district; or

8. For a mosquito control district created pursuant to chapter 388, the department has received notice from the Department of Agriculture and Consumer Services that the district has failed to file a tentative work plan and tentative detailed work plan budget as required by s. 388.271.

Section 84. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 482.072, Florida Statutes, is reenacted to read:

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

1. A customer contact center licensee is subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center.

2. A pest control business licensee may be subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center operated by a licensee if the licensee participates in the violation.

Section 85. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, section 482.163, Florida Statutes, is reenacted to read:

482.163 Responsibility for pest control activities of employee.—Proper performance of pest control activities by a pest control business employee is the responsibility not only of the employee but also of the certified operator in charge, and the certified operator in charge may be disciplined pursuant to the provisions of s. 482.161 for the pest control activities of an employee. A licensee may not automatically be considered responsible for violations

made by an employee. However, the licensee may not knowingly encourage, aid, or abet violations of this chapter.

Section 86. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a reference thereto, section 487.156, Florida Statutes, is reenacted to read:

487.156 Governmental agencies.—All governmental agencies shall be subject to the provisions of this part and rules adopted under this part. Public applicators using or supervising the use of restricted-use pesticides shall be subject to examination as provided in s. 487.044.

Section 87. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

(2) The board of directors, or an authorized committee thereof, of a charitable organization or sponsor required to register with the department under s. 496.405 shall adopt a policy regarding conflict of interest transactions. The policy shall require annual certification of compliance with the policy by all directors, officers, and trustees of the charitable organization. A copy of the annual certification shall be submitted to the department with the annual registration statement required by s. 496.405.

Section 88. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in references thereto, subsections (2) and (4) of section 496.406, Florida Statutes, are reenacted to read:

496.406 Exemption from registration.—

(2) Before soliciting contributions, a charitable organization or sponsor claiming to be exempt from the registration requirements of s. 496.405 under paragraph (1)(d) must submit annually to the department, on forms prescribed by the department:

(a) The name, street address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose or purposes for which the contributions to be solicited will be used.

(b) The tax exempt status of the organization.

(c) The date on which the organization's fiscal year ends.

(d) The names, street addresses, and telephone numbers of the individuals or officers who have final responsibility for the custody of the contributions and who will be responsible for the final distribution of the contributions.

(e) A financial statement of support, revenue, and expenses and a statement of functional expenses that must include, but not be limited to, expenses in the following categories: program, management and general, and fundraising. In lieu of the financial statement, a charitable organization or sponsor may submit a copy of its Internal Revenue Service Form 990 and all attached schedules or Internal Revenue Service Form 990-EZ and Schedule O.

(4) Exemption from the registration requirements of s. 496.405 does not limit the applicability of other provisions of this section to a charitable organization or sponsor.

Section 89. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

(1)(a) A cottage food operation must comply with the applicable requirements of this chapter but is exempt from the permitting requirements of s. 500.12 if the cottage food operation complies with this section and has annual gross sales of cottage food products that do not exceed \$250,000.

Section 90. For the purpose of incorporating the amendment made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

(6) If the department determines that a food offered in a food establishment is labeled with nutrient claims that are in violation of this chapter, the department shall retest or reexamine the product within 90 days after notification to the manufacturer and to the firm at which the product was collected. If the product is again found in violation, the department shall test or examine the product for a third time within 60 days after the second notification. The product manufacturer shall reimburse the department for the cost of the third test or examination. If the product is found in violation for a third time, the department shall exercise its authority under s. 500.172 and issue a stop-sale or stop-use order. The department may impose additional sanctions for violations of this subsection.

Section 91. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must comply with the provisions of s.

790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 92. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

Approved by the Governor May 15, 2025.

Filed in Office Secretary of State May 15, 2025.



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #6: Ordinance No.2025-XX - Village Code Amendment - Section 14-61. - Hours of Operation of Establishments where served and Section 34-891. - Hours of Operation and Hours of Construction Activity

SUMMARY: Planning, Zoning, & Building staff are requesting a housekeeping amendment to the Village Code - Chapter 14 - Businesses, Article III. - Alcohol Beverages, Section 14-61. - Hours of operation of establishments where served, and amendments to Chapter 34 - Land Development, Article VI. - Land Use, Division 7. - Supplemental District Regulations, Sec. 34-891. - Hours of operation and hours of construction activity, to clarify existing provisions for dispensing and selling alcoholic beverages according to Florida Statutes. Clarification is needed to ensure that the hours of operation for establishments dispensing and selling alcoholic beverages are clear for both on-premise and off-premise consumption.

Additionally, there is a desire to allow for full-service or gas stations (with or without convenience stores) to have regular hours of operation from 6:00 a.m. to midnight and to be able to apply for an administrative variance to the Village Council to allow an extension of those regular hours of operation.

Note: Provisions in Section 34-891 regarding hours of operation for selling alcoholic beverages for off-premises consumption are to be removed and transferred to Section 14-61, so all regulations for alcoholic beverages are in one section.

Hours of operation for establishments dispensing and selling alcoholic beverages can be summarized as follows:

All establishments wherein alcoholic beverages are dispensed for on-premises consumption	7:00 a.m. – 2:00 a.m. Sunday does not commence until 12 noon	If located within 250 feet of a residential district 7:00 a.m. – 11:00 p.m.
Restaurants	As late as 11:00 p.m.	
Package liquor stores for consumption off-premises	7:00 a.m. – 2:00 a.m.	
All establishments (except for package liquor stores) wherein alcoholic beverages are sold for off-premises consumption	7:00 a.m. - 11:00 p.m.	Administrative variance can be approved to extend its hours from 11:00 pm to midnight.
A fuel station or gas station, with or without a convenience store,	6:00 a.m. - midnight	Administrative variance can be approved to extend the hours; however, such extended

legally existing within the village
as of October 1, 2025.

All new fuel stations or gas
stations with or without a
convenience store, not legally
existing within the village as of
October 1, 2025.

6:00 a.m. - midnight

hours should not include selling
alcoholic beverages.

Variance requires council
approval

The proposed ordinance was prepared by the Village Attorney and reviewed by the Planning, Zoning & Building Director and by the Chief.

FISCAL IMPACT:

Amending the Land Development Regulations does not have a fiscal impact on the Village.

ATTACHMENTS:

1. Ordinance 2025-06 - Hours of Operation and Serving Alcoholic Beverages

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, PROVIDING FOR CODIFICATION, CONFLICTING ORDINANCES, AMENDING CHAPTER 14, "BUSINESSES", ARTICLE III, "ALCOHOLIC BEVERAGES", SECTION 14-61, "HOURS OF OPERATION OF ESTABLISHMENTS WHERE SERVED", TO CLARIFY EXISTING PROVISIONS FOR DISPENSING AND SELLING ALCOHOLIC BEVERAGES; AMENDING CHAPTER 34, ARTICLE VI, "LAND USE", DIVISION 7, "SUPPLEMENTAL DISTRICT REGULATIONS", SECTION 34-891, "HOURS OF OPERATION AND HOURS OF CONSTRUCTION ACTIVITY" TO ALLOW FOR EXTENDED HOURS OF OPERATION BY FUEL STATIONS AND GAS STATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2(b), Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the Village Council has all powers of local self-government to perform municipal functions and to exercise its police power to protect the general health, safety, and welfare of the public in a manner not inconsistent with law, and such power may be exercised by the enactment of Village ordinances; and

WHEREAS, except where granted a variance by Village Council, all commercial establishments are limited to hours of operation from 7:00 a.m. to 11:00 p.m. including restaurants; and

WHEREAS, section 14-61 of the Village Code of Ordinances, sets forth the hours for dispensing alcoholic beverages for on premise consumption and the sale of alcoholic beverages by package liquor stores for off-premise consumption; and

WHEREAS, section 34-891 of the Village Code of Ordinances, authorizes establishments selling alcohol for off-premise consumption to sell until 12 midnight (by reference to section 562.14, Florida Statutes); and

WHEREAS, clarification is needed in section 14-61 to ensure that the hours of operation for establishments dispensing and selling alcoholic beverages is clear for both on premise and off-premise consumption in one code section; and

WHEREAS, to assist in clarifying section 14-61, provisions in section 34-891 regarding hours of operation for selling alcoholic beverages for off-premises consumption should be removed; and

WHEREAS, the Village also desires to allow for full-service fuel-stations or gas stations (with or without convenience stores) to have regular hours of operation from 6:00 a.m. to 12:00 a.m. (midnight) and to be able to apply for an administrative variance or to the Village Council to allow an extension of those regular hours of operation; and

WHEREAS, the Village Council has determined that making the clarifications and

amendments to sections 14-61 and 34-891 as stated herein will assist in better understanding of the Village's hours of operations and hours for serving alcohol within the Village of Palm Springs; and

WHEREAS, the Village Council has determined that extending the hours of operation and allowing for variances for certain hours of operations as stated herein will assist in creating a more efficient process for the stated establishments; and,

WHEREAS, the Village Council has determined that it is in the public interest to adopt this Ordinance which will serve a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Recitals. The foregoing recitals are incorporated herein as true and correct findings and statements of the Village Council of the Village of Palm Springs.

Section 2. Chapter 14, "Businesses", Article III, "Alcoholic Beverages", Section 14-61, "Hours of Operation of Establishments where Served", is amended as follows (words stricken are deletions; words underlined are additions):

14-61. Hours of operation for dispensing or selling alcoholic beverages of establishments where served.

- (a) Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.
- (b) Establishments within the village designated as restaurants which serve alcoholic beverages, with or without a lounge, may remain open for business as late as 11:00 p.m. after which all restaurants serving alcoholic beverages within the village must close.
- (c) Package liquor stores, where at least 51 percent of the gross revenue is derived from the sale of alcoholic beverages sold only in sealed containers for consumption off-premises, shall be permitted to remain open for the sale of alcoholic beverages (off-premises consumption only) from 7:00 a.m. to 2:00 a.m.
- (d) Establishments wherein alcoholic beverages are dispensed for on premise consumption, which are located within 250 feet of a residential district, shall not continue business activities later than 11:00 p.m. daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the establishment.

- (e) Except for package liquor stores, all establishments within the village wherein alcoholic beverages are sold for off-premises consumption shall be restricted in the hours in which such alcoholic beverages are sold to between the hours of 7:00 a.m. and 11:00 p.m. each day. However, any establishment wherein alcoholic beverages are sold for off-premises consumption may apply for an administrative approval by the land development director to extend its hours of operation and for such off-premises consumption sales from 11:00 p.m. to midnight. Such administrative approval application shall be considered consistent with the requirements set forth in section 34-606.
- (f) Any establishment wherein alcoholic beverages are dispensed for on premise consumption or are sold for off-premise consumption desiring to dispense or sell alcoholic beverages ~~operate later than these specified times herein~~ may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (g) All establishments existing upon September 11, 2014 with effective business tax receipts from the village and alcoholic beverage licenses from the State of Florida, may continue to operate pursuant to the former hours of operation; however, upon closure of the establishment, change or transfer in ownership, change in the business name, and/or any change in a business tax receipt, all establishments shall comply with the hours of operation established herein. All existing establishments effectively annexed into the village limits after September 11, 2014 shall comply with the hours of operation established herein.

Section 3. Chapter 34, "Land Development", Article VI, "Land Use", Division 7, "Supplemental District Regulations", section 34-891, "Hours of Operation and Hours of Construction Activity", is amended as follows (words ~~stricken~~ are deletions; words underlined are additions):

34-891. Hours of operation and hours of construction activity.

The following shall apply to hours of operation and hours of construction activity:

- (1) Except as provided herein and elsewhere in this code, nNo commercial use shall commence business activities prior to 7:00 a.m., nor continue such activities later than 11:00 p.m. Outside delivery to such commercial activities shall not commence prior to 8:00 a.m. or continue later than 9:00 p.m.
- (2) Any commercial business activity desiring to operate prior to 7:00 a.m. or later than 11:00 p.m. may apply in writing for a hearing before the village council, setting forth the desired hours of operation and the reasons for deviations from the provisions of subsection (1) of this section. The village council, in its discretion, may vary the hours from those set forth in subsection (1) of this section.
- (3) Hours for an establishment to dispense or sell alcoholic beverages for the ~~Such restrictions shall not apply to lounges, bars, package stores, restaurants~~

~~or clubs in which alcoholic beverages are served. The hours of operation for such establishments shall be as set forth in section 14-61. Hours of package retail sales of alcoholic beverages for off-premises consumption shall be governed by F.S. ch. 562, unless specifically approved for an hours of operation variance by the village council that includes sales of alcoholic beverages.~~

- (4) Full-service fuel station or gas station with or without a convenience store legally existing within the village as of October 1, 2025 may operate from 6:00 a.m. to 12:00 midnight each day. Such full-service fuel station or gas station with or without convenience store may apply to have these hours of operation extended by seeking an administrative approval from the land development director to extend the hours of operation; however, such extended hours shall not include selling alcoholic beverages unless such sales are extended consistent with section 14-61. Such administrative approval application shall be considered consistent with the requirements set forth in section 34-606.
- (5) All new full-service fuel station or gas station with or without convenience store not legally existing within the village as of October 1, 2025 may operate from 6:00 a.m. to 12:00 midnight each day. All new full-service fuel station or gas station with or without convenience store not legally existing within the village as of October 1, 2025 may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (6) No construction activity shall commence prior to 7:00 a.m., nor continue later than 6:00 p.m. Monday through Friday. Saturdays no construction activity shall commence prior to 9:00 a.m., nor continue later than 5:00 p.m. No construction activity shall occur on Sundays. The land development director, at his or her discretion, may vary these hours upon written request which sets forth the desired hours of construction activity and the reasons for the requested deviation.

Section 4. Codification. This Ordinance shall be codified in the Village Code of Ordinances with the repealed sections in this Ordinance deleted from the Code and the added sections/language in this Ordinance included in the Code, which may all be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

Section 5. Repeal of Conflicting Ordinances. All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective upon adoption.

Council Member _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIMBERLY SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
_____, COUNCIL MEMBER	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, on this day of _____ day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
CHRISTY GODDEAU, VILLAGE ATTORNEY



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Administration

ITEM #2: June 10, 2025, Planning and Zoning Advisory Board Meeting Minutes

FISCAL IMPACT:

ATTACHMENTS:

1. June 10, 2025 Planning and Zoning Advisory Board Meeting Minutes



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
JUNE 10, 2025
6:30 M

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr. Alternate

ADMINISTRATION

PZ&B Director Iramis Cabrera
PZ&B Planner Christian Melendez

Deputy Village Clerk Jane R. Worth
Village Attorney Christy Goddeau

Persons who need an accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

Chair Johnnie Tieche called the Planning & Zoning Advisory Board Meeting to order at 6:37 p.m.

ROLL CALL

Present: Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, Peter Braun, and Ralph Wiles

Absent: Kim Gehrman, Brenda Browning

Also present: Planning, Zoning, and Building Director Iramis Cabrera, Planning, Zoning, and Building Planner Christian Melendez, Village Attorney Christy Goddeau, and Deputy Village Clerk Jane Worth

- 1. NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL**

DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

Staff: Jane Worth, Deputy Village Clerk

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

Planning, Zoning, and Building Director Iramis Cabrera informed the Board that the only item on the agenda would have to be postponed until July 8, 2025, at 6:30 PM. The agent did not show up, and there was no one to represent the project.

APPROVAL OF MINUTES

2. **Approval of May 13, 2025, Planning and Zoning Advisory Board Meeting Minutes:** motion to approve the May 13, 2025, minutes from the Planning and Zoning Advisory Board Meeting.

Staff: Jane Worth, Deputy Village Clerk

Chairman Tieche requested a motion for approval of the minutes from May 13, 2025. A motion to approve the minutes was made by Mr. Braun and seconded by Mr. Hughes. Motion carried 5-0.

ORDER OF BUSINESS

3. **Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes:** Motion to recommend approval of an application submitted Mr. Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Mr. Joseph Frantz ("Applicant") is requesting a Minor Site Development Plan approval (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Cornerstone Engineering Group, Inc., agent for Joseph Frantz ("Applicant"), is requesting a Minor Site Development Plan (**SPR25-06**) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

The 0.57-acre multifamily site is currently developed with two 450 square feet (each) residential single-family structures constructed in 1958, which the applicant is proposing to demolish and redevelop the property with the construction of three residential dwelling units within a two-story townhome structure and a parking area with a total of 3,168 square feet living space.

Each new unit will be configured with 3 bedrooms, an office space, a den room, 2.5 bathrooms, a kitchen with a dining room, a great room, each unit will be equipped with a washer and dryer, and each unit will have an outdoor patio. The project provides sidewalk connections from the parking lot to the residences and sufficient parking stalls for the residents and visitors.

The proposed site plan is consistent with the land use designation and generally meets land development regulations for a residential multiple-family (RM) zoning district.

Staff supports the applicant's request and recommends conditional approval based on consistency with the low-density allowances to permit a maximum of three residential dwelling units.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

PUBLIC HEARINGS

OTHER BUSINESS

ADJOURNMENT

Chairman Tieche adjourned the meeting at 6:40 PM.

Jane Worth, Deputy Clerk

ATTEST:

Johnnie Tieche, Chairman
Planning and Zoning Advisory Board Meeting Minutes

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

**NEXT MEETING
NEXT MEETING TUESDAY, JULY 8, 2025 @ 6:30 PM IN VILLAGE COUNCIL
CHAMBERS**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Administration

ITEM #3: July 8, 2025, Planning and Zoning Advisory Board Meeting Minutes.

FISCAL IMPACT:

ATTACHMENTS:

1. July 8, 2025 - Planning and Zoning Advisory Board Minutes



**MINUTES
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
JULY 8, 2025
6:30 PM**

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr. Alternate

ADMINISTRATION

PZ&B Director Iramis Cabrera
PZ&B Planner Christian Melendez

Records Clerk Andrea Medero
Village Attorney Christy Goddeau

Persons who need accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

Vice-Chairman Richard Hughes called the Planning & Zoning Advisory Board Meeting to order at 6:30 p.m.

ROLL CALL

Present: Vice-Chairman Richard Hughes, Board Member Ralph Lashells, Board Member Peter Braun and Board Member Kim Gehrman.

Also present: Planning, Zoning, and Building Director, Iramis Cabrera, Planning, Zoning, and Building Planner, Christian Melendez, Village Attorney Christy Goddeau, Records Clerk, Andrea Medero, Utilities Director Jimmie Johnson and Assistant Utilities Director Paul Ward.

Absent: Chairman, Johnnie Tieche, Junior Alternate Ralph Wiles, and Senior Alternate Brenda Browning.

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

Staff: Andrea Medero, Records Clerk

There were no ex-parte communications. The Records Clerk, Ms. Medero swore in the witnesses for testimony.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

Ms. Cabrera, the Planning, Zoning, and Building Director, requested the board to consider agenda item 3 first (Site Development Plan Amendment (SPR25-07) - Village of Palm Springs - Utility Department - New Operations Building - 360 Davis Road), followed by agenda item 2 (Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes).

Vice-Chairman Hughes confirmed board consensus and proceeded with a vote to amend the agenda. Although no formal motion was made, the amendment was approved unanimously with a vote of 4-0.

APPROVAL OF MINUTES

None.

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

2. **Planning & Zoning Board Order 2025-03 - Minor Site Development Plan (SPR25-06) - 3635 Gulfstream Road - Palm Springs 3-Unit Townhomes:** Motion to recommend approval of an application submitted Mr. Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Mr. Joseph Frantz ("Applicant") is requesting a Minor Site Development Plan approval (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Cornerstone Engineering Group, Inc., agent for Joseph Frantz ("Applicant"), is requesting a Minor Site Development Plan (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

The 0.57-acre multifamily site is currently developed with two 450 square feet (each) residential single-family structures constructed in 1958, which the applicant is proposing to demolish and redevelop the property with the construction of three residential dwelling units within a two-story townhome structure and a parking area with a total of 3,168 square feet living space.

Each new unit will be configured with 3 bedrooms, an office space, a den room, 2.5 bathrooms, a kitchen with a dining room, a great room, each unit will be equipped with a washer and dryer, and each unit will have an outdoor patio. The project provides sidewalk connections from the parking lot to the residences and sufficient parking stalls for the residents and visitors.

The proposed site plan is consistent with the land use designation and generally meets land development regulations for a residential multiple-family (RM) zoning district.

Staff supports the applicant's request and recommends conditional approval based on consistency with the low-density allowances to permit a maximum of three residential dwelling units.

Mr. Melendez presented the article. Mr. Melendez stated that the applicant, Joseph Cuidar from Cornerstone Engineering Group, Inc., agent for Joseph Frantz is requesting a Minor Site Development Plan (SPR25-06) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635 Gulfstream Road.

Joseph Cuidar from Cornerstone Engineering Group, Inc., presented a proposed three-unit townhome project to the Board. He explained that the plan involved demolishing two existing, aged structures and replacing them with two-story townhomes, along with a parking lot.

Mr. Cuidar shared the site plan with the Board, detailing a total of 11 parking spaces, which included one accessible parking space. He provided images that showed the design of the buildings from various angles.

The Board raised concerns about access for emergency vehicles and the potential for accidents. Ms. Cabrera noted that the Fire Department has already approved the project, indicating that there should be no issues related to these concerns.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Minor Site Development Plan (**SPR25-06**) for the construction of three residential dwelling units within a two-story townhome building on the Residential Multiple-Family property located at 3635

Gulfstream Road. Ms. Gehrman made a motion to approve, which Mr. Braun seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

3. **Site Development Plan Amendment (SPR25-07) - Village of Palm Springs - Utility Department - New Operations Building - 360 Davis Road:** Motion to recommend approval of an application submitted by Mr. Jess Sowards, AIA, and Jayson Hall on behalf of the Village of Palm Springs Utility Department ("Applicant"). Requesting approval for a Site Development Plan Amendment (SPR25-07) to allow the construction of a 22,670-square-foot operations building within the water treatment plant property located at 360 Davis Road.
Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Mr. Jess Sowards, AIA & Jayson Hall, on behalf of the Village of Palm Springs Utility Department ("Applicant"), are requesting a Site Development Plan Amendment approval (SPR25-07) to allow the construction of a 22,670 square-foot building designated for the operations building within the water treatment plant property located at 360 Davis Road.

The Village of Palm Springs Utility Department is planning to make improvements in the Utility EOC Operations Building at the Main Water Treatment Plant. The services generally consist of a two-story building for the Utility Department's Emergency Operations Center and Operations Building on the existing water utilities site.

The project includes the following demolitions:

1. Demolition of the existing Water Treatment Plant Office.
2. Demolition of the existing generator enclosure, fuel tank, fuel dispenser, and fuel storage building.
3. Demolition of existing Metal Building (one-story maintenance metal building).

The proposed operations building will be designed to accommodate the personnel of the water treatment plant and store essential components for water treatment operations. Additionally, the facility will provide storage for the VAC trucks utilized in the treatment processes.

The proposed operations building is approximately 22,670 gross square feet in total and includes:

- Office space within a two-story building with approximately 11,818 square feet.
- Water plant parts storage.
- Truck bays.
- And a mezzanine area of approximately 8,851 square feet.

Note: The mezzanine serves as overflow storage for water treatment plant parts.

Site improvements include enhancements to the impervious surfaces with new landscape islands, additional parking, a new generator enclosure, and the relocation of the fuel dispenser.

Staff reviewed the proposed Site Development Plan Amendment and found the proposed expansion to be generally consistent with the goals, objectives, and policies of the Village's Comprehensive Plan. The proposed project is generally consistent with the Land Development and Zoning Regulations and all other portions of the code.

The Planning, Zoning, and Building Staff supports the applicant's request and recommends conditional approval to facilitate improvements in the utility emergency operations center for the water treatment plant.

Mr. Melendez presented the article. Mr. Melendez stated that the applicant, Mr. Jess Sowards, AIA, and Jayson Hall, representing the Village of Palm Springs Utility Department, are seeking approval for a Site Development Plan Amendment (SPR25-07). This amendment would permit the construction of a 22,670-square-foot building, designated as the operations building, within the water treatment plant property located at 360 Davis Road. The Village of Palm Springs Utility Department is planning improvements to the Utility Emergency Operations Center (EOC) at the Main Water Treatment Plant, which will involve the construction of a two-story building for the Emergency Operations Center and Operations Building on the existing water utility site.

Utilities Director Mr. Johnson, on behalf of the Village of Palm Springs Utilities Department, introduced the engineering firm CHA Consulting Inc. and the architectural firm Currie Sowards Aguila Architects to present their plans to the Board. Jayson Hall, Senior Project Manager for Currie Sowards Aguila Architects, located at 185 NE 4th Avenue, Delray Beach, FL, presented a detailed overview to the Board of how the existing site plan would be renovated, including which structures would be demolished and what would be added. These renovations and additions include a new fuel station, a new generator area, a new building, new parking facilities, landscaping, and new dumpster enclosures. Mr. Hall detailed the locations of the additions and renovations, along with the changes to the current site plan. He also discussed the restrictions and regulations regarding height and lot coverage, presenting the Board with a proposal for the additions to the plant.

The Board raised questions regarding the age of the structures scheduled for demolition, as well as the timeline for submitting an improvement request for the newly added buildings. Mr. Paul Ward, the Assistant Utilities Director, responded that the three buildings were constructed between 1960 and 1974. He also stated that it would take approximately 50 years to file an improvement request for these structures.

Additionally, the Board inquired about the maintenance of the trees surrounding the water plant and sought clarification on who was responsible for their upkeep. Mr. Ward confirmed that the city is responsible for maintaining the trees.

The Board also expressed concerns about the timeline for constructing these additions, as well as the existing generator and the new one planned for installation. Questions regarding this were addressed by Mr. Hall and Ms. Stephanie Bortz, Project Manager at CHA Consulting Inc., who is involved in the engineering aspects of the project. Mr. Hall explained that construction would take a few years, while Ms. Bortz noted that the new generator would have a larger capacity than the existing one. She also assured the Board that the current generator would not be demolished until the new one had been installed correctly.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Site Development Plan Amendment (SPR25-07) for New Operations Buildings. Mr. Lashells made a motion to approve, which Ms. Gehrman seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

Funding to support the project is available within the FY 2025 and FY 2026 Budgets - Water and Sewer Enterprise Fund.

4. **Minor Site Development Plan (SPR25-08) 3715 Coconut Road – Coconut 3-Unit: Motion to recommend approval of an application submitted by Consultants for Construction, Co., representing Saman Esmaeili (“Applicant”). The applicant is requesting a Minor Site Development Plan (SPR25-08) for the construction of three residential dwelling units in a one-story building, which will be built alongside an existing single-family home on the Residential Multiple-Family property located at 3715 Coconut Road.**

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Consultants for Construction, CO., agent for Saman Esmaeili (“Applicant”), is requesting a Minor Site Development Plan (**SPR25-08**) for the construction of three residential dwelling units within a one-story building in addition to the existing single-family home, for a total of four dwelling units, within the Residential Multiple-Family property located at 3715 Coconut Road.

The 0.80-acre multifamily site is currently being developed as a residential single-family, and the applicant is proposing to retain it and redevelop the property with the addition of three residential dwelling units within a one-story structure and a parking area along the north side, for a total of 6,453 square feet of living space.

Each new unit will be configured with 3 bedrooms, 2 bathrooms, kitchen, a great room, and each unit equipped with a washer and dryer, and a storage room. The project provides a parking lot along the north side with sufficient parking stalls for the

residents and visitors. Additionally, the proposed site plan provides enhanced landscaped buffers and drainage improvements.

Staff supports the applicant's request and recommends conditional approval of the Minor site Plan to allow the improvements on the property based on consistency with the future land use designation and land development regulations for a residential multiple-family (RM) zoning district.

Mr. Melendez presented this item. Mr. Melendez stated that the Consultants for Construction, CO., agent for Saman Esmaeili ("Applicant"), is requesting a Minor Site Development Plan (SPR25-08) for the construction of three residential dwelling units within a one-story building in addition to the existing single-family home, for a total of four dwelling units, within the Residential Multiple-Family property located at 3715 Coconut Road.

Sarah Y. Moghadam, the owner of Consultants for Construction, located at 15850 Schweizer Court, Wellington, FL 33414, presented a project proposal to the Board. In her presentation, Ms. Moghadam outlined a development plan for a multiple-family site that is currently designated as a single-family residential area. She proposed to retain and redevelop the property by adding three residential dwelling units within a one-story structure, along with a parking area on the north side. The total living space would be 6,453 square feet.

The Board expressed concerns regarding the parking area. In response, Ms. Moghadam clarified that the proposal includes a total of 13 parking spaces that meet size regulations, as well as a driveway that is 21.8 feet wide. She also provided plans and a legal description to support her proposal.

Vice-Chairman Hughes reminded everyone that this was a public hearing and offered the public an opportunity to speak.

Vice-Chairman Hughes called for a motion regarding the Site Development Plan Amendment (SPR25-08) for the construction of three residential dwelling units in a one-story building, which will be built alongside an existing single-family home on the Residential Multiple-Family property located at 3715 Coconut Road. Mr. Lashells made a motion to approve, which Mr. Braun seconded. The motion carried unanimously, 4-0.

FISCAL IMPACT:

The proposed project is expected to have a fiscal impact on the Village as it would enhance the Village's assessed property valuation.

OTHER BUSINESS

Vice-Chairman Hughes mentioned that they had discussed fencing a few months prior. He inquired if any other Board members had further input on the matter. Mrs. Gehrman expressed her preference for metal fencing over wooden fencing. Additionally, Mr.

Hughes asked about the required size for the fence, and Ms. Cabrera provided the necessary information.

ADJOURNMENT

Hearing no further business, Vice-Chairman Hughes adjourned the meeting at 7:21 p.m.

Andrea Medero, Records Clerk

ATTEST:

Johnnie Tieche, Chairman
Planning and Zoning Advisory Board Meeting Minutes

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

**THE NEXT MEETING IS SCHEDULED
TUESDAY, AUGUST 12, 2025 @ 6:30 P.M.**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Resolution No.2025-49 - Amending Section 177.071, Florida Statutes by Designating an Administrative Official to Administratively Approve Plats and Replats

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 784, which was signed into law on June 20, 2025, and became effective on July 1, 2025, amending Section 177.071, Florida Statutes, related to the platting and replatting approval process, and now requires be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements.

The law requires the Village Council to adopt a Resolution or Ordinance appointing an "administrative officer or employee" as the person who is to approve plats and replats. Staff recommends the Planning, Zoning, and Building Director as the administrative authority and official responsible for reviewing, processing, and administratively approving or denying plats and replats for the Village.

The proposed resolution was prepared by the Planning, Zoning & Building Director and reviewed by the Village Attorney.

FISCAL IMPACT:

Amending the Florida Statutes, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2025-49 - Plat and Replat
2. Senate Bill 784 - Platting and Replatting
3. Chapter 2025-164 - Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Resolution No.2025-49 - Amending Section 177.071, Florida Statutes by Designating an Administrative Official to Administratively Approve Plats and Replats

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 784, which was signed into law on June 20, 2025, and became effective on July 1, 2025, amending Section 177.071, Florida Statutes, related to the platting and replatting approval process, and now requires be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements.

The law requires the Village Council to adopt a Resolution or Ordinance appointing an "administrative officer or employee" as the person who is to approve plats and replats. Staff recommends the Planning, Zoning, and Building Director as the administrative authority and official responsible for reviewing, processing, and administratively approving or denying plats and replats for the Village.

The proposed resolution was prepared by the Planning, Zoning & Building Director and reviewed by the Village Attorney.

FISCAL IMPACT:

Amending the Florida Statutes, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2025-49 - Plat and Replat
2. Senate Bill 784 - Platting and Replatting
3. Chapter 2025-164 - Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

RESOLUTION NO. 2025-49

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, COMPLYING WITH SENATE BILL 784 (2025), WHICH AMENDED SECTION 177.071, FLORIDA STATUTES, BY REQUIRING ALL PLATS AND REPLATS TO BE ADMINISTRATIVELY APPROVED AND REQUIRING ALL MUNICIPALITIES TO DESIGNATE AN ADMINISTRATIVE OFFICIAL TO ADMINISTRATIVELY APPROVE, APPROVE WITH CONDITIONS, OR DENY PLATS AND REPLATS ON OR AFTER JULY 1, 2025; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article V, “Subdivisions”, within Chapter 34, “Land Development” of the Village Code of Ordinances sets forth the current process for the Village Council to be the final approval of all plats and replats; and

WHEREAS, on June 20, 2025, the Governor signed Senate Bill 784 (2025), which amended section 177.071, Florida Statutes, and removed the governing body of municipalities and counties from the process of approving plats and replats; and

WHEREAS, Section 177.071, Florida Statutes, as amended, requires that plats and replats be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the statutory requirements; and

WHEREAS, Section 177.071, Florida Statutes, as amended, authorizes each local government to designate by ordinance or resolution an administrative authority and official responsible for reviewing, processing, and administratively approving plats and replats; and

WHEREAS, this Resolution proposes to expedite the Village Council's compliance with Section 177.071, Florida Statutes, while allowing Village staff to come forward at a later date with other revisions to Article V, “Subdivisions”, within Chapter 34, “Land Development” of the Village Code of Ordinances to specifically address the new administrative process and make other amendments by ordinance; and

WHEREAS, the Planning & Zoning Board considered this Resolution during their meeting on August 12, 2025, and recommended approval; and

WHEREAS, the Village Council desires to promptly comply with the requirements of Section 177.071, Florida Statutes, and facilitate the efficient administrative review and approval of plats and replats.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The precatory language above is approved and included herein as if set forth below.

Section 2. Pursuant to Section 177.071, Florida Statutes, the Village of Palm Springs Council hereby designates the Planning, Zoning, and Building Director as the administrative official authorized to approve, approve with conditions, or deny plat and replat submittals as required by Section 177.071, Florida Statutes (2025).

Section 3. This Resolution shall take effect immediately upon its adoption.

Council Member _____ offered the foregoing resolution.
Council Member _____ seconded the motion, and
upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIM SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
_____, COUNCIL MEMBER			

The Mayor thereupon declared the Resolution duly passed and adopted
this _____ day of _____ 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: _____

CHRISTY GODDEAU, VILLAGE ATTORNEY

2025784er

1
2 An act relating to platting; amending s. 177.071,
3 F.S.; requiring that certain plat or replat submittals
4 be administratively approved with no further action by
5 certain entities under certain circumstances;
6 requiring the governing body of such county or
7 municipality to designate an administrative authority
8 to receive, review, and process plat or replat
9 submittals; providing requirements for such
10 designation; defining the term "administrative
11 authority"; requiring the administrative authority to
12 submit a certain notice to an applicant; providing
13 requirements for such notice; requiring the
14 administrative authority to approve, approve with
15 conditions, or deny a plat or replat submittal in
16 accordance with the timeframe in the initial written
17 notice to the applicant; requiring the administrative
18 authority to notify the applicant in writing if it
19 declines to approve a plat or replat submittal;
20 requiring that the written notification contain the
21 reasons for denial and other information; prohibiting
22 the administrative authority or other official,
23 employee, agent, or designee from requesting or
24 requiring that the applicant request an extension of
25 time; amending s. 177.111, F.S.; conforming provisions
26 to changes made by the act; providing an effective
27 date.

28
29 Be It Enacted by the Legislature of the State of Florida:

2025784er

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats ~~plat~~ by designated county or municipal official governing bodies.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term "administrative authority" means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or

2025784er

replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)~~(1)~~ Before a plat or replat is offered for recording, it must be administratively approved as required by this section ~~by the appropriate governing body~~, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this

2025784er

part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the ~~governing body of the~~ municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the ~~governing body of the~~ county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both ~~governing body~~, two plats or replats must be prepared and each county or municipality ~~governing body~~ has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees ~~the governing bodies having said jurisdiction agree~~ that one plat is mutually acceptable.

(5)-(2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing plats ~~plat~~.—After the approval by the appropriate administrative authority ~~governing body~~ required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The

2025784er

circuit court clerk or other recording officer shall maintain in
his or her office a book of the proper size for such papers so
that they will ~~shall~~ not be folded, to be kept in the vault. A
print or photographic copy must be filed in a similar book and
kept in his or her office for the use of the public. The clerk
shall make available to the public a full size copy of the
record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

CHAPTER 2025-164

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

An act relating to platting; amending s. 177.071, F.S.; requiring that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances; requiring the governing body of such county or municipality to designate an administrative authority to receive, review, and process plat or replat submittals; providing requirements for such designation; defining the term “administrative authority”; requiring the administrative authority to submit a certain notice to an applicant; providing requirements for such notice; requiring the administrative authority to approve, approve with conditions, or deny a plat or replat submittal in accordance with the timeframe in the initial written notice to the applicant; requiring the administrative authority to notify the applicant in writing if it declines to approve a plat or replat submittal; requiring that the written notification contain the reasons for denial and other information; prohibiting the administrative authority or other official, employee, agent, or designee from requesting or requiring that the applicant request an extension of time; amending s. 177.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats plat by designated county or municipal official governing bodies.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term “administrative authority” means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect

oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)(1) Before a plat or replat is offered for recording, it must be administratively approved as required by this section by the appropriate governing body, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both governing body, two plats or replats must be prepared and each county or municipality governing body has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

(5)(2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the

State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing ~~plats~~ plat.—After the approval by the appropriate administrative authority governing body required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The circuit court clerk or other recording officer shall maintain in his or her office a book of the proper size for such papers so that they ~~will~~ shall not be folded, to be kept in the vault. A print or photographic copy must be filed in a similar book and kept in his or her office for the use of the public. The clerk shall make available to the public a full size copy of the record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 20, 2025.

Filed in Office Secretary of State June 20, 2025.



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #5: Ordinance No. 2025-05 - Repealing Section 34-1337 of the Village of Palm Springs Code Ordinance to comply with Section 366.94, Florida Statutes

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 700, which was signed into law on May 15, 2025, amended Section 366.94, Florida Statutes, related to electric vehicle charging stations, including the following revisions:

- Regulation of electric vehicle charging stations is preempted to the State.
- The requirement that local governments issue permits for electric vehicle charging stations is based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state law.
- Approving or denying the permit application shall follow the time period established by the Department of Agriculture and Consumer Services.
- Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the Department of Agriculture and Consumer Services in a form prescribed by department rules.

Note: On May 11, 2023, the Village Council approved a code amendment under Ordinance No.2023-05 to add a new Section 34-1337, including regulations for electric vehicle charging stations.

Currently, as required by Section 366.94, Florida Statutes, staff are requesting to repeal Village Code Section 34-1337 to be in compliance with the state laws and regulations.

From the permitting perspective, the Planning, Zoning, and Building Department will follow the standards established by the Department of Agriculture and Consumer Services and all applicable state laws.

FISCAL IMPACT:

Repealing the Village Code of Ordinances, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Ordinance No. 2025-05 - Repealing Code Section 34-1337 on Electric Vehicle Charging Stations
2. Senate Bill 700 - Electric Vehicle Charging Stations
3. Committee Substitute for Senate Bill No. 700 - Chapter 2025-22



Village of Palm Springs

Executive Brief

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #5: Ordinance No. 2025-05 - Repealing Section 34-1337 of the Village of Palm Springs Code Ordinance to comply with Section 366.94, Florida Statutes

SUMMARY: During the most recent 2025 Florida Legislative Session, Senate Bill 700, which was signed into law on May 15, 2025, amended Section 366.94, Florida Statutes, related to electric vehicle charging stations, including the following revisions:

- Regulation of electric vehicle charging stations is preempted to the State.
- The requirement that local governments issue permits for electric vehicle charging stations is based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state law.
- Approving or denying the permit application shall follow the time period established by the Department of Agriculture and Consumer Services.
- Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the Department of Agriculture and Consumer Services in a form prescribed by department rules.

Note: On May 11, 2023, the Village Council approved a code amendment under Ordinance No.2023-05 to add a new Section 34-1337, including regulations for electric vehicle charging stations.

Currently, as required by Section 366.94, Florida Statutes, staff are requesting to repeal Village Code Section 34-1337 to be in compliance with the state laws and regulations.

From the permitting perspective, the Planning, Zoning, and Building Department will follow the standards established by the Department of Agriculture and Consumer Services and all applicable state laws.

FISCAL IMPACT:

Repealing the Village Code of Ordinances, which is required due to new approved legislation during the 2025 Florida Legislative Session, does not have a fiscal impact.

ATTACHMENTS:

1. Ordinance No. 2025-05 - Repealing Code Section 34-1337 on Electric Vehicle Charging Stations
2. Senate Bill 700 - Electric Vehicle Charging Stations
3. Committee Substitute for Senate Bill No. 700 - Chapter 2025-22

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34, "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 8, "OFF-STREET PARKING", BY REPEALING SECTION 34-1337 (ORDINANCE NO. 2023-05) TO COMPLY WITH SECTION 366.94, FLORIDA STATUTES, WHICH PREEMPTED TO THE STATE THE REGULATION OF ELECTRIC VEHICLE CHARGING STATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 11, 2023, the Village adopted Ordinance No. 2023-05, which added a new section 34-1337, "Electric Vehicle Charging Infrastructure", to the Land Development Code to set forth regulations for electric vehicle charging stations in the Village of Palm Springs; and

WHEREAS, on May 1, 2024, the Governor approved Senate Bill 1084 (2024) which amended section 366.94, Florida Statutes, and preempted to the State the regulation of electric vehicle charging stations; and

WHEREAS, on May 15, 2025, the Governor approved Senate Bill 700 (2025), which amended section 366.94, Florida Statutes, to clarify the State preemption of electric vehicle charging stations and to authorize the Department of Agriculture and Consumer Services to establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations; and

WHEREAS, Section 366.94, Florida Statutes, as amended, requires that local governments issue permits for electric vehicle charging stations based solely upon standards established by the Department of Agriculture and Consumer Services and other applicable state laws; and

WHEREAS, section 34-1337 of the Village Code of Ordinances (adopted through Ordinance No. 2023-05) must be repealed to comply with the requirements of Section 366.94, Florida Statutes; and

WHEREAS, the Planning & Zoning Board considered this proposed Ordinance during their meeting on August 12, 2025, and recommended approval; and

WHEREAS, the Village Council desires to comply with the requirements of Section 366.94, Florida Statutes, and facilitate the efficient review and approval of electric vehicle charging stations consistent with the Department of Agriculture and Consumer Services standards.

NOW THEREFORE, BE ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The precatory language above is approved and included herein as if set forth below.

Section 2. As required by Section 366.94, Florida Statutes, the Village of Palm Springs Council hereby repeals Section 34-1337 of the Village of Palm Springs Code of Ordinances, Chapter 34, "Land Development", Article VI, "Land Use", Division 8, "Off-Street Parking".

Section 3. All electric vehicle charging stations shall be reviewed administratively consistent with Section 366.94, Florida Statutes, and consistent with the Department of Agriculture and Consumer Services standards.

Section 4. Repeal of Conflicting Ordinances. All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIMBERLY SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, on this ____day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEVERLY SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY:

BY: _____
CHRISTY GODDEAU, VILLAGE ATTORNEY

2025700er

1
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 110.205, F.S.;
4 providing that certain positions in the department are
5 exempt from the Career Service System; amending s.
6 163.3162, F.S.; defining terms; prohibiting
7 governmental entities from adopting or enforcing any
8 legislation that inhibits the construction of housing
9 for legally verified agricultural workers on
10 agricultural land operated as a bona fide farm;
11 requiring that the construction or installation of
12 such housing units on agricultural lands satisfies
13 certain criteria; requiring that local ordinances
14 comply with certain regulations; authorizing
15 governmental entities to adopt local land use
16 regulations that are less restrictive; requiring
17 property owners to maintain certain records for a
18 specified timeframe; requiring that use of a housing
19 site be discontinued and authorizing the removal of
20 such a site under certain circumstances; specifying
21 applicability of permit allocation systems in certain
22 areas of critical state concern; authorizing the
23 continued use of housing sites constructed before the
24 effective date of the act if certain conditions are
25 met; requiring the department to adopt certain rules;
26 providing for enforcement; requiring the department to
27 submit certain information to the State Board of
28 Immigration Enforcement on a certain schedule;
29 amending s. 201.25, F.S.; conforming a provision to

2025700er

changes made by the act; amending s. 253.0341, F.S.;
authorizing the department to surplus certain lands
determined to be suitable for bona fide agricultural
production; requiring the department to consult with
the Department of Environmental Protection before
making such determination; requiring the Department of
Agriculture and Consumer Services to retain a rural-
lands-protection easement for all surplused lands and
deposit all proceeds into a specified trust fund;
requiring the department to provide a report of lands
surplused to the board of trustees; providing that
certain lands are ineligible to be surplused;
providing for retroactive applicability; amending s.
330.41, F.S.; defining terms; prohibiting a person
from knowingly or willfully performing certain actions
on lands classified as agricultural; providing
criminal penalties; providing applicability;
prohibiting a person from knowingly or willfully
performing certain actions on private property, state
wildlife management lands, or a sport shooting and
training range; providing criminal penalties;
providing applicability; creating s. 366.20, F.S.;
requiring that certain lands acquired or owned by an
electric utility by a certain date be offered for fee
simple acquisition by the department before the land
may be offered for sale or transfer to a private
individual or entity; requiring an electric utility to
issue a written intent to sell through certified mail
to the Commissioner of Agriculture within a specified

2025700er

59 timeframe before offering to sell or transferring
60 certain lands; authorizing the commissioner to issue a
61 written intent to purchase via certified mail within a
62 specified timeframe after receipt of such written
63 intent to sell; requiring the electric utility to be
64 released from certain provisions under certain
65 circumstances; requiring that certain offers accepted
66 and received by the department within a specified
67 timeframe be executed no later than a certain date;
68 requiring the department to adopt rules; amending s.
69 366.94, F.S.; defining the term "electric vehicle
70 charging station"; authorizing the department to adopt
71 rules; requiring local governmental entities to issue
72 permits for electric vehicle charging stations based
73 on specified standards and provisions of law;
74 requiring that an electric vehicle charger be
75 registered with the department before being placed
76 into service for use by the public; providing the
77 department with certain authority relating to electric
78 vehicle charging stations; providing a penalty;
79 authorizing the department to issue an immediate final
80 order to an electric vehicle charging station under
81 certain circumstances; providing that the department
82 may bring an action to enjoin a violation of specified
83 provisions or rules; requiring the court to issue a
84 temporary or permanent injunction under certain
85 circumstances; amending s. 388.011, F.S.; revising the
86 definition of the terms "board of commissioners" and
87 "district"; defining the term "program"; amending s.

2025700er

388.021, F.S.; making a technical change; amending s.
388.181, F.S.; authorizing programs to perform
specified actions; amending s. 388.201, F.S.;
conforming provisions to changes made by the act;
requiring that the tentative work plan budget covering
the proposed operations and requirements for arthropod
control measures show the estimated amount to be
raised by county, municipality, or district taxes;
requiring that county commissioners' or a similar
governing body's mosquito control budget be made and
adopted pursuant to specified provisions and requiring
that summary figures be incorporated into the county
budgets as prescribed by the department; amending s.
388.241, F.S.; providing that certain rights, powers,
and duties be vested in the board of county
commissioners or similar governing body of a county,
or municipality; amending s. 388.261, F.S.; increasing
the maximum annual amount that a county, municipality,
or district may receive, without contributing matching
funds, in state funds, supplies, services, or
equipment for a certain number of years for any new
program for the control of mosquitos and other
arthropods which serves an area not previously served
by a county, municipality, or district; conforming a
provision to changes made by the act; amending s.
388.271, F.S.; requiring each program participating in
arthropod control activities to file a tentative
integrated arthropod management plan with the
department by a specified date; conforming provisions

2025700er

117 to changes made by the act; amending s. 388.281, F.S.;

118 requiring that all funds, supplies, and services

119 released to programs be used in accordance with the

120 integrated arthropod management plan and certified

121 budget; requiring that such integrated arthropod

122 management plan and certified budget be approved by

123 both the department and the board of county

124 commissioners or an appropriate representative;

125 conforming provisions to changes made by the act;

126 amending s. 388.291, F.S.; providing that a program

127 may perform certain source reduction measures in any

128 area providing that the department has approved the

129 operating or construction plan as outlined in the

130 integrated arthropod management plan; conforming

131 provisions to changes made by the act; amending s.

132 388.301, F.S.; revising the schedule by which state

133 funds for the control of mosquitos and other

134 arthropods may be paid; conforming provisions to

135 changes made by the act; amending s. 388.311, F.S.;

136 conforming provisions to changes made by the act;

137 amending s. 388.321, F.S.; conforming provisions to

138 changes made by the act; amending s. 388.322, F.S.;

139 requiring the department to maintain a record and

140 inventory of certain property purchased with state

141 funds for arthropod control use; conforming provisions

142 to changes made by the act; amending s. 388.323, F.S.;

143 requiring that certain equipment no longer needed by a

144 program be first offered for sale to other programs

145 engaged in arthropod control at a specified price;

2025700er

146 requiring that all proceeds from the sale of certain
147 property owned by a program and purchased using state
148 funds be deposited in the program's state fund
149 account; conforming provisions to changes made by the
150 act; amending s. 388.341, F.S.; requiring a program
151 receiving state aid to submit a monthly report of all
152 expenditures from all funds for arthropod control by a
153 specified timeframe as may be required by the
154 department; conforming provisions to changes made by
155 the act; amending s. 388.351, F.S.; conforming
156 provisions to changes made by the act; amending s.
157 388.361, F.S.; conforming provisions to changes made
158 by the act; amending s. 388.3711, F.S.; revising the
159 department's enforcement powers; amending s. 388.381,
160 F.S.; conforming provisions to changes made by the
161 act; amending s. 388.391, F.S.; conforming provisions
162 to changes made by the act; amending s. 388.401, F.S.;
163 conforming provisions to changes made by the act;
164 amending s. 388.46, F.S.; revising the composition of
165 the Florida Coordinating Council on Mosquito Control;
166 amending s. 403.067, F.S.; providing an exception for
167 inspection requirements for certain agricultural
168 producers; authorizing the department to adopt rules
169 establishing an enrollment in best management
170 practices by rule process; authorizing the department
171 to identify best management practices for specified
172 landowners; requiring the department to perform onsite
173 inspections annually of a certain percentage of all
174 enrollments that meet specified qualifications within

2025700er

a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; prohibiting the use of certain additives in a water system which do not meet specified requirements; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.141, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-

2025700er

person and remote testing for the examination through
a third-party vendor for an individual seeking a
limited certification for commercial landscape
maintenance; authorizing a third-party vendor to
collect and retain a convenience fee; deleting
provisions requiring the department to make such
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.157, F.S.; revising requirements for issuance of a
limited certification for commercial wildlife
management personnel; authorizing a third-party vendor
to collect and retain a convenience fee; deleting
provisions requiring the department to make an
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.161, F.S.; authorizing the department to take
specified disciplinary action upon the issuance of a
final order imposing civil penalties or a criminal
conviction pursuant to the Federal Insecticide,
Fungicide, and Rodenticide Act; amending s. 487.044,
F.S.; requiring the department to provide in-person
and remote testing through a third-party vendor for
the examination of an individual seeking a limited
certification for pesticide application; authorizing a
third-party vendor to collect and retain a convenience
fee; amending s. 487.175, F.S.; providing that the
department may suspend, revoke, or deny licensure of a
pesticide applicator upon issuance of a final order to
a licensee which imposes civil penalties or a criminal

2025700er

conviction under the Federal Insecticide, Fungicide,
and Rodenticide Act; amending s. 496.404, F.S.;
defining the terms "foreign country of concern" and
"foreign source of concern"; amending s. 496.405,
F.S.; revising which documents a charitable
organization or sponsor must file before engaging in
specified activities; requiring that any changes to
such documents be reported to the department on a
specified form in a specified timeframe; revising the
requirements of the charitable organization's initial
registration statement; authorizing the department to
investigate or refer to the Florida Elections
Commission certain violations of the charitable
organization or sponsor; amending s. 496.415, F.S.;
prohibiting specified persons from soliciting or
accepting anything of value from a foreign source of
concern; providing penalties; amending s. 496.417,
F.S.; authorizing the department to investigate or
refer to the Florida Elections Commission certain
violations of a charitable organization or sponsor;
amending s. 496.419, F.S.; providing discretionary
penalties for a charitable organization or sponsor
whose registration is denied or revoked for submitting
a false attestation; creating s. 496.431, F.S.;
requiring the department to create the Honest Services
Registry to provide residents with information
relating to charitable organizations; requiring a
charitable organization included in the Honest
Services Registry to submit an attestation statement

2025700er

to the department; requiring the department to publish the Honest Services Registry on the department's website; requiring the department to adopt rules; amending s. 500.03, F.S.; revising the definition of the term "cottage food product"; amending s. 500.12, F.S.; providing that the department requires a food permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to retain all records that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to transport or offer to transport, import into this state, sell or offer for sale, furnish, or give away certain spores or mycelium; providing a penalty; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's standard of identity for milk, meat, poultry, and poultry products, and eggs and egg products to prohibit the sale of plant-based products

2025700er

misabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department,

2025700er

in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 564.06, F.S.; requiring that a certain percentage of revenues collected from certain excise taxes be deposited into the Florida Wine Trust Fund; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the department to adopt certain rules; requiring the department to extend certain opportunities to public school students enrolled in agricultural education to support Future Farmers of America programming; requiring the department to use contracts procured by agencies; defining the term "agency"; amending s. 570.544, F.S.; revising which provisions the director of the Division of Consumer Services must enforce; creating s. 570.546, F.S.; authorizing the department to create a process for the bulk renewal of licenses; authorizing the department to create a process that will allow licensees to align the expiration dates of licenses within a specified program; authorizing the

2025700er

department to change the expiration date for current licenses for a certain purpose; requiring the department to prorate the licensing fee for certain licenses; requiring the department to adopt rules; creating s. 570.694, F.S.; creating the Florida Aquaculture Foundation as a direct support organization within the department; providing the purpose of the foundation; providing governance for the foundation; authorizing the department to appoint an advisory committee adjunct to the foundation; amending s. 570.822, F.S.; defining the term "declared emergency," rather than "declared natural disaster," and revising the definition of the term "program"; providing that loan funds from the department may be used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency;

2025700er

providing construction; authorizing the department to adopt rules to implement this section including emergency rules that may be effective for a specified timeframe; creating s. 570.831, F.S.; requiring, subject to appropriation of funds, the Cattle Enhancement Board, Inc., in coordination with the department, to establish a Florida beef marketing program; providing a purpose for such program; amending s. 581.1843, F.S.; deleting provisions that exclude certain citrus nurseries from certain requirements; deleting provisions relating to regulated areas around the perimeter of commercial citrus nurseries; repealing ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in

2025700er

eradication program; regulation of the pasturage of
livestock, entry by persons, and location of honeybee
colonies in eradication zones and other areas;
eligibility for certification of cotton growers'
organization; the certification of cotton growers'
organization; a referendum; an assessment; the
department's authority to enter agreements with the
Farm Service Agency; liens; mandamus or injunction;
penalty for violation; and the handling of moneys
received, respectively; amending s. 595.404, F.S.;
revising the department's powers and duties regarding
school nutrition programs; amending s. 599.002, F.S.;
renaming the Viticulture Advisory Council as the
Florida Wine Advisory Council; revising the membership
of the Florida Wine Advisory Council; conforming
provisions to changes made by the act; amending s.
599.003, F.S.; renaming the State Viticulture Plan as
the State Wine Plan; conforming provisions to changes
made by the act; amending s. 599.004, F.S.; making
technical changes; providing that wineries that fail
to recertify annually or pay a specified licensing fee
are subject to certain actions and costs; conforming
provisions to changes made by the act; amending s.
599.012, F.S.; conforming provisions to changes made
by the act; amending s. 616.12, F.S.; deleting
provisions requiring a person who operates a minstrel
show in connection with any certain public fairs to
pay specified license taxes; deleting a provision that
exempts such person from paying specified taxes;

2025700er

creating s. 687.16, F.S.; providing a short title;
defining terms; prohibiting a financial institution
from discriminating in the provision of financial
services to an agricultural producer based on an ESG
factor; providing an inference with regard to a
certain violation; providing that the financial
institution may overcome the inference by making
certain demonstrations regarding its denial or
restriction of financial services to an agricultural
producer; authorizing the Attorney General to enforce
specified provisions; providing that a violation of
specified provisions constitutes an unfair and
deceptive trade practice; authorizing the Attorney
General to investigate and seek remedies for such
unfair trade practices; authorizing an aggrieved party
to seek an action for damages; amending s. 741.0305,
F.S.; conforming a cross-reference; amending s.
790.06, F.S.; revising the circumstances under which
the department may temporarily suspend a person's
license to carry a concealed weapon or concealed
firearm or the processing of an application for such
license; requiring the department to notify certain
licensees or applicants of their right to a hearing;
requiring the department to issue an order confirming
the end of a suspension within a specified timeframe
after an applicant or licensee submits a copy of a
specified document to the department; requiring that
such document be sent through electronic or certified
mail to a specified location; requiring that the

2025700er

suspension remain in effect upon a certain disposition of a criminal case or injunction; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50, F.S.; deleting certain exceptions from the prohibited uses of drones; providing that a drone may be used for certain purposes by a local governmental entity or person under contract with or acting under the direction of such entity; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to

2025700er

incorporate the amendment made to s. 110.205, F.S., in
a reference thereto; reenacting s. 189.062(1)(a),
F.S., relating to special procedures for inactive
districts and state aid to counties, to incorporate
the amendment made to s. 388.271, F.S., in references
thereto; reenacting ss. 482.072(3)(b) and 482.163,
F.S., relating to pest control customer contact
centers and responsibility for pest control activities
of employee, respectively, to incorporate the
amendment made to s. 482.161, F.S., in references
thereto; reenacting s. 487.156, F.S., relating to
governmental agencies, to incorporate the amendment
made to s. 487.044, F.S., in a reference thereto;
reenacting ss. 496.4055(2) and 496.406(2) and (4),
F.S., relating to charitable organization or sponsor
board duties and exemption from registration,
respectively, to incorporate the amendment made to s.
496.405, F.S., in references thereto; reenacting s.
500.80(1)(a), F.S., relating to cottage food
operations, to incorporate the amendment made to s.
500.12, F.S., in a reference thereto; reenacting s.
500.121(6), F.S., relating to disciplinary procedures,
to incorporate the amendment made to s. 500.172, F.S.,
in a reference thereto; reenacting s. 790.061, F.S.,
relating to judges and justices, to incorporate the
amendment made to s. 790.06, F.S., in a reference
thereto; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

2025700er

Section 1. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in The Department of Health and the Department of Children and Families which are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.

2. Positions in The Department of Corrections which are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.

3. Positions in The Department of Transportation which are assigned primary duties of serving as regional toll managers and managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

4. Positions in The Department of Environmental Protection which are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in The Department of Health which are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department

2025700er

Financial Administrator.

6. Positions in The Department of Highway Safety and Motor Vehicles which are assigned primary duties of serving as captains in the Florida Highway Patrol.

7. Positions in the Department of Agriculture and Consumer Services which are assigned primary duties of serving as captains or majors in the Office of Agricultural Law Enforcement.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 2. Present paragraphs (a) through (d) of subsection (2) of section 163.3162, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, a new paragraph (a) and paragraphs (f) and (g) are added to that subsection, and subsections (5), (6), and (7) are added to that section, to read:

163.3162 Agricultural Lands and Practices.—

(2) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Agriculture and Consumer Services.

(f) "Housing site" means the totality of development supporting authorized housing, including buildings, mobile homes, barracks, dormitories used as living quarters, parking areas, common areas such as athletic fields or playgrounds, storage structures, and other related structures.

(g) "Legally verified agricultural worker" means a person

2025700er

who:

1. Is lawfully present in the United States;

2. Meets the definition of eligible worker pursuant to 29 C.F.R. s. 502.10;

3. Has been verified through the process provided in s. 448.095(2) and is authorized to work at the time of employment;

4. Is seasonally or annually employed in bona fide agricultural production;

5. Remains lawfully present and authorized to work throughout the duration of that employment; and

6. Is not an unauthorized alien as defined in s. 448.095(1).

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

(a) A governmental entity may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land pursuant to s. 193.461 which is operated as a bona fide farm except as provided in this subsection.

(b) Construction or installation of housing units for legally verified agricultural workers on parcels of land classified as agricultural land under s. 193.461 must satisfy all of the following criteria:

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If a written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with

2025700er

jurisdiction over the agricultural lands may also require
submittal of a copy of the written notice.

2. The housing site must be maintained in a neat, orderly,
and safe manner.

3. All structures containing dwelling units must be located
a minimum of 10 feet apart.

4. The square footage of the housing site's climate-
controlled facilities may not exceed 1.5 percent of the
property's area or 35,000 square feet, whichever is less.

5. A housing site must provide front, side, and rear yard
setbacks of at least 50 feet. However, an internal project
driveway may be located in the required yard space if the yard
is adjacent to a public roadway or to property that is under
common ownership with the housing site.

6. A housing site may not be located less than 100 feet
from a property line adjacent to property zoned for residential
use. If the housing site is located less than 250 feet from any
property line, screening must be provided between the housing
site and any residentially developed adjacent parcels that are
under different ownership. The screening may be designed in any
of the following ways:

a. Evergreen plants that, at the time of planting, are at
least 6 feet in height and provide an overall screening opacity
of 75 percent;

b. A masonry wall at least 6 feet in height and finished on
all sides with brick, stone, or painted or pigmented stucco;

c. A solid wood or PVC fence at least 6 feet in height with
the finished side of the fence facing out;

d. A row of evergreen shade trees that, at the time of

2025700er

planting, are at least 10 feet in height, a minimum of 2-inch caliper, and spaced no more than 20 feet apart; or

e. A berm made with a combination of the materials listed in sub-subparagraphs a.-d., which is at least 6 feet in height and provides an overall screening opacity of 75 percent at the time of installation.

7. All access driveways that serve the housing site must be made of packed shell, gravel, or a similar material that will provide a relatively dust-free surface.

(c) Any local ordinance adopted pursuant to this subsection must comply with all state and federal regulations for migrant farmworker housing, as applicable, including rules adopted by the Department of Health pursuant to ss. 381.008-381.00897 and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. A governmental entity may adopt local government land use regulations that are less restrictive than this subsection, but which still meet regulations established by the Department of Health pursuant to ss. 381.008-381.00897 and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. An ordinance adopted pursuant to this paragraph may not conflict with the definition and requirements of a legally verified agricultural worker.

(d) Beginning July 1, 2025, a property owner must maintain records of all approved permits, including successor permits, for migrant labor camps or residential migrant housing as required under s. 381.0081. A property owner must maintain such records for at least 3 years and make the records available for inspection within 14 days after receipt of a request for records

2025700er

by a governmental entity.

(e) A housing site may not continue to be used and may be required to be removed under the following circumstances:

1. If, for any reason, a housing site is not being used for legally verified agricultural workers for longer than 365 days, any structure used as living quarters must be removed from the housing site within 180 days after receipt of written notification from the county unless the property owner can demonstrate that use of the site for housing legally verified agricultural workers will occur within 90 days after the written notification.

2. If the property on which the housing site is located ceases to be classified as agricultural land pursuant to s. 193.461.

3. If the permit authorized by the Department of Health for the housing site is revoked, all structures must be removed from the housing site within 180 days after receipt of written notification from the county unless the permit is reinstated by the Department of Health.

4. If a housing site is found to be occupied by any person who does not meet the definition of a legally verified agricultural worker, or is otherwise unlawfully present in the United States. A property owner who violates this subparagraph is subject to a Class I fine pursuant to s. 570.971, not to exceed \$1,000, for the first violation, and a Class II fine, not to exceed \$5,000, for any subsequent violations. The fines shall be collected by the clerk of the court of the county in which the violation occurred.

(f) Notwithstanding this subsection, the construction or

2025700er

installation of housing for legally verified agricultural workers in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern is subject to the permit allocation systems of the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern, respectively.

(g) A housing site that was constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required by a governmental entity to make changes to meet the requirements of this subsection, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated. The property owner of a housing site authorized under this paragraph must provide regular maintenance and repair, including compliance with health and safety regulations and maintenance standards, for such housing site to ensure the health, safety, and habitability of the housing site.

(6) DATA COLLECTION.—The department shall adopt rules providing for:

(a) A method for governmental entities to submit reports of property owners who have a housing site for legally verified agriculture workers on lands classified as agricultural land pursuant to s. 193.461, as provided in this section.

(b) A method for persons to submit complaints for review and investigation by the department.

Governmental entities shall provide this information quarterly to the department in a format and timeframe prescribed by rule.

(7) ENFORCEMENT.—

(a) In addition to the enforcement methods of employment

2025700er

726 verification outlined in s. 448.095, the department shall
727 enforce the requirements of subsection (5). Enforcement includes
728 completing routine inspections based on a random sample of data
729 collected by government entities and submitted to the
730 department, the investigation and review of complaints, and the
731 enforcement of violations.

732 (b) The department shall submit the information collected
733 to the State Board of Immigration Enforcement on a quarterly
734 basis, except that the first quarter shall begin 60 days after
735 the first quarterly data report under subsection (6) by a
736 governmental entity is received and reviewed by the department.

737 Section 3. Subsection (3) of section 201.25, Florida
738 Statutes, is amended to read:

739 201.25 Tax exemptions for certain loans.—There shall be
740 exempt from all taxes imposed by this chapter:

741 (3) Any loan made by the Agriculture and Aquaculture
742 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program
743 pursuant to s. 570.822.

744 Section 4. Subsection (19) is added to section 253.0341,
745 Florida Statutes, to read:

746 253.0341 Surplus of state-owned lands.—

747 (19) Notwithstanding any other law or rule, the Department
748 of Agriculture and Consumer Services may surplus lands acquired
749 pursuant to s. 366.20 which are determined to be suitable for
750 bona fide agricultural production, as defined in s. 193.461. The
751 Department of Agriculture and Consumer Services shall consult
752 with the Department of Environmental Protection in the process
753 of making such determination. In the event that lands acquired
754 pursuant to s. 366.20, which are determined to be suitable for

2025700er

755 bona fide agricultural production are surplused, the Department
756 of Agriculture and Consumer Services must retain a rural-lands-
757 protection easements pursuant to s. 570.71(3), and all proceeds
758 must be deposited into the Incidental Trust Fund within the
759 Department of Agriculture and Consumer Services for less than
760 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
761 By January 1, 2026, and each January 1 thereafter, the
762 Department of Agriculture and Consumer Services shall provide a
763 report of lands surplused pursuant to this subsection to the
764 board.

765 (a) Any lands designated as a state forest, state park, or
766 wildlife management area are ineligible to be surplused pursuant
767 to this subsection.

768 (b) This subsection is retroactive to January 1, 2009.

769 Section 5. Present paragraphs (a) through (d) and (e) of
770 subsection (2) of section 330.41, Florida Statutes, are
771 redesignated as paragraphs (b) through (e) and (j),
772 respectively, and subsection (6) of that section is redesignated
773 as subsection (8), a new paragraph (a) and paragraphs (f), (g),
774 (h), and (i) are added to subsection (2) of that section and a
775 new subsection (6) and subsection (7) are added to that section,
776 and paragraph (d) of subsection (4) of that section is amended,
777 to read:

778 330.41 Unmanned Aircraft Systems Act.—

779 (2) DEFINITIONS.—As used in this act, the term:

780 (a) "Commercial property" means real property other than
781 residential property. The term includes, but is not limited to,
782 a property zoned multifamily residential which is comprised of
783 five or more dwelling units, and real property used for

2025700er

commercial, industrial, or agricultural purposes.

(f) "Private property" means any residential or commercial property.

(g) "Property owner" means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written consent. The term does not include persons renting, using, living, or otherwise occupying real property.

(h) "Residential property" means real property zoned as residential or multifamily residential and composed of four or fewer dwelling units.

(i) "Sport shooting and training range" has the same meaning as in s. 790.333(3)(h).

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

(d) This subsection and paragraph (2)(b) ~~paragraph (2)(a)~~ shall sunset 60 days after the date that a process pursuant to s. 2209 of the FAA Extension, Safety and Security Act of 2016 becomes effective.

(6) PROTECTION OF AGRICULTURAL LANDS.—

(a) A person may not knowingly or willfully do any of the following on lands classified as agricultural lands pursuant to s. 193.461:

1. Operate a drone.

2. Allow a drone to make contact with any person or object on the premises of or within the boundaries of such lands.

3. Allow a drone to come within a distance close enough to such lands to interfere with or cause a disturbance to

2025700er

813 agricultural production.

814 (b) A person who violates paragraph (a) commits a
815 misdemeanor of the second degree, punishable as provided in s.
816 775.082 or s. 775.083. A person who commits a second or
817 subsequent violation commits a misdemeanor of the first degree,
818 punishable as provided in s. 775.082 or s. 775.083.

819 (c) This subsection does not apply to actions identified in
820 paragraph (a) which are committed by:

- 821 1. The owner of the agricultural lands.
822 2. A person acting under the prior written consent of the
823 owner of the agricultural lands.
824 3. A person or entity acting in compliance with the
825 provisions of s. 934.50.

826 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
827 LANDS.—

828 (a) A person may not knowingly or willfully allow a drone
829 to make contact with private property, state wildlife management
830 lands, or a sport shooting and training range or any person or
831 object on the premises of or within such property with the
832 intent to harass.

833 (b) A person who violates paragraph (a) commits a
834 misdemeanor of the second degree, punishable as provided in s.
835 775.082 or s. 775.083. A person who commits a second or
836 subsequent violation commits a misdemeanor of the first degree,
837 punishable as provided in s. 775.082 or s. 775.083.

838 (c) A person who violates paragraph (a) and records video
839 of the private property, state wildlife management lands, or
840 sport shooting and training range, including any person or
841 object on the premises of or within the private property, state

2025700er

wildlife management lands, or sport shooting and training range, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) This subsection does not apply to actions identified in paragraph (a) which are committed by:

1. The property owner of the private property or sport shooting and training range, or a person acting under the prior written consent of the property owner.

2. A person or entity acting in compliance with the provisions of s. 934.50.

Section 6. Effective July 31, 2026, section 366.20, Florida Statutes, is created to read:

366.20 Sale and management of lands owned by electric utilities.—

(1) Lands acquired by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which have been classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the acquisition of the land by the electric utility must be offered for fee simple acquisition by the Department of Agriculture and Consumer Services through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(2) Lands owned by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which were classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the date of acquisition of the land by the

2025700er

electric utility must be offered for fee simple acquisition by the department through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(3) (a) Within 30 days before offering for sale or transferring lands identified pursuant to subsection (1) or subsection (2) to a private individual or entity, an electric utility must issue a written intent to sell sent through certified mail to the Commissioner of Agriculture.

(b) Within 30 days after the date of receipt by certified mail of the written intent by an electric utility to sell or transfer such land, the commissioner may issue a written intent to purchase via certified mail to the electric utility that issued the intent to sell. If the commissioner declines, or does not issue an intent to purchase within the 30 day timeframe, the electric utility is released from the requirements of this section.

(4) Offers accepted by the department pursuant to paragraph (3) (b) which are received no later than 6 months before the start of the regular legislative session must be executed no later than July 31 following that regular legislative session.

(5) The department shall adopt rules to implement this section.

Section 7. Present subsections (3) and (4) of section 366.94, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is amended, to read:

366.94 Electric vehicle charging.—

(2) (a) As used in this section, the term "electric vehicle

2025700er

charging station" means the area in the immediate vicinity of electric vehicle supply equipment and includes the electric vehicle supply equipment, supporting equipment, and associated parking spaces. The regulation of electric vehicle charging stations is preempted to the state.

~~(b)(a)~~ A local governmental entity may not enact or enforce an ordinance or regulation related to electric vehicle charging stations.

~~(3)(a)(b)~~ The Department of Agriculture and Consumer Services shall adopt rules to implement this subsection and to provide requirements for electric vehicle charging stations to allow for consistency for consumers and the industry.

(b) The department may adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations.

(c) Local governmental entities shall issue permits for electric vehicle charging stations based solely upon standards established by department rule and other applicable provisions of state law. The department shall prescribe by rule the time period for approving or denying permit applications.

(d) Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the department on a form prescribed by department rule.

(e) The department shall have the authority to inspect electric vehicle charging stations, conduct investigations, and enforce this subsection and any rules adopted thereto. The department may impose one or more of the following penalties

2025700er

929 against a person who violates this subsection or any rule
930 adopted under this subsection:

931 1. Issuance of a warning letter.

932 2. Imposition of an administrative fine in the Class II
933 category pursuant to s. 570.971 for each violation.

934 (f) If the department determines that an electric vehicle
935 charging station or any associated equipment presents a threat
936 to the public health, safety, or welfare, the department may
937 issue an immediate final order prohibiting the use of the
938 electric vehicle charging station or any portion thereof.

939 (g) In addition to the remedies provided in this
940 subsection, and notwithstanding the existence of any adequate
941 remedy at law, the department may bring an action to enjoin a
942 violation of this subsection or rules adopted under this
943 subsection in the circuit court of the county in which the
944 violation occurs or is about to occur. Upon demonstration of
945 competent and substantial evidence by the department to the
946 court of the violation or threatened violation, the court shall
947 immediately issue the temporary or permanent injunction sought
948 by the department. The injunction must be issued without bond.

949 Section 8. Present subsections (10) and (11) of section
950 388.011, Florida Statutes, are redesignated as subsections (11)
951 and (12), respectively, a new subsection (10) is added to that
952 section, and subsections (2) and (5) of that section are
953 amended, to read:

954 388.011 Definitions.—As used in this chapter:

955 (2) "Board of commissioners" means the governing body of
956 any mosquito control program district, and may include boards of
957 county commissioners, city councils, municipalities, or other

2025700er

similar governing bodies when context so indicates.

(5) "District" means any mosquito control special district established in this state by law for the express purpose of controlling arthropods within boundaries of such ~~said~~ districts.

(10) "Program" means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9. Section 388.021, Florida Statutes, is amended to read:

388.021 Creation of mosquito control special districts.—

(1) The abatement or suppression of arthropods, whether disease-bearing or merely pestiferous, within any or all counties of this state is advisable and necessary for the maintenance and betterment of the comfort, health, and welfare of the people thereof and is found and declared to be for public purposes. Areas where arthropods incubate, hatch, or occur in significant numbers so as to constitute a public health, welfare, or nuisance problem may be controlled or abated as provided in this chapter or the rules promulgated hereunder. Therefore, any municipality ~~city~~, town, or county, or any portion or portions thereof, whether such portion or portions include incorporated territory or portions of two or more counties in the state, may be created into a special taxing district for the control of arthropods under the provisions of this chapter.

(2) It is the legislative intent that ~~those~~ mosquito control districts established prior to July 1, 1980, pursuant to the petition process contained in former s. 388.031, may continue to operate as outlined in this chapter. However, on and

2025700er

after that date, no mosquito control districts may be created except pursuant to s. 125.01.

Section 10. Section 388.181, Florida Statutes, is amended to read:

388.181 Power to do all things necessary.—The respective programs ~~districts~~ of the state are hereby fully authorized to do and perform all things necessary to carry out the intent and purposes of this law.

Section 11. Subsections (1), (2), (4), and (5) of section 388.201, Florida Statutes, are amended to read:

388.201 Program ~~District~~ budgets; hearing.—

(1) The fiscal year of programs ~~districts~~ operating under ~~the provisions of~~ this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~ shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget must ~~shall~~ set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other purposes, for the operation and maintenance of the program's ~~district's~~ works, the conduct of the program ~~district~~ generally, to which may be added an amount to be held as a reserve.

2025700er

(2) The tentative detailed work plan budget must ~~shall~~ also show the estimated amount which will appear at the beginning of the fiscal year as obligated upon commitments made but uncompleted, ~~There shall be shown~~ the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year, and the estimated amount to be raised by county, municipality, or district taxes and from any and all other sources for meeting the program's ~~the district's~~ requirements.

(4) The governing board shall:

(a) ~~Shall~~ Consider objections filed against adoption of the tentative detailed work plan budget and in its discretion may amend, modify, or change such budget; and

(b) ~~Shall~~ By September 30, adopt and execute on a form furnished by the department a certified budget for the programs ~~district~~ which shall be the operating and fiscal guide for the program ~~district~~. Certified copies of this budget must ~~shall~~ be submitted by September 30 to the department for approval.

(5) County commissioners' mosquito and arthropod control budgets or the budgets of a similar governing body of a county, city, or town must ~~shall~~ be made and adopted as prescribed by subsections (1) and (2); summary figures must ~~shall~~ be incorporated into the county budgets as prescribed by the Department of Financial Services.

Section 12. Section 388.241, Florida Statutes, is amended to read:

388.241 Board of county commissioners vested with powers and duties of board of commissioners in certain counties.—In those counties or municipalities where there has been no formation of a separate or special board of commissioners, all

2025700er

the rights, powers, and duties of a board of commissioners as conferred in this chapter shall be vested in the board of county commissioners or similar governing body of said county or municipality.

Section 13. Section 388.261, Florida Statutes, is amended to read:

388.261 State aid to counties, municipalities, and districts for arthropod control; distribution priorities and limitations.—

(1) A county, municipality, or district may, without contributing matching funds, receive state funds, supplies, services, or equipment in an amount of no more than \$75,000 ~~\$50,000~~ per year for up to 3 years for any new program for the control of mosquitoes and other arthropods which serves an area not previously served by the county, municipality, or district. These funds may be expended for any and all types of control measures approved by the department.

(2) Every county, municipality, or district budgeting local funds to be used exclusively for the control of mosquitoes and other arthropods, under a plan submitted by the county, municipality, or district and approved by the department, is eligible to receive state funds and supplies, services, and equipment on a dollar-for-dollar matching basis to the amount of local funds budgeted. If state funds appropriated by the Legislature are insufficient to grant each county, municipality, or district state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, the department must ~~shall~~ distribute the funds as prescribed by rule. Such rules must ~~shall~~ provide for up to 80 percent of the funds to be

2025700er

distributed to programs with local funds for mosquito control budgets of less than \$1 million, if the county, municipality, or district meets the eligibility requirements. The funds must ~~shall~~ be distributed as equally as possible within the category of counties pursuant to this section. The remaining funds must ~~shall~~ be distributed as prescribed by rule among the remaining counties to support mosquito control and to support research, education, and outreach.

(3) Every county shall be limited to receive a total of \$120,000 of state funds, exclusive of state funds brought forward, during any one year.

(4) Up to 20 percent of the annual funds appropriated to local governments for arthropod control may be used for arthropod control research or demonstration projects as approved by the department.

(5) If more than one program ~~local mosquito control agency~~ exists in a county or municipality, the funds must ~~shall~~ be prorated between the programs ~~agencies~~ based on the population served by each program ~~agency~~.

(6) The Commissioner of Agriculture may exempt counties, municipalities, or districts from the requirements in subsection (1), subsection (2), or subsection (3) when the department determines state funds, supplies, services, or equipment are necessary for the immediate control of mosquitoes and other arthropods that pose a threat to human or animal health.

(7) The department may use state funds appropriated for a county, municipality, or district under subsection (1) or subsection (2) to provide state mosquito or other arthropod control equipment, supplies, or services when requested by a

2025700er

1103 county, municipality, or district eligible to receive state
1104 funds under s. 388.271.

1105 (8) The department is authorized to use up to 5 percent of
1106 the funds appropriated annually by the Legislature under this
1107 section to provide technical assistance to the counties,
1108 municipalities, or districts, or to purchase equipment,
1109 supplies, or services necessary to administer the provisions of
1110 this chapter.

1111 Section 14. Subsections (1) and (2) of section 388.271,
1112 Florida Statutes, are amended to read:

1113 388.271 Prerequisites to participation.—

1114 (1) When state funds are involved, it is the duty of the
1115 department to guide, review, approve, and coordinate the
1116 activities of all county and municipal governments and special
1117 districts receiving state funds in furtherance of the goal of
1118 integrated arthropod control. Each program ~~county~~ eligible to
1119 participate may, and each district must, begin participation on
1120 October 1 of any year by filing with the department not later
1121 than July 15 a tentative integrated arthropod management plan
1122 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
1123 the control of arthropods. Following approval of the plan and
1124 budget by the department, a copy ~~two copies~~ of the program's
1125 ~~county's or district's~~ certified budget based on the approved
1126 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
1127 budget must ~~shall~~ be submitted to the department by September 30
1128 ~~following~~. State funds, supplies, and services must ~~shall~~ be
1129 made available to such program ~~county or district~~ by and through
1130 the department ~~immediately~~ upon release of funds by the
1131 Executive Office of the Governor.

2025700er

(2) All purchases of supplies, materials, and equipment by programs ~~must counties or districts~~ shall be made in accordance with the laws governing purchases by boards of county commissioners or similar governing bodies, except that programs ~~districts~~ with special laws relative to competitive bidding shall make purchases in accordance therewith.

Section 15. Subsections (1) and (3) of section 388.281, Florida Statutes, are amended to read:

388.281 Use of state matching funds.—

(1) All funds, supplies, and services released to programs ~~counties and districts~~ hereunder must ~~shall~~ be used in accordance with the integrated arthropod management ~~detailed work~~ plan and certified budget approved by both the department and the board of commissioners or an appropriate representative ~~county or district~~. The integrated arthropod management plan and budget may be amended at any time upon prior approval of the department.

(3) In any program ~~county or district~~ where the arthropod problem has been eliminated, or reduced to such an extent that it does not constitute a health, comfort, or economic problem as determined by the department, the maximum amount of state funds available under this chapter shall be reduced to the amount necessary to meet actual need.

Section 16. Subsections (1) and (2) of section 388.291, Florida Statutes, are amended to read:

388.291 Source reduction measures; supervision by department.—

(1) Any program ~~county or district~~ may perform source reduction measures in conformity with good engineering practices

2025700er

1161 in any area, provided that the department cooperating with the
1162 county, municipality, or district has approved the operating or
1163 construction plan as outlined in the integrated arthropod
1164 management plan and that it has been determined by criteria
1165 contained in rule that the area or areas to be controlled would
1166 produce arthropods in significant numbers to constitute a health
1167 or nuisance problem.

1168 (2) The program ~~county or district~~ shall manage the
1169 detailed business affairs and supervise the ~~said~~ work, and the
1170 department shall advise the programs ~~districts~~ as to the best
1171 and most effective measures to be used in bringing about better
1172 temporary control and the permanent elimination of breeding
1173 conditions. The department may at its discretion discontinue any
1174 state aid provided hereunder in the event it finds the jointly
1175 agreed upon program is not being followed or is not efficiently
1176 and effectively administered.

1177 Section 17. Section 388.301, Florida Statutes, is amended
1178 to read:

1179 388.301 Payment of state funds; supplies and services.—
1180 State funds shall be payable ~~quarterly~~, in accordance with the
1181 rules of the department, upon requisition by the department to
1182 the Chief Financial Officer. The department is authorized to
1183 furnish insecticides, chemicals, materials, equipment, vehicles,
1184 and personnel in lieu of state funds where mass purchasing may
1185 save funds for the state, or where it would be more practical
1186 and economical to use equipment, supplies, and services between
1187 two or more programs ~~counties or districts~~.

1188 Section 18. Section 388.311, Florida Statutes, is amended
1189 to read:

2025700er

388.311 Carry over of state funds and local funds.—State and local funds budgeted for the control of mosquitoes and other arthropods shall be carried over at the end of the program's ~~county or district's~~ fiscal year, and rebudgeted for such control measures the following fiscal year.

Section 19. Section 388.321, Florida Statutes, is amended to read:

388.321 Equipment to become property of a program ~~the county or district~~.—All equipment purchased under this chapter with state funds made available directly to a program ~~the county or district~~ shall become the property of the program ~~county or district~~ unless otherwise provided, and may be traded in on other equipment, or sold, when no longer needed by the program ~~county or district~~.

Section 20. Section 388.322, Florida Statutes, is amended to read:

388.322 Record and inventory of certain property.—A record and inventory of certain property purchased with state funds for arthropod control use owned by the program must ~~district shall~~ be maintained in accordance with s. 274.02.

Section 21. Section 388.323, Florida Statutes, is amended to read:

388.323 Disposal of surplus property.—Surplus property shall be disposed of according to the provisions set forth in s. 274.05 with the following exceptions:

(1) Serviceable equipment purchased using state funds for arthropod control use no longer needed by a program must ~~county or district shall~~ first be offered to any ~~or all~~ other programs ~~counties or districts~~ engaged in arthropod control at a price

2025700er

established by the board of commissioners owning the equipment.

(2) The alternative procedure for disposal of surplus property, as prescribed in s. 274.06, must ~~shall~~ be followed if it is determined that no other program ~~county or district~~ engaged in arthropod control has need for the equipment.

(3) All proceeds from the sale of any real or tangible personal property owned by the program and purchased using state funds ~~county or district~~ shall be deposited in the program's ~~county's or district's~~ state fund account unless otherwise specifically designated by the department.

Section 22. Section 388.341, Florida Statutes, is amended to read:

388.341 Reports of expenditures and accomplishments.—Each program receiving state aid ~~county and district participating~~ under ~~the provisions of~~ this chapter shall within 30 days after the end of each month submit to the department a monthly report for the preceding month of expenditures from all funds for arthropod control, and each program participating under this chapter shall provide such reports of activities and accomplishments as may be required by the department.

Section 23. Section 388.351, Florida Statutes, is amended to read:

388.351 Transfer of equipment, personnel, and supplies during an emergency.—The department, upon notifying a program ~~county or district~~ and obtaining its approval, is authorized to transfer equipment, materials, and personnel from one program ~~district~~ to another in the event of an emergency brought about by an arthropod-borne epidemic or other disaster requiring emergency control.

2025700er

Section 24. Subsection (7) of section 388.361, Florida Statutes, is amended to read:

388.361 Department authority and rules; administration.—

(7) The department shall have the authority to collect, detect, suppress, and control mosquitoes and other arthropods that are determined by the State Health Officer to pose a threat to public health, or determined by the Commissioner of Agriculture to pose a threat to animal health, wherever they may occur on public or private land in this state, and to do all things necessary in the exercise of such authority. Prior to the start of treatments for the control of mosquitoes or other arthropods, the department shall consult with the mosquito control programs ~~districts~~ in the proposed treatment areas, the Department of Health, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission regarding the proposed locations, dates, and methods to be used.

Section 25. Subsections (2) and (3) of section 388.3711, Florida Statutes, are amended to read:

388.3711 Enforcement.—

(2) The department may issue a written warning, impose a fine; deny, suspend, or revoke any license or certification, ~~or the disbursal of state aid; or deny participation,~~ in accordance with the provisions of chapter 120, upon any one or more of the following grounds as may be applicable:

(a) Violation of any rule of the department or provision of this chapter.

(b) Violation of FIFRA or any relevant EPA rule or regulation pertaining to the use of arthropod control pesticides by the licensee.

2025700er

(c) Failure to give the department, or any authorized representative thereof, true information upon request regarding methods and materials used, work performed, or other information essential to the administration of this chapter.

(3) The department may, if it finds a violation is of such nature or circumstances that imposition of a fine, or denial, revocation, or suspension of a certification or license or disbursal of state aid would be detrimental to the public or be unnecessarily harsh under the circumstances, in its discretion, place the offending party on probation for a period of not more than 2 years. If the department determines that the terms of such probation have been violated, it may reinstitute license or certification or state aid denial, suspension, or revocation proceedings.

Section 26. Section 388.381, Florida Statutes, is amended to read:

388.381 Cooperation by programs ~~counties and district.~~—Any program conducting county or district carrying on an arthropod control ~~program~~ may cooperate with another county, district, or municipality in carrying out work ~~a program~~ for the control of mosquitoes and other arthropods, by agreement as to the program and reimbursement thereof, when approved by the department.

Section 27. Section 388.391, Florida Statutes, is amended to read:

388.391 Control measures in municipalities and portions of counties located outside boundaries of programs ~~districts.~~—Any program ~~district~~ whose operation is limited to a portion of the county in which it is located may perform any control measures authorized by this chapter in any municipality located in the

2025700er

1306 same county or in any portions of the same county, where there
1307 is no established program ~~district~~, when requested to do so by
1308 the municipality or county, pursuant to s. 388.381.

1309 Section 28. Section 388.401, Florida Statutes, is amended
1310 to read:

1311 388.401 Penalty for damage to property or operations.—
1312 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
1313 any program ~~county or district~~ created under this or other
1314 chapters, or any works constructed, maintained, or controlled by
1315 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
1316 or causes ~~cause~~ to be obstructed any of the operations of such
1317 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
1318 violates ~~violate~~ any provisions of this chapter or any rule or
1319 regulation promulgated by any board of commissioners of any
1320 program, commits ~~county or district shall be guilty of a~~
1321 misdemeanor of the second degree, punishable as provided in s.
1322 775.082 or s. 775.083.

1323 Section 29. Paragraph (a) of subsection (2) of section
1324 388.46, Florida Statutes, is amended to read:

1325 388.46 Florida Coordinating Council on Mosquito Control;
1326 establishment; membership; organization; responsibilities.—

1327 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1328 (a) *Membership*.—The Florida Coordinating Council on
1329 Mosquito Control shall be composed ~~comprised~~ of the following
1330 representatives or their authorized designees:

- 1331 1. The Secretary of Environmental Protection.
- 1332 2. The State Surgeon General.
- 1333 3. The executive director of the Fish and Wildlife
1334 Conservation Commission.

2025700er

- 1335 4. The state epidemiologist.
- 1336 5. The Commissioner of Agriculture.
- 1337 6. The Board of Trustees of the Internal Improvement Trust
- 1338 Fund.
- 1339 7. Representatives from:
- 1340 a. The University of Florida, Institute of Food and
- 1341 Agricultural Sciences, Florida Medical Entomological Research
- 1342 Laboratory.
- 1343 b. The United States Environmental Protection Agency.
- 1344 c. The United States Department of Agriculture, Center of
- 1345 Medical, Agricultural, and Veterinary Entomology Insects
- 1346 Affecting Man Laboratory.
- 1347 d. The United States Fish and Wildlife Service.
- 1348 8. Four ~~Two~~ mosquito control directors to be nominated by
- 1349 the Florida Mosquito Control Association, two representatives of
- 1350 Florida environmental groups, and two private citizens who are
- 1351 property owners whose lands are regularly subject to mosquito
- 1352 control operations, to be appointed to 4-year terms by the
- 1353 Commissioner of Agriculture and serve until his or her successor
- 1354 is appointed.

1355 Section 30. Paragraph (d) of subsection (7) of section

1356 403.067, Florida Statutes, is amended to read:

1357 403.067 Establishment and implementation of total maximum

1358 daily loads.—

1359 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1360 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1361 (d) *Enforcement and verification of basin management action*

1362 *plans and management strategies*.—

1363 1. Basin management action plans are enforceable pursuant

2025700er

to this section and ss. 403.121, 403.141, and 403.161.

Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

a. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of water quality monitoring required in lieu of implementation of best management practices or other measures pursuant to sub-subparagraph (b)2.g.;

b. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of nonagricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)1.; and

c. The Department of Agriculture and Consumer Services, in consultation with the water management districts and the department, shall initiate rulemaking to adopt procedures to verify implementation of agricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)2.

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

3. At least every 2 years, the Department of Agriculture

2025700er

and Consumer Services shall perform onsite inspections of each agricultural producer that enrolls in a best management practice, except those enrolled by rule in subparagraph 4., to ensure that such practice is being properly implemented. Such verification must include a collection and review of the best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2., including, but not limited to, nitrogen and phosphorus ~~fertilizer~~ application records, which must be collected and retained pursuant to subparagraphs (c)3., 4., and 6. The Department of Agriculture and Consumer Services shall initially prioritize the inspection of agricultural producers located in the basin management action plans for Lake Okeechobee, the Indian River Lagoon, the Caloosahatchee River and Estuary, and Silver Springs.

4. The Department of Agriculture and Consumer Services is authorized to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may use in lieu of the best management practices adopted in paragraph (c) and identify best management practices for landowners of parcels which meet the following requirements:

- a. A parcel not more than 25 acres in size;
- b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- c. A parcel with water use not exceeding 100,000 gallons per day on average unless the entire use is met using recycled

2025700er

1422 water from wet detention treatment ponds or reuse water;

1423 d. A parcel where the agricultural activity on the parcel
1424 is not a vegetable crop, an agronomic crop, a nursery, or a
1425 dairy operation;

1426 e. A parcel not abutting an impaired water body identified
1427 in subsection (4); and

1428 f. A parcel not part of a larger operation that is enrolled
1429 in the Department of Agriculture and Consumer Services best
1430 management practices or conducting water quality monitoring
1431 prescribed by the department or a water management district.

1432
1433 Such requirements must specify design or performance criteria
1434 that, if applied, would result in compliance with appropriate
1435 water quality standards. The Department of Agriculture and
1436 Consumer Services is authorized to adopt additional eligibility
1437 criteria for landowners or producers to use enrollment by rule
1438 and to revoke enrollment by rule.

1439 5. The Department of Agriculture and Consumer Services
1440 shall annually perform onsite inspections of 20 percent for all
1441 enrollments that meet the qualifications pursuant to
1442 subparagraph 4. by rule within basin management action plan
1443 areas, to ensure that practices are being properly implemented.
1444 Such inspections must include a collection and review of the
1445 identified best management practice documentation from the
1446 previous 2 years required by rules adopted pursuant to
1447 subparagraph (c)2. All agricultural producers enrolled by rule
1448 in a best management practice must annually submit nutrient
1449 records, including nitrogen and phosphorus application records
1450 for the previous calendar year, to the Department of Agriculture

2025700er

and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

Section 31. Subsection (19) is added to section 403.852, Florida Statutes, to read:

403.852 Definitions; ss. 403.850-403.864.—As used in ss. 403.850-403.864:

(19) “Water quality additive” means any chemical, additive, or substance that is used in a public water system for the purpose of:

(a) Meeting or surpassing primary or secondary drinking water standards;

(b) Preventing, reducing, or removing contaminants; or

(c) Improving water quality.

Section 32. Subsection (8) is added to section 403.859, Florida Statutes, to read:

403.859 Prohibited acts.—The following acts and the causing thereof are prohibited and are violations of this act:

(8) The use of any additive in a public water system which does not meet the definition of a water quality additive as defined in s. 403.852(19).

Section 33. Subsection (10) of section 482.111, Florida Statutes, is amended to read:

482.111 Pest control operator’s certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each

2025700er

category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department~~. The department may not renew a certificate if the continuing education or examination requirement is not met.

(a) Courses or programs, to be considered for credit, must include one or more of the following topics:

1. The law and rules of this state pertaining to pest control.

2. Precautions necessary to safeguard life, health, and property in the conducting of pest control and the application of pesticides.

3. Pests, their habits, recognition of the damage they cause, and identification of them by accepted common name.

4. Current accepted industry practices in the conducting of fumigation, termites and other wood-destroying organisms pest control, lawn and ornamental pest control, and household pest control.

5. How to read labels, a review of current state and federal laws on labeling, and a review of changes in or additions to labels used in pest control.

6. Integrated pest management.

(b) The certificateholder must submit with her or his application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such

2025700er

other information as required by the department.

(c) The department shall charge the same fee for examination as provided in s. 482.141(2).

Section 34. Subsection (1) of section 482.141, Florida Statutes, is amended to read:

482.141 Examinations.—

(1) Each individual seeking certification must satisfactorily pass an examination which must be written but ~~which~~ may include practical demonstration. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee ~~hold at least two examinations each year.~~ An applicant may seek certification in one or more categories.

Section 35. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

482.155 Limited certification for governmental pesticide applicators or private applicators.—

(1)

(b) A person seeking limited certification under this subsection must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given or approved by the department.~~ Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than \$150 or less than \$50; and a recertification fee of \$25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is \$50. Application for recertification must be accompanied by proof of having completed 4 classroom hours of

2025700er

acceptable continuing education. The limited certificate expires 4 years after the date of issuance. If the certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination. The department shall make available ~~provide~~ the appropriate reference material ~~and make the examination readily accessible and available to all applicants at least quarterly or as necessary in each county.~~

Section 36. Subsection (2) of section 482.156, Florida Statutes, is amended to read:

482.156 Limited certification for commercial landscape maintenance personnel.—

(2) (a) A person seeking limited certification under this section must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department.~~ Each application for examination must be accompanied by an examination fee set by rule of the department, in an amount of not more than \$150 or less than \$50. Before the department issues a limited certification under this section, each person applying for the certification must furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

(b) The department shall make available ~~provide~~ the appropriate reference materials for the examination and provide in-person and remote testing through a third-party vendor. A

2025700er

1567 third-party vendor may collect and retain a convenience fee ~~make~~
1568 ~~the examination readily accessible and available to applicants~~
1569 ~~at least quarterly or as necessary in each county.~~

1570 Section 37. Subsection (2) of section 482.157, Florida
1571 Statutes, is amended to read:

1572 482.157 Limited certification for commercial wildlife
1573 management personnel.—

1574 (2) The department shall issue a limited certificate to an
1575 applicant who:

1576 (a) Submits an application and examination fee of at least
1577 \$150, but not more than \$300, as prescribed by the department by
1578 rule;

1579 (b) Passes an examination that the department shall provide
1580 in person and remotely through a third-party vendor. The third-
1581 party vendor may collect and retain a convenience fee
1582 ~~administered by the department.~~ The department shall make
1583 available ~~provide~~ the appropriate study materials for the
1584 examination ~~and make the examination readily available to~~
1585 ~~applicants in each county as necessary, but not less frequently~~
1586 ~~than quarterly; and~~

1587 (c) Provides proof, including a certificate of insurance,
1588 that the applicant has met the minimum bodily injury and
1589 property damage insurance requirements in s. 482.071(4).

1590 Section 38. Paragraph (m) is added to subsection (1) of
1591 section 482.161, Florida Statutes, to read:

1592 482.161 Disciplinary grounds and actions; reinstatement.—

1593 (1) The department may issue a written warning to or impose
1594 a fine against, or deny the application for licensure or
1595 licensure renewal of, a licensee, certified operator, limited

2025700er

certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

(m) Issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 39. Subsection (2) of section 487.044, Florida Statutes, is amended to read:

487.044 Certification; examination.—

(2) The department shall require each applicant for a certified applicator's license to demonstrate competence by a written or oral examination in which the applicant must demonstrate adequate knowledge concerning the proper use and application of restricted-use pesticides in each classification for which application for license is made. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee. The examination may be prepared, administered, and evaluated by the department. Each applicant for a certified applicator's license must ~~shall~~ demonstrate minimum competence as to:

(a) The proper use of the equipment.

(b) The environmental hazards that may be involved in applying restricted-use pesticides.

2025700er

(c) Calculating the concentration of restricted-use pesticides to be used in particular circumstances.

(d) Identification of common pests to be controlled and the damages caused by such pests.

(e) Protective clothing and respiratory equipment required during the handling and application of restricted-use pesticides.

(f) General precautions to be followed in the disposal of containers, as well as the cleaning and decontamination of the equipment which the applicant proposes to use.

(g) Applicable state and federal pesticide laws, rules, and regulations.

(h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

(6) Licensure may be suspended, revoked, or denied by the department, upon the issuance of a final order to a licensee imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 41. Present subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and new subsections (13) and (14) are added to that section, to read:

496.404 Definitions.—As used in ss. 496.401-496.424, the term:

(13) "Foreign country of concern" has the same meaning as in s. 286.101(1)(b).

2025700er

1654 (14) "Foreign source of concern" means any of the
1655 following:

1656 (a) The government or any official of the government of a
1657 foreign country of concern;

1658 (b) A political party or member of a political party or any
1659 subdivision of a political party in a foreign country of
1660 concern;

1661 (c) A partnership, an association, a corporation, an
1662 organization, or other combination of persons organized under
1663 the laws of or having its principal place of business in a
1664 foreign country of concern, or a subsidiary of such entity;

1665 (d) Any person who is domiciled in a foreign country of
1666 concern and is not a citizen or lawful permanent citizen of the
1667 United States;

1668 (e) An agent, including a subsidiary or an affiliate of a
1669 foreign legal entity, acting on behalf of a foreign source of
1670 concern; or

1671 (f) An entity in which a person, entity, or collection of
1672 persons or entities described in paragraphs (a)-(e) has a
1673 controlling interest. As used in this paragraph, the term
1674 "controlling interest" means the possession of the power to
1675 direct or cause the direction of the management or policies of
1676 an entity, whether through ownership of securities, by contract,
1677 or otherwise. A person or an entity that directly or indirectly
1678 has the right to vote 25 percent or more of the voting interest
1679 of the company or is entitled to 25 percent or more of its
1680 profits is presumed to possess a controlling interest.

1681 Section 42. Present paragraphs (d) through (g) of
1682 subsection (2) of section 496.405, Florida Statutes, are

2025700er

redesignated as paragraphs (f) through (i), respectively, new paragraphs (d) and (e) are added to that subsection, subsection (11) is added to that section, and subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

496.405 Registration statements by charitable organizations and sponsors.—

(1) A charitable organization or sponsor, unless exempted pursuant to s. 496.406, which intends to solicit contributions in or from this state by any means or have funds solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor, or that participates in a charitable sales promotion or sponsor sales promotion, must, before engaging in any of these activities, file an initial registration statement, which includes an attestation statement, and a renewal statement annually thereafter, with the department.

(a) Except as provided in paragraph (b), any changes in the information submitted on the initial registration statement or the last renewal statement must be updated annually on a renewal statement provided by the department on or before the date that marks 1 year after the date the department approved the initial registration statement as provided in this section. The department shall annually provide a renewal statement to each registrant by mail or by electronic mail at least 30 days before the renewal date.

(b) Any changes to the information submitted to the department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial registration statement, which includes an attestation statement, or the last renewal statement must be reported to the department

2025700er

on a form prescribed by the department within 10 days after the change occurs.

(c) A charitable organization or sponsor that is required to file an initial registration statement or annual renewal statement may not, before approval of its statement by the department in accordance with subsection (7), solicit contributions or have contributions solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor or participate in a charitable sales promotion or sponsor sales promotion.

(d) The registration of a charitable organization or sponsor may not continue in effect and shall expire without further action of the department under either of the following circumstances:

1. After the date the charitable organization or sponsor should have filed, but failed to file, its renewal statement in accordance with this section.

2. For failure to provide a financial statement within any extension period provided under s. 496.407.

(2) The initial registration statement must be submitted on a form prescribed by the department, signed by an authorized official of the charitable organization or sponsor who shall certify that the registration statement is true and correct, and include the following information or material:

(d) An attestation statement, which must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if engaged in activities that would require registration pursuant to chapter

2025700er

106, is registered with the Department of State, pursuant to chapter 106.

(e) An attestation statement on a form prescribed by the department, signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the Department of State pursuant to chapter 106.

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department shall process such initial registration statement or annual renewal statement in accordance with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the required information is submitted to the department.

(11) The department may investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

496.415 Prohibited acts.—It is unlawful for any person in connection with the planning, conduct, or execution of any solicitation or charitable or sponsor sales promotion to:

(20) Solicit or accept contributions or anything of value

2025700er

from a foreign source of concern.

(a) For a first violation of this subsection, this prohibited act is considered involuntary, and shall result in no punitive action from the department if the charitable organization satisfies all of the following requirements:

1. Provides the department with a solicitation or contribution form containing an attestation from such foreign source or country of concern in which the person, country, or entity falsely certifies that they are not a foreign country of concern as defined in s. 496.404(13) or a foreign source of concern as defined in s. 496.404(14);

2. Provides the department with a copy of a refund to the foreign source or country of concern within 30 days after notification by the department of the prohibited act; and

3. Provides the department with a plan of action to prevent the acceptance of contributions from a foreign country or source of concern in future solicitation activities by the charitable organization.

(b) A second or subsequent violation of this subsection is considered voluntary, and the charitable organization or sponsor is subject to the penalties specified in s. 496.419(5) at the discretion of the department.

Section 44. Section 496.417, Florida Statutes, is amended to read:

496.417 Criminal penalties.—Except as otherwise provided in ss. 496.401-496.424, and in addition to any administrative or civil penalties, any person who willfully and knowingly violates ss. 496.401-496.424 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2025700er

For a second or subsequent conviction, such violation constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The department may also investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 45. Subsection (11) is added to section 496.419, Florida Statutes, to read:

496.419 Powers of the department.—

(11) A charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation required pursuant to s. 496.405(2)(d) or (2)(e) is subject to the penalties specified in subsection (5) at the discretion of the department.

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Services Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

2025700er

(b) That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department's website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(j) "Cottage food product" means food that is not time or temperature controlled for safety or a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

(1)(a) A food permit from the department is required of any person or business that ~~who~~ operates a food establishment, except:

1. Persons or businesses operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, not age restricted, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the person or business minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

2025700er

1857 3. Persons selling only legumes in the shell, either
1858 parched, roasted, or boiled.

1859 4. Persons selling sugar cane or sorghum syrup that has
1860 been boiled and bottled on a premise located within this state.
1861 Such bottles must contain a label listing the producer's name
1862 and street address, all added ingredients, the net weight or
1863 volume of the product, and a statement that reads, "This product
1864 has not been produced in a facility permitted by the Florida
1865 Department of Agriculture and Consumer Services."

1866 (b) Each food establishment regulated under this chapter
1867 must apply for and receive a food permit before operation
1868 begins. An application for a food permit from the department
1869 must be accompanied by a fee in an amount determined by
1870 department rule. The department shall adopt by rule a schedule
1871 of fees to be paid by each food establishment as a condition of
1872 issuance or renewal of a food permit. Such fees may not exceed
1873 \$650 and must be used solely for the recovery of costs for the
1874 services provided, except that the fee accompanying an
1875 application for a food permit for operating a bottled water
1876 plant may not exceed \$1,000 and the fee accompanying an
1877 application for a food permit for operating a packaged ice plant
1878 may not exceed \$250. The fee for operating a bottled water plant
1879 or a packaged ice plant must be set by rule of the department.
1880 Food permits are not transferable from one person or physical
1881 location to another. Food permits must be renewed in accordance
1882 with subparagraphs 1.-3. If an application for renewal of a food
1883 permit is not received by the department on or before its due
1884 date, a late fee not exceeding \$100 must be paid in addition to
1885 the food permit fee before the department may issue the food

2025700er

1886 permit. The moneys collected must be deposited in the General
1887 Inspection Trust Fund.

1888 1. A food permit issued to a new food establishment ~~on or~~
1889 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1890 date of issuance and must be renewed annually on or before that
1891 date thereafter.

1892 2. ~~Effective January 1, 2024,~~ A food permit issued before
1893 September 1, 2023, expires on the month and day the initial
1894 permit was issued to the food establishment and must be renewed
1895 annually on or before that date thereafter. The department may
1896 charge a prorated permit fee for purposes of this subparagraph.

1897 3. The department may establish a single permit renewal
1898 date for multiple food establishments owned by the same entity
1899 ~~The owner of 100 or more permitted food establishment locations~~
1900 ~~may elect to set the expiration of food permits for such~~
1901 ~~establishments as December 31 of each calendar year.~~

1902 Section 49. Section 500.166, Florida Statutes, is amended
1903 to read:

1904 500.166 Records of interstate shipment.—For the purpose of
1905 enforcing this chapter, carriers engaged in interstate commerce
1906 and persons receiving food in interstate commerce shall retain
1907 all records for 3 years from the date of the record showing the
1908 movement in interstate commerce of any food, and the quantity,
1909 shipper and consignee thereof and, upon the request by an
1910 officer or employee duly designated by the department, permit
1911 the officer or employee to have access to and to copy all
1912 records showing the movement in interstate commerce of any food,
1913 and the quantity, shipper, and consignee thereof.

1914 Section 50. Subsection (1) of section 500.172, Florida

2025700er

Statutes, is amended to read:

500.172 Embargoing, detaining, destroying of food, food processing equipment, or areas that are in violation.-

(1) When the department, or its duly authorized agent who has received appropriate education and training regarding the legal requirements of this chapter, finds or has probable cause to believe that any food, food processing equipment, food processing area, or food storage area is in violation of this chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, mislabeled, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to

2025700er

1944 read:

1945 500.75 Mushroom spores and mycelium; offenses.—It is
1946 unlawful to transport or offer to transport, import into this
1947 state, sell or offer for sale, furnish, or give away spores or
1948 mycelium capable of producing mushrooms or other material which
1949 will contain a controlled substance, including psilocybin or
1950 psilocyn, during its lifecycle. A person who violates this
1951 section commits a misdemeanor of the first degree, punishable as
1952 provided in s. 775.082 or s. 775.083.

1953 Section 52. Section 500.93, Florida Statutes, is created to
1954 read:

1955 500.93 Mislabeling of plant-based products as milk, meat,
1956 or poultry.—

1957 (1) As used in this section, the term:

1958 (a) "Egg" or "egg product" has the same meaning as in 21
1959 U.S.C. s. 1033 and the Egg Products Inspection Act.

1960 (b) "FDA" means the United States Food and Drug
1961 Administration.

1962 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1963 the Federal Meat Inspection Act.

1964 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1965 and the Grade "A" pasteurized milk ordinance.

1966 (e) "Poultry" or "poultry product" has the same meaning as
1967 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1968 (2) (a) In accordance with the established standard of
1969 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1970 "A" pasteurized milk ordinance, the department shall adopt rules
1971 to enforce the FDA's standard of identity for milk, as adopted
1972 in state law, to prohibit the sale of plant-based products

2025700er

1973 mislabeled as milk in this state.

1974 (b) This subsection is effective upon the enactment into
1975 law of a mandatory labeling requirement to prohibit the sale of
1976 plant-based products mislabeled as milk that is consistent with
1977 this section by any 11 of the group of 14 states composed of
1978 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1979 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1980 Texas, Virginia, and West Virginia.

1981 (3) (a) In accordance with the established standard of
1982 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1983 Meat Inspection Act, and both poultry and poultry products
1984 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1985 Act, the department shall adopt rules to enforce the FDA's
1986 standard of identity for meat, poultry, and poultry products as
1987 adopted in this section, to prohibit the sale of plant-based
1988 products mislabeled as meat, poultry, or poultry products in
1989 this state.

1990 (b) This subsection is effective upon the enactment into
1991 law of a mandatory labeling requirement to prohibit the sale of
1992 plant-based products mislabeled as meat, poultry, or poultry
1993 products which is consistent with this section by any 11 of the
1994 group of 14 states composed of Alabama, Arkansas, Florida,
1995 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1996 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1997 (4) (a) In accordance with the established standard of
1998 identity for eggs and egg products as defined in 21 U.S.C. s.
1999 1033 and the Egg Products Inspection Act, the department shall
2000 adopt rules to enforce the FDA's standard of identity for eggs
2001 and egg products, as adopted in state law, to prohibit the sale

2025700er

of plant-based products mislabeled as egg or egg products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as egg or egg products that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(5) The Department of Agriculture and Consumer Services shall notify the Division of Law Revision upon the enactment into law by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia of the mandatory labeling requirements pursuant to subsections (2) and (3).

(6) The department shall adopt rules to implement this section.

(7) This section may not be construed to limit the department's authority to enforce laws and regulations.

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

501.912 Definitions.—As used in ss. 501.91-501.923:

(1) "Antifreeze" means any substance or preparation, including, but not limited to, coolant, antifreeze-coolant, antifreeze and summer coolant, or summer coolant, that is sold, distributed, or intended for use:

(a) As the cooling liquid, or to be added to the cooling

2025700er

liquid, in the cooling system of ~~internal combustion engines of~~
motor vehicles to prevent freezing of the cooling liquid or to
lower its freezing point; or

(b) To raise the boiling point of water, aid in vehicle
component cooling, or for the prevention of engine overheating,
whether or not the liquid is used as a year-round cooling system
fluid.

Section 55. Section 525.19, Florida Statutes, is created to
read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum
registration program for petroleum owners or operators and shall
adopt rules detailing the requirements for such registration
that include, at minimum:

(a) The name of the petroleum owner or operator;

(b) The address of the petroleum owner or operator;

(c) The phone number of the petroleum owner or operator;

(d) The e-mail address of the petroleum owner or operator;

(e) Requirements for the transfer switch;

(f) Fuel and petroleum infrastructure; and

(g) Fuel and petroleum inventory and delivery information.

(2) The registration program must be free for all
registrants.

(3) The department has the authority to require registrants
to provide updates related to the status of infrastructure,
inventory, and delivery information during a state of emergency
as declared by an executive order issued by the Governor.

Section 56. Section 526.147, Florida Statutes, is created
to read:

2025700er

2060 526.147 Florida Retail Fuel Transfer Switch Modernization
2061 Grant Program.—

2062 (1)(a) There is created, subject to appropriation, the
2063 Florida Retail Fuel Transfer Switch Modernization Grant Program
2064 within the Department of Agriculture and Consumer Services.

2065 (b) The grant program shall provide grant funds, not to
2066 exceed \$10,000 per retail fuel facility, to be used for
2067 installation and equipment costs related to installing or
2068 modernizing transfer switch infrastructure at retail fuel
2069 facilities to allow for the continuity of fueling operations
2070 under generated power.

2071 (c) The department shall award funds based upon the
2072 following criteria:

2073 1. Up to \$10,000, of costs for transfer switch purchase and
2074 installation for retail fuel locations in fiscally constrained
2075 counties as designated under s. 218.67(1).

2076 2. Up to \$5,000, of costs for transfer switch purchase and
2077 installation for all other retail fuel locations.

2078 (d) Retail fuel facilities which are awarded grant funds
2079 must comply with s. 526.143 and must install a transfer switch
2080 capable of operating all fuel pumps, dispensing equipment, life
2081 safety systems, and payment acceptance equipment using an
2082 alternative generated power source.

2083 (e) Before being awarded funding from the department,
2084 retail fuel facilities must provide documentation on transfer
2085 switch installation and required generator sizing to the
2086 department.

2087 (f) Marinas and fueling facilities with fewer than four
2088 fueling positions are excluded from being awarded funding

2025700er

through this program.

(g) Fueling facilities subject to s. 526.143(2) are excluded from being awarded funding through this program.

(2) The department, in consultation with the Division of Emergency Management, shall adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include application deadlines and establish the supporting documentation necessary to be provided to the department.

Section 57. Section 531.48, Florida Statutes, is amended to read:

531.48 Declarations of unit price on random packages.—In addition to the declarations required by s. 531.47, any package being one of a lot containing random weights of the same commodity must ~~and bearing the total selling price of the package shall~~ bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight and the total retail price of the package, as defined by department rule.

Section 58. Section 531.49, Florida Statutes, is amended to read:

531.49 Advertising packages for sale.—~~Whenever~~ A packaged commodity ~~is advertised in any manner with the retail price stated, there shall be~~ closely and conspicuously associated with the retail price must have a declaration of quantity as is required by law or rule to appear on the package.

Section 59. Subsection (10) of section 564.06, Florida Statutes, is amended to read:

2025700er

564.06 Excise taxes on wines and beverages.—

(10) Fifty percent of all revenues collected from the excise taxes imposed by this section on wine produced by manufacturers in this state from products grown in the state must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund established pursuant to s. 599.012.

Section 60. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as subsections (47), (48), and (49), respectively, and new subsections (44), (45), and (46) are added to that section, to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(44) (a) To foster and encourage the employment and retention of qualified veterinary pathologists. The department may reimburse the educational expenses of qualified veterinary pathologists who enter into an agreement with the department to retain employment for a specified period of time.

(b) The department shall adopt rules to administer this subsection.

(45) Subject to appropriation, to extend state and national Future Farmers of America opportunities to any public school student enrolled in agricultural education, at little or no cost to the student or school district, and to support statewide Future Farmers of America programming that helps such students develop their potential for premier leadership, personal growth, and career success.

(46) (a) Notwithstanding ss. 287.042 and 287.057, to use

2025700er

contracts procured by another agency.

(b) As used in this subsection, the term "agency" has the same meaning as provided in s. 287.012.

Section 61. Subsection (2) of section 570.544, Florida Statutes, is amended to read:

570.544 Division of Consumer Services; director; powers; processing of complaints; records.—

(2) The director shall supervise, direct, and coordinate the activities of the division and shall, under the direction of the department, enforce the provisions of ss. 366.94 and ss. 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526, 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

Section 62. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

(a) Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

(c) Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

(2) The department shall prorate any licensing fee for which the term of the license was reduced for the purposes of alignment.

2025700er

2176 (3) The department shall adopt rules to implement this
2177 section.

2178 Section 63. Section 570.694, Florida Statutes, is created
2179 to read:

2180 570.694 Florida Aquaculture Foundation.—

2181 (1) The Florida Aquaculture Foundation is established as a
2182 direct-support organization within the Department of Agriculture
2183 and Consumer Services. The purpose of the foundation is to:

2184 (a) Conduct programs and activities related to the
2185 assistance, promotion, and furtherance of aquaculture and
2186 aquaculture producers in this state.

2187 (b) Identify and pursue methods to provide statewide
2188 resources and materials for these programs.

2189 (2) The foundation shall be governed by s. 570.691.

2190 (3) The department is authorized to appoint an advisory
2191 committee adjunct to the foundation pursuant to s. 570.232.

2192 Section 64. Section 570.822, Florida Statutes, is amended
2193 to read:

2194 570.822 Agriculture and Aquaculture Producers Emergency
2195 ~~Natural Disaster~~ Recovery Loan Program.—

2196 (1) DEFINITIONS.—As used in this section, the term:

2197 (a) "Bona fide farm operation" means a farm operation
2198 engaged in a good faith commercial agricultural use of land on
2199 land classified as agricultural pursuant to s. 193.461 or on
2200 sovereign submerged land that is leased to the applicant by the
2201 department pursuant to s. 597.010 and that produces agricultural
2202 products within the definition of agriculture under s. 570.02.

2203 (b) "Declared emergency ~~natural disaster~~" means an
2204 emergency ~~a natural disaster~~ for which a state of emergency is

2025700er

declared pursuant to s. 252.36 or s. 570.07(21).

(c) "Department" means the Department of Agriculture and Consumer Services.

(d) "Essential physical property" means fences; equipment; structural production facilities, such as shade houses and greenhouses; or other agriculture or aquaculture facilities or infrastructure.

(e) "Program" means the Agriculture and Aquaculture Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

(2) USE OF LOAN FUNDS; LOAN TERMS.—

(a) The program is established within the department to make loans to agriculture and aquaculture producers that have experienced damage or destruction from a declared emergency ~~natural disaster~~. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property, or restock aquaculture. A structure or building constructed using loan proceeds must comply with storm-hardening standards for nonresidential farm buildings as defined in s. 604.50(2). The department shall adopt such standards by rule.

(b) The department may make a low-interest or interest-free loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is \$500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

(3) ELIGIBLE APPLICANTS.—To be eligible for the program, an applicant must:

2025700er

(a) Own or lease a bona fide farm operation that is located in a county named in a declared emergency ~~natural disaster~~ and that was damaged or destroyed as a result of such declared emergency ~~natural disaster~~.

(b) Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.

(4) LOAN APPLICATION AND AGREEMENT.—

(a) Requests for loans must be made by application to the department. Upon a determination that funding for loans is available, the department shall publicly notice an application period for the declared emergency ~~natural disaster~~, beginning within 60 days after the date of the declared emergency ~~natural disaster~~ and running up to 1 year after the date of the declared emergency ~~natural disaster~~ or until all available loan funds are exhausted, whichever occurs first. The application period may be renewed upon a determination from the department and pursuant to an active declared emergency.

(b) An applicant must demonstrate the need for financial assistance and an ability to repay or meet a standard credit rating determined by the department.

(c) Loans must be made pursuant to written agreements specifying the terms and conditions agreed to by the approved applicant and the department. The loan agreement must specify that the loan is due upon sale if the property or other collateral for the loan is sold.

(d) An approved applicant must agree to stay in production for the duration of the loan. A loan is not assumable.

(5) LOAN SECURITY REQUIREMENTS.—All loans must be secured

2025700er

by a lien, subordinate only to any mortgage held by a financial institution as defined in s. 655.005, on property or other collateral as set forth in the loan agreement. The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant. The department shall record the lien in public records in the county where the property is located and, in the case of personal property, perfect the security interest by filing appropriate Uniform Commercial Code forms with the Florida Secured Transaction Registry as required pursuant to chapter 679.

(6) LOAN REPAYMENT.—

(a) A loan is due and payable in accordance with the terms of the loan agreement.

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

(c) An approved applicant may make payments on the loan at any time without penalty. Early repayment is encouraged as other funding sources or revenues become available to the approved applicant.

2025700er

(d) All repayments of principal and interest, if applicable, received by the department in a fiscal year must be returned to the loan fund and made available for loans to other applicants in the next application period.

(e) The department may periodically review an approved applicant to determine whether he or she continues to be in compliance with the terms of the loan agreement. If the department finds that an applicant is no longer in production or has otherwise violated the loan agreement, the department may seek repayment of the full original principal balance outstanding, including any interest or costs, as applicable, and excluding any applied or anticipated original principal balance reductions.

(f) The department may defer or waive loan payments if at any time during the repayment period of a loan, the approved applicant experiences a significant hardship such as crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a

2025700er

third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

(a) The following information held by the department pursuant to its administration of the program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. Tax returns.

2. Credit history information, credit reports, and credit scores.

(b) This subsection does not prohibit the disclosure of information held by the department pursuant to its administration of the program in an aggregated and anonymized format.

(c) This subsection is subject to the Open Government

2025700er

Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

(9) RULES.—The department shall adopt rules to implement this section.

(10) REPORTS.—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

(11) SUNSET.—This section expires July 1, 2043, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 65. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Bona fide farm operation" means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 that produces agricultural products within the definition of agriculture under s. 570.02.

(b) "Declared emergency" means an emergency for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21) .

2025700er

2379 (c) "Department" means the Department of Agriculture and
2380 Consumer Services.

2381 (d) "Program" means the silviculture emergency recovery
2382 program.

2383 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2384 (a) The silviculture emergency recovery program is
2385 established within the department to administer a grant program
2386 to assist timber landowners whose timber land was damaged as a
2387 result of a declared emergency. Grants provided to eligible
2388 timber landowners must be used for:

2389 1. Timber stand restoration, including downed tree removal
2390 on land which will retain the existing trees on site which are
2391 lightly or completely undamaged;

2392 2. Site preparation, and tree replanting; or

2393 3. Road and trail clearing on private timber lands to
2394 provide emergency access and facilitate salvage operations.

2395 (b) Only timber land located on lands classified as
2396 agricultural lands under s. 193.461 are eligible for the
2397 program.

2398 (c) The department shall coordinate with state agencies and
2399 other entities to ensure to the greatest extent possible that
2400 timber landowners have access to the maximum financial
2401 assistance available following a specified declared emergency.
2402 The coordination must endeavor to ensure that there is no
2403 duplication of financial assistance between these funds and
2404 other funding sources, such as any federal or other state
2405 programs, including public assistance requests to the Federal
2406 Emergency Management Agency or financial assistance from the
2407 United States Department of Agriculture, which would render the

2025700er

approved applicant ineligible for other financial assistance.

(d) The department is authorized to adopt rules to implement this section, including emergency rules. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 66. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the market position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

Section 67. Subsections (2) and (5) of section 581.1843, Florida Statutes, are amended to read:

581.1843 Citrus nursery stock propagation and production and the establishment of regulated areas around citrus nurseries.—

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department ~~and that is not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from~~

2025700er

2437 ~~commercial citrus groves while continuously operating at the~~
2438 ~~same location for which it was registered.~~ However, the nursery
2439 shall be required to propagate citrus within a protective
2440 structure approved by the department. Effective January 1, 2008,
2441 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
2442 that was not produced in a protective structure approved by the
2443 department.

2444 ~~(5) The department shall establish regulated areas around~~
2445 ~~the perimeter of commercial citrus nurseries that were~~
2446 ~~established on sites after April 1, 2006, not to exceed a radius~~
2447 ~~of 1 mile. The planting of citrus in an established regulated~~
2448 ~~area is prohibited. The planting of citrus within a 1-mile~~
2449 ~~radius of commercial citrus nurseries that were established on~~
2450 ~~sites prior to April 1, 2006, must be approved by the~~
2451 ~~department. Citrus plants planted within a regulated area prior~~
2452 ~~to the establishment of the regulated area may remain in the~~
2453 ~~regulated area unless the department determines the citrus~~
2454 ~~plants to be infected or infested with citrus canker or citrus~~
2455 ~~greening. The department shall require the removal of infected~~
2456 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2457 ~~has sprouted by natural means in regulated areas. The property~~
2458 ~~owner shall be responsible for the removal of citrus planted~~
2459 ~~without proper approval. Notice of the removal of citrus trees,~~
2460 ~~by immediate final order of the department, shall be provided to~~
2461 ~~the owner of the property on which the trees are located. An~~
2462 ~~immediate final order issued by the department under this~~
2463 ~~section shall notify the property owner that the citrus trees,~~
2464 ~~which are the subject of the immediate final order, must be~~
2465 ~~removed and destroyed unless the property owner, no later than~~

2025700er

~~10 days after delivery of the immediate final order, requests and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.~~

Section 68. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

Section 69. Subsection (11) of section 595.404, Florida Statutes, is amended to read:

595.404 School food and other nutrition programs; powers and duties of the department.—The department has the following powers and duties:

(11) To adopt and implement an appeal process by rule, as required by federal regulations, for applicants and participants under the programs implemented pursuant to this chapter, notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss. 120.569 and 120.57-120.595.~~

Section 70. Section 599.002, Florida Statutes, is amended to read:

599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine ~~Viticulture~~ Advisory Council, to be composed ~~consist~~ of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural

2025700er

2495 Sciences; a representative from the viticultural science program
2496 at Florida Agricultural and Mechanical University; and five
2497 additional commercial members, to be appointed for a 2-year term
2498 each by the Commissioner of Agriculture, including a wine
2499 producer, a fresh fruit producer, a nonwine product (juice,
2500 jelly, pie fillings, etc.) producer, and a viticultural nursery
2501 operator.

2502 (2) The meetings, powers and duties, procedures, and
2503 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
2504 shall be pursuant to s. 570.232.

2505 (3) The primary responsibilities of the Florida Wine
2506 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
2507 of Agriculture, annually, the industry's recommendations for
2508 wine and viticultural research, promotion, and education and, as
2509 necessary, the industry's recommendations for revisions to the
2510 State Wine ~~Viticulture~~ Plan.

2511 Section 71. Section 599.003, Florida Statutes, is amended
2512 to read:

2513 599.003 State Wine ~~Viticulture~~ Plan.—

2514 (1) The Commissioner of Agriculture, in consultation with
2515 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and
2516 coordinate the implementation of the State Wine ~~Viticulture~~
2517 Plan, which shall identify problems and constraints of the wine
2518 and viticulture industry, propose possible solutions to those
2519 problems, and develop planning mechanisms for the orderly growth
2520 of the industry, including:

2521 (a) Criteria for wine and viticultural research, service,
2522 and management priorities.

2523 (b) Additional proposed legislation that may be required.

2025700er

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University and the University of Florida in their efforts to address current and future needs of the industry.

(d) The potential for viticulture products in terms of market and needs for development.

(e) Evaluation of wine policy alternatives, including, but not limited to, continued improvement in wine quality, blending considerations, promotion and advertising, labeling and vineyard designations, and development of production and marketing strategies.

(f) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.

(g) Evaluation of policy alternatives for nonwine processed products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.

(h) Research and service priorities for further development of the wine and viticulture industry.

(i) The identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to wine and viticultural development and the delineation of contributions and responsibilities.

(j) Business planning, investment potential, financial risks, and economics of production and utilization.

2025700er

(2) A revision and update of the State Wine ~~Viticulture~~ Plan must ~~shall~~ be submitted biennially to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request must ~~shall~~ be submitted annually.

Section 72. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

599.004 Florida Farm Winery Program; registration; logo; fees.—

(2)(a) The department, in coordination with the Florida ~~Wine~~ ~~Viticulture~~ Advisory Council, shall develop and designate by rule a Florida Farm Winery logo, emblem, and directional sign to guide the public to certified Florida Farm Wineries ~~Winery~~ ~~tourist attractions~~. The logo and emblem of certified Florida Farm Winery signs must ~~shall~~ be uniform.

(d) Wineries that fail to recertify annually or pay the licensing fee required in paragraph (c) are subject to having the signs referenced in paragraph (b) removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

(3) All fees collected, except as otherwise provided by this section, shall be deposited into the Florida Wine ~~Viticulture~~ Trust Fund and used to develop consumer information on the native characteristics and proper use of wines.

Section 73. Section 599.012, Florida Statutes, is amended to read:

2025700er

599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.—

(1) There is established the Florida Wine ~~Viticulture~~ Trust Fund within the Department of Agriculture and Consumer Services. The department shall use the moneys deposited in the trust fund pursuant to subsection (2) to do all the following:

(a) Develop and coordinate the implementation of the State Viticulture Plan.

(b) Promote viticulture products manufactured from products grown in the state.

(c) Provide grants for viticultural research.

(2) Fifty percent of the revenues collected from the excise taxes imposed under s. 564.06 on wine produced by manufacturers in this state from products grown in the state will be deposited in the Florida Wine ~~Viticulture~~ Trust Fund in accordance with that section.

Section 74. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

616.12 Licenses upon certain shows; distribution of fees; exemptions.—

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law.

However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the

2025700er

department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession is exempt.

Section 75. Section 687.16, Florida Statutes, is created to read:

687.16 Florida Farmer Financial Protection Act.—

(1) SHORT TITLE.—This section may be cited as the "Florida Farmer Financial Protection Act."

(2) DEFINITIONS.—As used in this section, the term:

(a) "Agriculture producer" means a person or company authorized to do business in this state and engaged in the production of goods derived from plants or animals, including, but not limited to, the growing of crops, silviculture, animal husbandry, or the production of livestock or dairy products.

(b) "Agritourism activity" has the same meaning as provided in s. 570.86.

(c) "Commissioner" means the Commissioner of Agriculture.

(d) "Company" means a for-profit organization, association, corporation, partnership, joint venture, sole proprietorship, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those

2025700er

entities or business associations authorized to do business in this state.

(e) "Denies or restricts" means refusing to provide services, terminating existing services, or restricting or burdening the scope or nature of services offered or provided.

(f) "Discriminate in the provision of financial services" means to deny or restrict services and thereby decline to provide financial services.

(g) "ESG factor" means any factor or consideration that is collateral to or not reasonably likely to affect or impact financial risk and includes the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes, which may include the agriculture producer's greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

(h) "Farm" means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

(i) "Financial institution" means a company defined under s. 655.005(1)(h) and (i), which has total assets of more than \$100 million. A financial institution includes any affiliate as defined in s. 655.005(1)(a) or subsidiary company as defined in s. 655.005(1)(x), even if such affiliate or subsidiary company is also a financial institution.

(j) "Financial service" means any product or service that is of a financial nature and is offered by a financial institution.

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

(a) A financial institution may not discriminate in the

2025700er

provision of financial services to an agriculture producer
based, in whole or in part, upon an ESG factor.

(b) If a financial institution has made any ESG commitment
related to agriculture, there is an inference that the
institution's denial or restriction of a financial service to an
agriculture producer violates paragraph (a).

(c) A financial institution may overcome the inference in
paragraph (b) by demonstrating that its denial or restriction of
a financial service was based solely on documented risk
analysis, and not on any ESG factor.

(4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
General, in consultation with the Office of Financial
Regulation, is authorized to enforce subsection (3). Any
violation of subsection (3) constitutes an unfair trade practice
under part II of chapter 501 and the Attorney General is
authorized to investigate and seek remedies as provided in
general law. Actions for damages may be sought by an aggrieved
party.

Section 76. Paragraph (a) of subsection (3) of section
741.0305, Florida Statutes, is amended to read:

741.0305 Marriage fee reduction for completion of
premarital preparation course.—

(3)(a) All individuals electing to participate in a
premarital preparation course shall choose from the following
list of qualified instructors:

1. A psychologist licensed under chapter 490.
2. A clinical social worker licensed under chapter 491.
3. A marriage and family therapist licensed under chapter
491.

2025700er

2698 4. A mental health counselor licensed under chapter 491.

2699 5. An official representative of a religious institution
2700 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2701 representative has relevant training.

2702 6. Any other provider designated by a judicial circuit,
2703 including, but not limited to, school counselors who are
2704 certified to offer such courses. Each judicial circuit may
2705 establish a roster of area course providers, including those who
2706 offer the course on a sliding fee scale or for free.

2707 Section 77. Paragraph (h) of subsection (2), subsection
2708 (3), paragraph (c) of subsection (6), and subsection (10) of
2709 section 790.06, Florida Statutes, are amended to read:

2710 790.06 License to carry concealed weapon or concealed
2711 firearm.—

2712 (2) The Department of Agriculture and Consumer Services
2713 shall issue a license if the applicant:

2714 (h) Demonstrates competence with a firearm by any one of
2715 the following:

2716 1. Completion of any hunter education or hunter safety
2717 course approved by the Fish and Wildlife Conservation Commission
2718 or a similar agency of another state;

2719 2. Completion of any National Rifle Association firearms
2720 safety or training course;

2721 3. Completion of any firearms safety or training course or
2722 class available to the general public offered by a law
2723 enforcement agency, junior college, college, or private or
2724 public institution or organization or firearms training school,
2725 using instructors certified by the National Rifle Association,
2726 Criminal Justice Standards and Training Commission, or the

2025700er

Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or United States military service;

6. Is licensed or has been licensed to carry a concealed weapon or concealed firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. A person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live

2025700er

fire using a firearm and ammunition as defined in s. 790.001;

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence

constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been

fulfilled or the record has been sealed or expunged. The

Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had

adjudication of guilt withheld for, or had imposition of

sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a

law enforcement agency, a court, clerk's office, or the Florida

Department of Law Enforcement ~~and subsequent written~~

~~verification~~, temporarily suspend a license or the processing of

an application for a license if the licensee or applicant is

arrested or formally charged with a crime that would disqualify

such person from having a license under this section, until

final disposition of the case. The department shall suspend a

license or the processing of an application for a license if the

licensee or applicant is issued an injunction that restrains the

licensee or applicant from committing acts of domestic violence

or acts of repeat violence. The department shall notify the

licensee or applicant suspended under this section of his or her

right to a hearing pursuant to chapter 120. If the criminal case

or injunction results in a nondisqualifying disposition and the

applicant or licensee is otherwise eligible, the suspension

shall end. The department must issue an order confirming the end

2025700er

of the suspension within 90 days after the applicant or licensee's submission to the department of a copy of the final resolution of the criminal case or injunction. The copy provided to the department must be sent through electronic or certified mail to a location that shall be specified on the notice of suspension received by the licensee or applicant. If the criminal case or injunction results in a disqualifying disposition, the suspension must remain in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

(b) This subsection may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The Legislature finds it a matter of public policy and public safety that it is necessary to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner by the department pursuant to this section. The Legislature intends to clarify that suspensions pursuant to this section are temporary, and the department has the duty to make an eligibility determination and issue a license in the time frame prescribed in this subsection.

(6)

(c) The Department of Agriculture and Consumer Services shall, within 90 days after the date of receipt of the items listed in subsection (5):

1. Issue the license; or
2. Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsection (2) or subsection (3). If the Department of

2025700er

2814 Agriculture and Consumer Services denies the application, it
2815 shall notify the applicant in writing, stating the ground for
2816 denial and informing the applicant of any right to a hearing
2817 pursuant to chapter 120.

2818 3. In the event the result of the criminal history
2819 screening identifies ~~department receives~~ criminal history
2820 information related to a crime that may disqualify the applicant
2821 but does not contain ~~with no~~ final disposition of the crime or
2822 lacks sufficient information to make an eligibility
2823 determination ~~on a crime which may disqualify the applicant~~, the
2824 time limitation prescribed by this paragraph may be extended for
2825 up to an additional 45 days after the receipt of the information
2826 ~~suspended until receipt of the final disposition or proof of~~
2827 ~~restoration of civil and firearm rights.~~ The department may make
2828 a request for information to the jurisdiction where the criminal
2829 history information originated but must issue a license if it
2830 does not obtain a disposition or sufficient information to make
2831 an eligibility determination within the additional 45 days if
2832 the applicant is otherwise eligible. The department may take any
2833 action authorized in this section if it receives disqualifying
2834 criminal history information during the additional 45-day review
2835 period or after issuance of a license.

2836 (10) A license issued under this section must ~~shall~~ be
2837 temporarily suspended as provided for in subparagraph (6)(c)3.,
2838 or revoked pursuant to chapter 120 if the license was issued in
2839 error or if the licensee:

2840 (a) Is found to be ineligible under the criteria set forth
2841 in subsection (2);

2842 (b) Develops or sustains a physical infirmity which

2025700er

prevents the safe handling of a weapon or firearm;

(c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;

(d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;

(e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar laws of any other state;

(f) Is convicted of a second violation of s. 316.193, or a similar law of another state, within 3 years after a first conviction of such section or similar law of another state, even though the first violation may have occurred before the date on which the application was submitted;

(g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or

(h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing

2025700er

address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

Section 78. Subsection (2) of section 812.0151, Florida Statutes, is amended to read:

812.0151 Retail fuel theft.—

(2)(a) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Breaches a retail fuel dispenser or accesses any internal portion of a retail fuel dispenser; or

2. Possesses any device constructed for the purpose of fraudulently altering, manipulating, or interrupting the normal functioning of a retail fuel dispenser.

(b) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Physically tampers with, manipulates, removes, replaces, or interrupts any mechanical or electronic component located on ~~within~~ the internal or external portion of a retail fuel

2025700er

dispenser; or

2. Uses any form of electronic communication to fraudulently alter, manipulate, or interrupt the normal functioning of a retail fuel dispenser.

(c) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

1. Obtains fuel as a result of violating paragraph (a) or paragraph (b); ~~or~~

2. Modifies a vehicle's factory installed fuel tank or possesses any item used to hold fuel which was not fitted to a vehicle or conveyance at the time of manufacture with the intent to use such fuel tank or item to hold or transport fuel obtained as a result of violating paragraph (a) or paragraph (b); or

3. Possesses or uses any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card with a magnetic stripe or a chip encoded with account information or both, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

Section 79. Section 812.136, Florida Statutes, is created to read:

812.136 Mail theft.—

(1) As used in this section, unless the context otherwise requires:

(a) "Mail" means any letter, postal card, parcel, envelope, package, bag, or any other sealed article addressed to another,

2025700er

2930 along with its contents.

2931 (b) "Mail depository" means a mail box, letter box, mail
2932 route, or mail receptacle of a postal service, an office of a
2933 postal service, or mail carrier of a postal service, or a
2934 vehicle of a postal service or any other authorized receptacle.

2935 (c) "Postal service" means the United States Postal Service
2936 or its contractors, or any commercial courier that delivers
2937 mail.

2938 (2) Any of the following acts constitutes mail theft:

2939 (a) Knowingly removing mail from a mail depository or
2940 taking mail from a mail carrier of a postal service with an
2941 intent to either temporarily or permanently:

2942 1. Deprive the intended recipient of such mail of his or
2943 her right to the mail.

2944 2. Appropriate the mail to his or her own use or the use of
2945 any person not entitled to the use of such mail.

2946 (b) Knowingly obtaining custody of mail by fraud or
2947 deception with an intent to either temporarily or permanently:

2948 1. Deprive the intended recipient of such mail of his or
2949 her right to the mail.

2950 2. Appropriate the mail to his or her own use or the use of
2951 any person not entitled to the use of the mail.

2952 (c) Selling, receiving, possessing, transferring, buying,
2953 or concealing mail in violation of paragraph (a) or paragraph
2954 (b) of this subsection, while knowing or having reason to know
2955 the mail was obtained illegally.

2956 (3) Any of the following constitutes theft of or
2957 unauthorized reproduction of a mail depository key or lock:

2958 (a) Knowingly obtaining or using, or endeavoring to obtain

2025700er

or use, any key or lock used by a postal service for a mail
depository with the intent to either temporarily or permanently:

1. Deprive the owner of such key or lock of his or her
right to such key or lock.

2. Appropriate the key or lock to his or her own use or the
use of any person not entitled to the use of such key or lock.

(b) Knowingly and unlawfully making, forging, or
counterfeiting any such key or possessing any such key or lock
adopted by a postal service with the intent to unlawfully or
improperly use, sell, or otherwise dispose of the key or lock,
or to cause the key or lock to be unlawfully or improperly used,
sold, or otherwise disposed.

(c) Selling, receiving, possessing, transferring, buying,
or concealing a key or lock obtained in violation of paragraph
(a) or paragraph (b) while knowing or having reason to know such
key or lock was obtained illegally.

(4) (a) Except as provided in paragraph (b), a violation of
this section is a misdemeanor of the first degree, punishable as
provided in s. 775.082 or s. 775.083.

(b) A second or subsequent violation of this section is a
felony of the third degree, punishable as provided in s. 775.082
or s. 775.084.

Section 80. Paragraph (i) of subsection (4) of section
934.50, Florida Statutes, is amended, and a new paragraph (q) is
added to that subsection, to read:

934.50 Searches and seizure using a drone.—

(4) EXCEPTIONS.—This section does not prohibit the use of a
drone:

~~(i) By a person or an entity engaged in a business or~~

2025700er

~~profession licensed by the state, or by an agent, employee, or contractor thereof, if the drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.~~

(q) By a local governmental entity, or a person under contract with or acting under the direction of such entity, for the purpose of managing and eradicating plant or animal diseases or activities consistent with chapters 369, 388, and 487.

Section 81. Section 1013.373, Florida Statutes, is created to read:

1013.373 Educational facilities used for agricultural education.—

(1) Notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animal or equipment therein.

(2) Lands used for agricultural education or for Future Farmers of America or 4-H activities are considered agricultural lands pursuant to s. 193.461 and subject to s. 823.14.

Section 82. For the purpose of incorporating the amendment made by this act to section 110.205, Florida Statutes, in a

2025700er

reference thereto, paragraph (a) of subsection (5) of section 295.07, Florida Statutes, is reenacted to read:

295.07 Preference in appointment and retention.—

(5) The following positions are exempt from this section:

(a) Those positions that are exempt from the state Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the Florida College System and the School for the Deaf and the Blind, or the equivalent of such positions at state universities, Florida College System institutions, or the School for the Deaf and the Blind, are not exempt.

Section 83. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the

2025700er

department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. 189.067, that the district has failed to file any of the reports listed in s. 189.066;

5. The district has not had a registered office and agent on file with the department for 1 or more years;

6. The governing body of a special district provides documentation to the department that it has unanimously adopted a resolution declaring the special district inactive. The special district is responsible for payment of any expenses associated with its dissolution;

7. The district is an independent special district or a community redevelopment district created under part III of chapter 163 that has reported no revenue, no expenditures, and no debt under s. 189.016(9) or s. 218.32 for at least 5 consecutive fiscal years beginning no earlier than October 1, 2018. This subparagraph does not apply to a community development district established under chapter 190 or to any independent special district operating pursuant to a special act that provides that any amendment to chapter 190 to grant additional powers constitutes a power of that district; or

8. For a mosquito control district created pursuant to chapter 388, the department has received notice from the

2025700er

Department of Agriculture and Consumer Services that the district has failed to file a tentative work plan and tentative detailed work plan budget as required by s. 388.271.

Section 84. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 482.072, Florida Statutes, is reenacted to read:

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

1. A customer contact center licensee is subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center.

2. A pest control business licensee may be subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center operated by a licensee if the licensee participates in the violation.

Section 85. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, section 482.163, Florida Statutes, is reenacted to read:

482.163 Responsibility for pest control activities of employee.—Proper performance of pest control activities by a pest control business employee is the responsibility not only of the employee but also of the certified operator in charge, and

2025700er

the certified operator in charge may be disciplined pursuant to the provisions of s. 482.161 for the pest control activities of an employee. A licensee may not automatically be considered responsible for violations made by an employee. However, the licensee may not knowingly encourage, aid, or abet violations of this chapter.

Section 86. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a reference thereto, section 487.156, Florida Statutes, is reenacted to read:

487.156 Governmental agencies.—All governmental agencies shall be subject to the provisions of this part and rules adopted under this part. Public applicators using or supervising the use of restricted-use pesticides shall be subject to examination as provided in s. 487.044.

Section 87. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

(2) The board of directors, or an authorized committee thereof, of a charitable organization or sponsor required to register with the department under s. 496.405 shall adopt a policy regarding conflict of interest transactions. The policy shall require annual certification of compliance with the policy by all directors, officers, and trustees of the charitable organization. A copy of the annual certification shall be submitted to the department with the annual registration statement required by s. 496.405.

2025700er

3133 Section 88. For the purpose of incorporating the amendment
3134 made by this act to section 496.405, Florida Statutes, in
3135 references thereto, subsections (2) and (4) of section 496.406,
3136 Florida Statutes, are reenacted to read:

3137 496.406 Exemption from registration.—

3138 (2) Before soliciting contributions, a charitable
3139 organization or sponsor claiming to be exempt from the
3140 registration requirements of s. 496.405 under paragraph (1)(d)
3141 must submit annually to the department, on forms prescribed by
3142 the department:

3143 (a) The name, street address, and telephone number of the
3144 charitable organization or sponsor, the name under which it
3145 intends to solicit contributions, the purpose for which it is
3146 organized, and the purpose or purposes for which the
3147 contributions to be solicited will be used.

3148 (b) The tax exempt status of the organization.

3149 (c) The date on which the organization's fiscal year ends.

3150 (d) The names, street addresses, and telephone numbers of
3151 the individuals or officers who have final responsibility for
3152 the custody of the contributions and who will be responsible for
3153 the final distribution of the contributions.

3154 (e) A financial statement of support, revenue, and expenses
3155 and a statement of functional expenses that must include, but
3156 not be limited to, expenses in the following categories:

3157 program, management and general, and fundraising. In lieu of the
3158 financial statement, a charitable organization or sponsor may
3159 submit a copy of its Internal Revenue Service Form 990 and all
3160 attached schedules or Internal Revenue Service Form 990-EZ and
3161 Schedule O.

2025700er

(4) Exemption from the registration requirements of s. 496.405 does not limit the applicability of other provisions of this section to a charitable organization or sponsor.

Section 89. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

(1)(a) A cottage food operation must comply with the applicable requirements of this chapter but is exempt from the permitting requirements of s. 500.12 if the cottage food operation complies with this section and has annual gross sales of cottage food products that do not exceed \$250,000.

Section 90. For the purpose of incorporating the amendment made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

(6) If the department determines that a food offered in a food establishment is labeled with nutrient claims that are in violation of this chapter, the department shall retest or reexamine the product within 90 days after notification to the manufacturer and to the firm at which the product was collected. If the product is again found in violation, the department shall test or examine the product for a third time within 60 days after the second notification. The product manufacturer shall reimburse the department for the cost of the third test or examination. If the product is found in violation for a third time, the department shall exercise its authority under s.

2025700er

500.172 and issue a stop-sale or stop-use order. The department may impose additional sanctions for violations of this subsection.

Section 91. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must comply with the provisions of s. 790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 92. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

CHAPTER 2025-22

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 700

An act relating to the Department of Agriculture and Consumer Services; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from the Career Service System; amending s. 163.3162, F.S.; defining terms; prohibiting governmental entities from adopting or enforcing any legislation that inhibits the construction of housing for legally verified agricultural workers on agricultural land operated as a bona fide farm; requiring that the construction or installation of such housing units on agricultural lands satisfies certain criteria; requiring that local ordinances comply with certain regulations; authorizing governmental entities to adopt local land use regulations that are less restrictive; requiring property owners to maintain certain records for a specified timeframe; requiring that use of a housing site be discontinued and authorizing the removal of such a site under certain circumstances; specifying applicability of permit allocation systems in certain areas of critical state concern; authorizing the continued use of housing sites constructed before the effective date of the act if certain conditions are met; requiring the department to adopt certain rules; providing for enforcement; requiring the department to submit certain information to the State Board of Immigration Enforcement on a certain schedule; amending s. 201.25, F.S.; conforming a provision to changes made by the act; amending s. 253.0341, F.S.; authorizing the department to surplus certain lands determined to be suitable for bona fide agricultural production; requiring the department to consult with the Department of Environmental Protection before making such determination; requiring the Department of Agriculture and Consumer Services to retain a rural-lands-protection easement for all surplus lands and deposit all proceeds into a specified trust fund; requiring the department to provide a report of lands surplus to the board of trustees; providing that certain lands are ineligible to be surplus; providing for retroactive applicability; amending s. 330.41, F.S.; defining terms; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; providing criminal penalties; providing applicability; prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range; providing criminal penalties; providing applicability; creating s. 366.20, F.S.; requiring that certain lands acquired or owned by an electric utility by a certain date be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; requiring an electric utility to issue a written intent to sell through certified mail to the Commissioner of Agriculture within a specified timeframe before offering to sell or transferring certain lands; authorizing the commissioner to issue a written intent to purchase via certified mail within a specified timeframe

after receipt of such written intent to sell; requiring the electric utility to be released from certain provisions under certain circumstances; requiring that certain offers accepted and received by the department within a specified timeframe be executed no later than a certain date; requiring the department to adopt rules; amending s. 366.94, F.S.; defining the term “electric vehicle charging station”; authorizing the department to adopt rules; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring that an electric vehicle charger be registered with the department before being placed into service for use by the public; providing the department with certain authority relating to electric vehicle charging stations; providing a penalty; authorizing the department to issue an immediate final order to an electric vehicle charging station under certain circumstances; providing that the department may bring an action to enjoin a violation of specified provisions or rules; requiring the court to issue a temporary or permanent injunction under certain circumstances; amending s. 388.011, F.S.; revising the definition of the terms “board of commissioners” and “district”; defining the term “program”; amending s. 388.021, F.S.; making a technical change; amending s. 388.181, F.S.; authorizing programs to perform specified actions; amending s. 388.201, F.S.; conforming provisions to changes made by the act; requiring that the tentative work plan budget covering the proposed operations and requirements for arthropod control measures show the estimated amount to be raised by county, municipality, or district taxes; requiring that county commissioners’ or a similar governing body’s mosquito control budget be made and adopted pursuant to specified provisions and requiring that summary figures be incorporated into the county budgets as prescribed by the department; amending s. 388.241, F.S.; providing that certain rights, powers, and duties be vested in the board of county commissioners or similar governing body of a county, or municipality; amending s. 388.261, F.S.; increasing the maximum annual amount that a county, municipality, or district may receive, without contributing matching funds, in state funds, supplies, services, or equipment for a certain number of years for any new program for the control of mosquitos and other arthropods which serves an area not previously served by a county, municipality, or district; conforming a provision to changes made by the act; amending s. 388.271, F.S.; requiring each program participating in arthropod control activities to file a tentative integrated arthropod management plan with the department by a specified date; conforming provisions to changes made by the act; amending s. 388.281, F.S.; requiring that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management plan and certified budget; requiring that such integrated arthropod management plan and certified budget be approved by both the department and the board of county commissioners or an appropriate representative; conforming provisions to changes made by the act; amending s. 388.291, F.S.; providing that a program may perform certain source reduction measures in any area providing that the department has approved the operating or construction plan as outlined in the integrated

arthropod management plan; conforming provisions to changes made by the act; amending s. 388.301, F.S.; revising the schedule by which state funds for the control of mosquitos and other arthropods may be paid; conforming provisions to changes made by the act; amending s. 388.311, F.S.; conforming provisions to changes made by the act; amending s. 388.321, F.S.; conforming provisions to changes made by the act; amending s. 388.322, F.S.; requiring the department to maintain a record and inventory of certain property purchased with state funds for arthropod control use; conforming provisions to changes made by the act; amending s. 388.323, F.S.; requiring that certain equipment no longer needed by a program be first offered for sale to other programs engaged in arthropod control at a specified price; requiring that all proceeds from the sale of certain property owned by a program and purchased using state funds be deposited in the program's state fund account; conforming provisions to changes made by the act; amending s. 388.341, F.S.; requiring a program receiving state aid to submit a monthly report of all expenditures from all funds for arthropod control by a specified timeframe as may be required by the department; conforming provisions to changes made by the act; amending s. 388.351, F.S.; conforming provisions to changes made by the act; amending s. 388.361, F.S.; conforming provisions to changes made by the act; amending s. 388.3711, F.S.; revising the department's enforcement powers; amending s. 388.381, F.S.; conforming provisions to changes made by the act; amending s. 388.391, F.S.; conforming provisions to changes made by the act; amending s. 388.401, F.S.; conforming provisions to changes made by the act; amending s. 388.46, F.S.; revising the composition of the Florida Coordinating Council on Mosquito Control; amending s. 403.067, F.S.; providing an exception for inspection requirements for certain agricultural producers; authorizing the department to adopt rules establishing an enrollment in best management practices by rule process; authorizing the department to identify best management practices for specified land-owners; requiring the department to perform onsite inspections annually of a certain percentage of all enrollments that meet specified qualifications within a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; prohibiting the use of certain additives in a water system which do not meet specified requirements; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.141, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private

applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking a limited certification for commercial landscape maintenance; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.157, F.S.; revising requirements for issuance of a limited certification for commercial wildlife management personnel; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make an examination readily accessible and available to all applicants on a specified schedule; amending s. 482.161, F.S.; authorizing the department to take specified disciplinary action upon the issuance of a final order imposing civil penalties or a criminal conviction pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 487.044, F.S.; requiring the department to provide in-person and remote testing through a third-party vendor for the examination of an individual seeking a limited certification for pesticide application; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 487.175, F.S.; providing that the department may suspend, revoke, or deny licensure of a pesticide applicator upon issuance of a final order to a licensee which imposes civil penalties or a criminal conviction under the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 496.404, F.S.; defining the terms “foreign country of concern” and “foreign source of concern”; amending s. 496.405, F.S.; revising which documents a charitable organization or sponsor must file before engaging in specified activities; requiring that any changes to such documents be reported to the department on a specified form in a specified timeframe; revising the requirements of the charitable organization’s initial registration statement; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of the charitable organization or sponsor; amending s. 496.415, F.S.; prohibiting specified persons from soliciting or accepting anything of value from a foreign source of concern; providing penalties; amending s. 496.417, F.S.; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of a charitable organization or sponsor; amending s. 496.419, F.S.; providing discretionary penalties for a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation; creating s. 496.431, F.S.; requiring the department to create the Honest Services Registry to provide residents with information relating to charitable organizations; requiring a charitable organization included in the Honest Services Registry to submit an attestation statement to the department; requiring the department to publish the Honest Services Registry on the department’s website; requiring the department to adopt rules; amending s. 500.03, F.S.; revising the definition of the term “cottage food product”; amending s. 500.12, F.S.; providing that the department requires a food

permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to retain all records that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to transport or offer to transport, import into this state, sell or offer for sale, furnish, or give away certain spores or mycelium; providing a penalty; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's standard of identity for milk, meat, poultry, and poultry products, and eggs and egg products to prohibit the sale of plant-based products mislabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department, in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 564.06, F.S.; requiring that a certain percentage of revenues collected from certain excise taxes be deposited into the Florida Wine Trust Fund; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the department to adopt certain rules; requiring the department to extend

certain opportunities to public school students enrolled in agricultural education to support Future Farmers of America programming; requiring the department to use contracts procured by agencies; defining the term “agency”; amending s. 570.544, F.S.; revising which provisions the director of the Division of Consumer Services must enforce; creating s. 570.546, F.S.; authorizing the department to create a process for the bulk renewal of licenses; authorizing the department to create a process that will allow licensees to align the expiration dates of licenses within a specified program; authorizing the department to change the expiration date for current licenses for a certain purpose; requiring the department to prorate the licensing fee for certain licenses; requiring the department to adopt rules; creating s. 570.694, F.S.; creating the Florida Aquaculture Foundation as a direct support organization within the department; providing the purpose of the foundation; providing governance for the foundation; authorizing the department to appoint an advisory committee adjunct to the foundation; amending s. 570.822, F.S.; defining the term “declared emergency,” rather than “declared natural disaster,” and revising the definition of the term “program”; providing that loan funds from the department may be used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency; providing construction; authorizing the department to adopt rules to implement this section including emergency rules that may be effective for a specified timeframe; creating s. 570.831, F.S.; requiring, subject to appropriation of funds, the Cattle Enhancement Board, Inc., in coordination with the department, to establish a Florida beef marketing program; providing a purpose for such program; amending s. 581.1843, F.S.; deleting provisions that exclude certain citrus nurseries from certain requirements; deleting provisions relating to regulated areas around the perimeter of commercial citrus nurseries; repealing ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department’s authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program;

regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively; amending s. 595.404, F.S.; revising the department's powers and duties regarding school nutrition programs; amending s. 599.002, F.S.; renaming the Viticulture Advisory Council as the Florida Wine Advisory Council; revising the membership of the Florida Wine Advisory Council; conforming provisions to changes made by the act; amending s. 599.003, F.S.; renaming the State Viticulture Plan as the State Wine Plan; conforming provisions to changes made by the act; amending s. 599.004, F.S.; making technical changes; providing that wineries that fail to recertify annually or pay a specified licensing fee are subject to certain actions and costs; conforming provisions to changes made by the act; amending s. 599.012, F.S.; conforming provisions to changes made by the act; amending s. 616.12, F.S.; deleting provisions requiring a person who operates a minstrel show in connection with any certain public fairs to pay specified license taxes; deleting a provision that exempts such person from paying specified taxes; creating s. 687.16, F.S.; providing a short title; defining terms; prohibiting a financial institution from discriminating in the provision of financial services to an agricultural producer based on an ESG factor; providing an inference with regard to a certain violation; providing that the financial institution may overcome the inference by making certain demonstrations regarding its denial or restriction of financial services to an agricultural producer; authorizing the Attorney General to enforce specified provisions; providing that a violation of specified provisions constitutes an unfair and deceptive trade practice; authorizing the Attorney General to investigate and seek remedies for such unfair trade practices; authorizing an aggrieved party to seek an action for damages; amending s. 741.0305, F.S.; conforming a cross-reference; amending s. 790.06, F.S.; revising the circumstances under which the department may temporarily suspend a person's license to carry a concealed weapon or concealed firearm or the processing of an application for such license; requiring the department to notify certain licensees or applicants of their right to a hearing; requiring the department to issue an order confirming the end of a suspension within a specified timeframe after an applicant or licensee submits a copy of a specified document to the department; requiring that such document be sent through electronic or certified mail to a specified location; requiring that the suspension remain in effect upon a certain disposition of a criminal case or injunction; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail

fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50, F.S.; deleting certain exceptions from the prohibited uses of drones; providing that a drone may be used for certain purposes by a local governmental entity or person under contract with or acting under the direction of such entity; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to incorporate the amendment made to s. 110.205, F.S., in a reference thereto; reenacting s. 189.062(1)(a), F.S., relating to special procedures for inactive districts and state aid to counties, to incorporate the amendment made to s. 388.271, F.S., in references thereto; reenacting ss. 482.072(3)(b) and 482.163, F.S., relating to pest control customer contact centers and responsibility for pest control activities of employee, respectively, to incorporate the amendment made to s. 482.161, F.S., in references thereto; reenacting s. 487.156, F.S., relating to governmental agencies, to incorporate the amendment made to s. 487.044, F.S., in a reference thereto; reenacting ss. 496.4055(2) and 496.406(2) and (4), F.S., relating to charitable organization or sponsor board duties and exemption from registration, respectively, to incorporate the amendment made to s. 496.405, F.S., in references thereto; reenacting s. 500.80(1)(a), F.S., relating to cottage food operations, to incorporate the amendment made to s. 500.12, F.S., in a reference thereto; reenacting s. 500.121(6), F.S., relating to disciplinary procedures, to incorporate the amendment made to s. 500.172, F.S., in a reference thereto; reenacting s. 790.061, F.S., relating to judges and justices, to incorporate the amendment made to s. 790.06, F.S., in a reference thereto; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in The Department of Health and the Department of Children and Families which are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.

2. Positions in The Department of Corrections which are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.

3. Positions in The Department of Transportation which are assigned primary duties of serving as regional toll managers and managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

4. Positions in The Department of Environmental Protection which are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in The Department of Health which are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

6. Positions in The Department of Highway Safety and Motor Vehicles which are assigned primary duties of serving as captains in the Florida Highway Patrol.

7. Positions in the Department of Agriculture and Consumer Services which are assigned primary duties of serving as captains or majors in the Office of Agricultural Law Enforcement.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 2. Present paragraphs (a) through (d) of subsection (2) of section 163.3162, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, a new paragraph (a) and paragraphs (f) and (g) are added to that subsection, and subsections (5), (6), and (7) are added to that section, to read:

163.3162 Agricultural Lands and Practices.—

(2) DEFINITIONS.—As used in this section, the term:

(a) “Department” means the Department of Agriculture and Consumer Services.

(f) “Housing site” means the totality of development supporting authorized housing, including buildings, mobile homes, barracks, dormitories used as living quarters, parking areas, common areas such as athletic fields or playgrounds, storage structures, and other related structures.

(g) “Legally verified agricultural worker” means a person who:

1. Is lawfully present in the United States;
2. Meets the definition of eligible worker pursuant to 29 C.F.R. s. 502.10;
3. Has been verified through the process provided in s. 448.095(2) and is authorized to work at the time of employment;
4. Is seasonally or annually employed in bona fide agricultural production;
5. Remains lawfully present and authorized to work throughout the duration of that employment; and
6. Is not an unauthorized alien as defined in s. 448.095(1).

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

(a) A governmental entity may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land pursuant to s. 193.461 which is operated as a bona fide farm except as provided in this subsection.

(b) Construction or installation of housing units for legally verified agricultural workers on parcels of land classified as agricultural land under s. 193.461 must satisfy all of the following criteria:

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If a written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with jurisdiction over the agricultural lands may also require submittal of a copy of the written notice.

2. The housing site must be maintained in a neat, orderly, and safe manner.

3. All structures containing dwelling units must be located a minimum of 10 feet apart.

4. The square footage of the housing site’s climate-controlled facilities may not exceed 1.5 percent of the property’s area or 35,000 square feet, whichever is less.

5. A housing site must provide front, side, and rear yard setbacks of at least 50 feet. However, an internal project driveway may be located in the required yard space if the yard is adjacent to a public roadway or to property that is under common ownership with the housing site.

6. A housing site may not be located less than 100 feet from a property line adjacent to property zoned for residential use. If the housing site is located less than 250 feet from any property line, screening must be provided between the housing site and any residentially developed adjacent parcels that are under different ownership. The screening may be designed in any of the following ways:

a. Evergreen plants that, at the time of planting, are at least 6 feet in height and provide an overall screening opacity of 75 percent;

b. A masonry wall at least 6 feet in height and finished on all sides with brick, stone, or painted or pigmented stucco;

c. A solid wood or PVC fence at least 6 feet in height with the finished side of the fence facing out;

d. A row of evergreen shade trees that, at the time of planting, are at least 10 feet in height, a minimum of 2-inch caliper, and spaced no more than 20 feet apart; or

e. A berm made with a combination of the materials listed in sub-paragraphs a.-d., which is at least 6 feet in height and provides an overall screening opacity of 75 percent at the time of installation.

7. All access driveways that serve the housing site must be made of packed shell, gravel, or a similar material that will provide a relatively dust-free surface.

(c) Any local ordinance adopted pursuant to this subsection must comply with all state and federal regulations for migrant farmworker housing, as applicable, including rules adopted by the Department of Health pursuant to ss. 381.008-381.00897 and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. A governmental entity may adopt local government land use regulations that are less restrictive than this subsection, but which still meet regulations established by the Department of Health pursuant to ss. 381.008-381.00897 and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. An ordinance adopted pursuant to this paragraph may not conflict with the definition and requirements of a legally verified agricultural worker.

(d) Beginning July 1, 2025, a property owner must maintain records of all approved permits, including successor permits, for migrant labor camps or residential migrant housing as required under s. 381.0081. A property owner must maintain such records for at least 3 years and make the records available for inspection within 14 days after receipt of a request for records by a governmental entity.

(e) A housing site may not continue to be used and may be required to be removed under the following circumstances:

1. If, for any reason, a housing site is not being used for legally verified agricultural workers for longer than 365 days, any structure used as living quarters must be removed from the housing site within 180 days after receipt of written notification from the county unless the property owner can demonstrate that use of the site for housing legally verified agricultural workers will occur within 90 days after the written notification.

2. If the property on which the housing site is located ceases to be classified as agricultural land pursuant to s. 193.461.

3. If the permit authorized by the Department of Health for the housing site is revoked, all structures must be removed from the housing site within 180 days after receipt of written notification from the county unless the permit is reinstated by the Department of Health.

4. If a housing site is found to be occupied by any person who does not meet the definition of a legally verified agricultural worker, or is otherwise unlawfully present in the United States. A property owner who violates this subparagraph is subject to a Class I fine pursuant to s. 570.971, not to exceed \$1,000, for the first violation, and a Class II fine, not to exceed \$5,000, for any subsequent violations. The fines shall be collected by the clerk of the court of the county in which the violation occurred.

(f) Notwithstanding this subsection, the construction or installation of housing for legally verified agricultural workers in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern is subject to the permit allocation systems of the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern, respectively.

(g) A housing site that was constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required by a governmental entity to make changes to meet the requirements of this subsection, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated. The property owner of a housing site authorized under this paragraph must provide regular maintenance and repair, including compliance with health and safety regulations and maintenance standards, for such housing site to ensure the health, safety, and habitability of the housing site.

(6) DATA COLLECTION.—The department shall adopt rules providing for:

(a) A method for governmental entities to submit reports of property owners who have a housing site for legally verified agriculture workers on lands classified as agricultural land pursuant to s. 193.461, as provided in this section.

(b) A method for persons to submit complaints for review and investigation by the department.

Governmental entities shall provide this information quarterly to the department in a format and timeframe prescribed by rule.

(7) ENFORCEMENT.—

(a) In addition to the enforcement methods of employment verification outlined in s. 448.095, the department shall enforce the requirements of subsection (5). Enforcement includes completing routine inspections based on a random sample of data collected by government entities and submitted to the department, the investigation and review of complaints, and the enforcement of violations.

(b) The department shall submit the information collected to the State Board of Immigration Enforcement on a quarterly basis, except that the first quarter shall begin 60 days after the first quarterly data report under subsection (6) by a governmental entity is received and reviewed by the department.

Section 3. Subsection (3) of section 201.25, Florida Statutes, is amended to read:

201.25 Tax exemptions for certain loans.—There shall be exempt from all taxes imposed by this chapter:

(3) Any loan made by the Agriculture and Aquaculture Producers Emergency Natural Disaster Recovery Loan Program pursuant to s. 570.822.

Section 4. Subsection (19) is added to section 253.0341, Florida Statutes, to read:

253.0341 Surplus of state-owned lands.—

(19) Notwithstanding any other law or rule, the Department of Agriculture and Consumer Services may surplus lands acquired pursuant to s. 366.20 which are determined to be suitable for bona fide agricultural production, as defined in s. 193.461. The Department of Agriculture and Consumer Services shall consult with the Department of Environmental Protection in the process of making such determination. In the event that lands acquired pursuant to s. 366.20, which are determined to be suitable for bona fide agricultural production are surplus, the Department of Agriculture and Consumer Services must retain a rural-lands-protection easements pursuant to s. 570.71(3), and all proceeds must be deposited into the Incidental Trust Fund within the Department of Agriculture and Consumer Services for less than fee simple land acquisition pursuant to ss. 570.71 and 570.715. By January 1, 2026, and each January 1 thereafter, the Department of Agriculture and Consumer Services shall provide a report of lands surplus pursuant to this subsection to the board.

(a) Any lands designated as a state forest, state park, or wildlife management area are ineligible to be surplus pursuant to this subsection.

(b) This subsection is retroactive to January 1, 2009.

Section 5. Present paragraphs (a) through (d) and (e) of subsection (2) of section 330.41, Florida Statutes, are redesignated as paragraphs (b) through (e) and (j), respectively, and subsection (6) of that section is redesignated as subsection (8), a new paragraph (a) and paragraphs (f), (g), (h), and (i) are added to subsection (2) of that section and a new subsection (6) and subsection (7) are added to that section, and paragraph (d) of subsection (4) of that section is amended, to read:

330.41 Unmanned Aircraft Systems Act.—

(2) DEFINITIONS.—As used in this act, the term:

(a) “Commercial property” means real property other than residential property. The term includes, but is not limited to, a property zoned multifamily residential which is comprised of five or more dwelling units, and real property used for commercial, industrial, or agricultural purposes.

(f) “Private property” means any residential or commercial property.

(g) “Property owner” means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written consent. The term does not include persons renting, using, living, or otherwise occupying real property.

(h) “Residential property” means real property zoned as residential or multifamily residential and composed of four or fewer dwelling units.

(i) “Sport shooting and training range” has the same meaning as in s. 790.333(3)(h).

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.

(d) This subsection and ~~paragraph (2)(b)~~ ~~paragraph (2)(a)~~ shall sunset 60 days after the date that a process pursuant to s. 2209 of the FAA Extension, Safety and Security Act of 2016 becomes effective.

(6) PROTECTION OF AGRICULTURAL LANDS.—

(a) A person may not knowingly or willfully do any of the following on lands classified as agricultural lands pursuant to s. 193.461:

1. Operate a drone.

2. Allow a drone to make contact with any person or object on the premises of or within the boundaries of such lands.

3. Allow a drone to come within a distance close enough to such lands to interfere with or cause a disturbance to agricultural production.

(b) A person who violates paragraph (a) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) This subsection does not apply to actions identified in paragraph (a) which are committed by:

1. The owner of the agricultural lands.
2. A person acting under the prior written consent of the owner of the agricultural lands.
3. A person or entity acting in compliance with the provisions of s. 934.50.

(7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING LANDS.—

(a) A person may not knowingly or willfully allow a drone to make contact with private property, state wildlife management lands, or a sport shooting and training range or any person or object on the premises of or within such property with the intent to harass.

(b) A person who violates paragraph (a) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) A person who violates paragraph (a) and records video of the private property, state wildlife management lands, or sport shooting and training range, including any person or object on the premises of or within the private property, state wildlife management lands, or sport shooting and training range, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) This subsection does not apply to actions identified in paragraph (a) which are committed by:

1. The property owner of the private property or sport shooting and training range, or a person acting under the prior written consent of the property owner.
2. A person or entity acting in compliance with the provisions of s. 934.50.

Section 6. Effective July 31, 2026, section 366.20, Florida Statutes, is created to read:

366.20 Sale and management of lands owned by electric utilities.—

(1) Lands acquired by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which have been classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the acquisition of the land by the electric utility must be offered for fee simple acquisition by the Department of Agriculture and Consumer Services through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(2) Lands owned by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which were classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the date of acquisition of the land by the electric utility must be offered for fee simple acquisition by the department through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(3)(a) Within 30 days before offering for sale or transferring lands identified pursuant to subsection (1) or subsection (2) to a private individual or entity, an electric utility must issue a written intent to sell sent through certified mail to the Commissioner of Agriculture.

(b) Within 30 days after the date of receipt by certified mail of the written intent by an electric utility to sell or transfer such land, the commissioner may issue a written intent to purchase via certified mail to the electric utility that issued the intent to sell. If the commissioner declines, or does not issue an intent to purchase within the 30 day timeframe, the electric utility is released from the requirements of this section.

(4) Offers accepted by the department pursuant to paragraph (3)(b) which are received no later than 6 months before the start of the regular legislative session must be executed no later than July 31 following that regular legislative session.

(5) The department shall adopt rules to implement this section.

Section 7. Present subsections (3) and (4) of section 366.94, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is amended, to read:

366.94 Electric vehicle charging.—

(2)(a) As used in this section, the term “electric vehicle charging station” means the area in the immediate vicinity of electric vehicle supply equipment and includes the electric vehicle supply equipment, supporting equipment, and associated parking spaces. The regulation of electric vehicle charging stations is preempted to the state.

(b)(a) A local governmental entity may not enact or enforce an ordinance or regulation related to electric vehicle charging stations.

(3)(a)(b) The Department of Agriculture and Consumer Services shall adopt rules to implement this subsection and to provide requirements for electric vehicle charging stations to allow for consistency for consumers and the industry.

(b) The department may adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations.

(c) Local governmental entities shall issue permits for electric vehicle charging stations based solely upon standards established by department rule and other applicable provisions of state law. The department shall prescribe by rule the time period for approving or denying permit applications.

(d) Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the department on a form prescribed by department rule.

(e) The department shall have the authority to inspect electric vehicle charging stations, conduct investigations, and enforce this subsection and any rules adopted thereto. The department may impose one or more of the following penalties against a person who violates this subsection or any rule adopted under this subsection:

1. Issuance of a warning letter.
2. Imposition of an administrative fine in the Class II category pursuant to s. 570.971 for each violation.

(f) If the department determines that an electric vehicle charging station or any associated equipment presents a threat to the public health, safety, or welfare, the department may issue an immediate final order prohibiting the use of the electric vehicle charging station or any portion thereof.

(g) In addition to the remedies provided in this subsection, and notwithstanding the existence of any adequate remedy at law, the department may bring an action to enjoin a violation of this subsection or rules adopted under this subsection in the circuit court of the county in which the violation occurs or is about to occur. Upon demonstration of competent and substantial evidence by the department to the court of the violation or threatened violation, the court shall immediately issue the temporary or permanent injunction sought by the department. The injunction must be issued without bond.

Section 8. Present subsections (10) and (11) of section 388.011, Florida Statutes, are redesignated as subsections (11) and (12), respectively, a new subsection (10) is added to that section, and subsections (2) and (5) of that section are amended, to read:

388.011 Definitions.—As used in this chapter:

(2) “Board of commissioners” means the governing body of any mosquito control program ~~district~~, and may include boards of county commissioners, city councils, municipalities, or other similar governing bodies when context so indicates.

(5) “District” means any mosquito control special district established in this state by law for the express purpose of controlling arthropods within boundaries of such said districts.

(10) “Program” means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9. Section 388.021, Florida Statutes, is amended to read:

388.021 Creation of mosquito control special districts.—

(1) The abatement or suppression of arthropods, whether disease-bearing or merely pestiferous, within any or all counties of this state is advisable and necessary for the maintenance and betterment of the comfort, health, and welfare of the people thereof and is found and declared to be for public purposes. Areas where arthropods incubate, hatch, or occur in significant numbers so as to constitute a public health, welfare, or nuisance problem may be controlled or abated as provided in this chapter or the rules promulgated hereunder. Therefore, any municipality ~~city~~, town, or county, or any portion or portions thereof, whether such portion or portions include incorporated territory or portions of two or more counties in the state, may be created into a special taxing district for the control of arthropods under the provisions of this chapter.

(2) It is the legislative intent that ~~these~~ mosquito control districts established prior to July 1, 1980, pursuant to the petition process contained in former s. 388.031, may continue to operate as outlined in this chapter. However, on and after that date, no mosquito control districts may be created except pursuant to s. 125.01.

Section 10. Section 388.181, Florida Statutes, is amended to read:

388.181 Power to do all things necessary.—The respective programs ~~districts~~ of the state are hereby fully authorized to do and perform all things necessary to carry out the intent and purposes of this law.

Section 11. Subsections (1), (2), (4), and (5) of section 388.201, Florida Statutes, are amended to read:

388.201 Program ~~District~~ budgets; hearing.—

(1) The fiscal year of programs ~~districts~~ operating under ~~the provisions of~~ this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~ shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations

and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget must ~~shall~~ set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other purposes, for the operation and maintenance of the program's ~~district's~~ works, the conduct of the program ~~district~~ generally, to which may be added an amount to be held as a reserve.

(2) The tentative detailed work plan budget must ~~shall~~ also show the estimated amount which will appear at the beginning of the fiscal year as obligated upon commitments made but uncompleted. ~~There shall be shown~~ the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year, and the estimated amount to be raised by county, municipality, or district ~~taxes~~ and from any and all other sources for meeting the program's ~~the district's~~ requirements.

(4) The governing board shall:

(a) ~~Shall~~ Consider objections filed against adoption of the tentative detailed work plan budget and in its discretion may amend, modify, or change such budget; and

(b) ~~Shall~~ By September 30, adopt and execute on a form furnished by the department a certified budget for the programs ~~district~~ which shall be the operating and fiscal guide for the program ~~district~~. Certified copies of this budget must ~~shall~~ be submitted by September 30 to the department for approval.

(5) County commissioners' mosquito and arthropod control budgets or the budgets of a similar governing body of a county, city, or town must ~~shall~~ be made and adopted as prescribed by subsections (1) and (2); summary figures must ~~shall~~ be incorporated into the county budgets as prescribed by the Department of Financial Services.

Section 12. Section 388.241, Florida Statutes, is amended to read:

388.241 Board of county commissioners vested with powers and duties of board of commissioners in certain counties.—In those counties or municipalities where there has been no formation of a separate or special board of commissioners, all the rights, powers, and duties of a board of commissioners as conferred in this chapter shall be vested in the board of county commissioners or similar governing body of said county or municipality.

Section 13. Section 388.261, Florida Statutes, is amended to read:

388.261 State aid to counties, municipalities, and districts for arthropod control; distribution priorities and limitations.—

(1) A county, municipality, or district may, without contributing matching funds, receive state funds, supplies, services, or equipment in an amount of no more than ~~\$75,000~~ \$50,000 per year for up to 3 years for any new program for the control of mosquitoes and other arthropods which serves an area not previously served by the county, municipality, or district. These funds may be expended for any and all types of control measures approved by the department.

(2) Every county, municipality, or district budgeting local funds to be used exclusively for the control of mosquitoes and other arthropods, under a plan submitted by the county, municipality, or district and approved by the department, is eligible to receive state funds and supplies, services, and equipment on a dollar-for-dollar matching basis to the amount of local funds budgeted. If state funds appropriated by the Legislature are insufficient to grant each county, municipality, or district state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, the department must ~~shall~~ distribute the funds as prescribed by rule. Such rules must ~~shall~~ provide for up to 80 percent of the funds to be distributed to programs with local funds for mosquito control budgets of less than \$1 million, if the county, municipality, or district meets the eligibility requirements. The funds must ~~shall~~ be distributed as equally as possible within the category of counties pursuant to this section. The remaining funds must ~~shall~~ be distributed as prescribed by rule among the remaining counties to support mosquito control and to support research, education, and outreach.

(3) Every county shall be limited to receive a total of \$120,000 of state funds, exclusive of state funds brought forward, during any one year.

(4) Up to 20 percent of the annual funds appropriated to local governments for arthropod control may be used for arthropod control research or demonstration projects as approved by the department.

(5) If more than one ~~program~~ local mosquito control agency exists in a county or municipality, the funds must ~~shall~~ be prorated between the programs ~~agencies~~ based on the population served by each program ~~agency~~.

(6) The Commissioner of Agriculture may exempt counties, municipalities, or districts from the requirements in subsection (1), subsection (2), or subsection (3) when the department determines state funds, supplies, services, or equipment are necessary for the immediate control of mosquitoes and other arthropods that pose a threat to human or animal health.

(7) The department may use state funds appropriated for a county, municipality, or district under subsection (1) or subsection (2) to provide state mosquito or other arthropod control equipment, supplies, or services when requested by a county, municipality, or district eligible to receive state funds under s. 388.271.

(8) The department is authorized to use up to 5 percent of the funds appropriated annually by the Legislature under this section to provide

technical assistance to the counties, municipalities, or districts, or to purchase equipment, supplies, or services necessary to administer the provisions of this chapter.

Section 14. Subsections (1) and (2) of section 388.271, Florida Statutes, are amended to read:

388.271 Prerequisites to participation.—

(1) When state funds are involved, it is the duty of the department to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control. Each program county eligible to participate may, and each district must, begin participation on October 1 of any year by filing with the department not later than July 15 a tentative integrated arthropod management plan ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for the control of arthropods. Following approval of the plan and budget by the department, a ~~copy two~~ copies of the ~~program's county's or district's~~ certified budget based on the approved integrated arthropod management ~~work plan~~ and detailed ~~work plan~~ budget must ~~shall~~ be submitted to the department by September 30 ~~following~~. State funds, supplies, and services must ~~shall~~ be made available to such program county ~~or district~~ by and through the department immediately upon release of funds by the Executive Office of the Governor.

(2) All purchases of supplies, materials, and equipment by programs ~~must counties or districts~~ shall be made in accordance with the laws governing purchases by boards of county commissioners or similar governing bodies, except that programs ~~districts~~ with special laws relative to competitive bidding shall make purchases in accordance therewith.

Section 15. Subsections (1) and (3) of section 388.281, Florida Statutes, are amended to read:

388.281 Use of state matching funds.—

(1) All funds, supplies, and services released to programs ~~counties and districts~~ hereunder must ~~shall~~ be used in accordance with the integrated arthropod management ~~detailed work plan~~ and certified budget approved by both the department and the board of commissioners or an appropriate representative ~~county or district~~. The integrated arthropod management plan and budget may be amended at any time upon prior approval of the department.

(3) In any program ~~county or district~~ where the arthropod problem has been eliminated, or reduced to such an extent that it does not constitute a health, comfort, or economic problem as determined by the department, the maximum amount of state funds available under this chapter shall be reduced to the amount necessary to meet actual need.

Section 16. Subsections (1) and (2) of section 388.291, Florida Statutes, are amended to read:

388.291 Source reduction measures; supervision by department.—

(1) Any program ~~county or district~~ may perform source reduction measures in conformity with good engineering practices in any area, provided that the department cooperating with the county, municipality, or district has approved the operating or construction plan as outlined in the integrated arthropod management plan and that it has been determined by criteria contained in rule that the area or areas to be controlled would produce arthropods in significant numbers to constitute a health or nuisance problem.

(2) The program ~~county or district~~ shall manage the detailed business affairs and supervise the said work, and the department shall advise the programs ~~districts~~ as to the best and most effective measures to be used in bringing about better temporary control and the permanent elimination of breeding conditions. The department may at its discretion discontinue any state aid provided hereunder in the event it finds the jointly agreed upon program is not being followed or is not efficiently and effectively administered.

Section 17. Section 388.301, Florida Statutes, is amended to read:

388.301 Payment of state funds; supplies and services.—State funds shall be payable ~~quarterly~~, in accordance with the rules of the department, upon requisition by the department to the Chief Financial Officer. The department is authorized to furnish insecticides, chemicals, materials, equipment, vehicles, and personnel in lieu of state funds where mass purchasing may save funds for the state, or where it would be more practical and economical to use equipment, supplies, and services between two or more programs ~~counties or districts~~.

Section 18. Section 388.311, Florida Statutes, is amended to read:

388.311 Carry over of state funds and local funds.—State and local funds budgeted for the control of mosquitoes and other arthropods shall be carried over at the end of the program's ~~county or district's~~ fiscal year, and rebudgeted for such control measures the following fiscal year.

Section 19. Section 388.321, Florida Statutes, is amended to read:

388.321 Equipment to become property of a program ~~the county or district~~.—All equipment purchased under this chapter with state funds made available directly to a program ~~the county or district~~ shall become the property of the program ~~county or district~~ unless otherwise provided, and may be traded in on other equipment, or sold, when no longer needed by the program ~~county or district~~.

Section 20. Section 388.322, Florida Statutes, is amended to read:

388.322 Record and inventory of certain property.—A record and inventory of certain property purchased with state funds for arthropod control use owned by the program must ~~district shall~~ be maintained in accordance with s. 274.02.

Section 21. Section 388.323, Florida Statutes, is amended to read:

388.323 Disposal of surplus property.—Surplus property shall be disposed of according to the provisions set forth in s. 274.05 with the following exceptions:

(1) Serviceable equipment purchased using state funds for arthropod control use no longer needed by a program must ~~county or district shall~~ first be offered to any ~~or all other programs~~ counties or districts engaged in arthropod control at a price established by the board of commissioners owning the equipment.

(2) The alternative procedure for disposal of surplus property, as prescribed in s. 274.06, must ~~shall~~ be followed if it is determined that no other program ~~county or district~~ engaged in arthropod control has need for the equipment.

(3) All proceeds from the sale of any real or tangible personal property owned by the program and purchased using state funds ~~county or district~~ shall be deposited in the program's ~~county's or district's~~ state fund account unless otherwise specifically designated by the department.

Section 22. Section 388.341, Florida Statutes, is amended to read:

388.341 Reports of expenditures and accomplishments.—Each program receiving state aid ~~county and district participating under the provisions of this chapter~~ shall within 30 days after the end of each month submit to the department a monthly report for the preceding month of expenditures from all funds for arthropod control, and each program participating under this chapter shall provide such reports of activities and accomplishments as may be required by the department.

Section 23. Section 388.351, Florida Statutes, is amended to read:

388.351 Transfer of equipment, personnel, and supplies during an emergency.—The department, upon notifying a program ~~county or district~~ and obtaining its approval, is authorized to transfer equipment, materials, and personnel from one program ~~district~~ to another in the event of an emergency brought about by an arthropod-borne epidemic or other disaster requiring emergency control.

Section 24. Subsection (7) of section 388.361, Florida Statutes, is amended to read:

388.361 Department authority and rules; administration.—

(7) The department shall have the authority to collect, detect, suppress, and control mosquitoes and other arthropods that are determined by the State Health Officer to pose a threat to public health, or determined by the Commissioner of Agriculture to pose a threat to animal health, wherever they may occur on public or private land in this state, and to do all things necessary in the exercise of such authority. Prior to the start of treatments for the control of mosquitoes or other arthropods, the department shall consult with the mosquito control programs districts in the proposed treatment areas, the Department of Health, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission regarding the proposed locations, dates, and methods to be used.

Section 25. Subsections (2) and (3) of section 388.3711, Florida Statutes, are amended to read:

388.3711 Enforcement.—

(2) The department may issue a written warning, impose a fine; deny, suspend, or revoke any license or certification, or the disbursal of state aid; or deny participation, in accordance with the provisions of chapter 120, upon any one or more of the following grounds as may be applicable:

- (a) Violation of any rule of the department or provision of this chapter.
- (b) Violation of FIFRA or any relevant EPA rule or regulation pertaining to the use of arthropod control pesticides by the licensee.
- (c) Failure to give the department, or any authorized representative thereof, true information upon request regarding methods and materials used, work performed, or other information essential to the administration of this chapter.

(3) The department may, if it finds a violation is of such nature or circumstances that imposition of a fine, or denial, revocation, or suspension of a certification or license or disbursal of state aid would be detrimental to the public or be unnecessarily harsh under the circumstances, in its discretion, place the offending party on probation for a period of not more than 2 years. If the department determines that the terms of such probation have been violated, it may reinstitute license or certification or state aid denial, suspension, or revocation proceedings.

Section 26. Section 388.381, Florida Statutes, is amended to read:

388.381 Cooperation by programs ~~counties and district.~~—Any program conducting county or district carrying on an arthropod control program may cooperate with another county, district, or municipality in carrying out work ~~a program~~ for the control of mosquitoes and other arthropods, by agreement as to the program and reimbursement thereof, when approved by the department.

Section 27. Section 388.391, Florida Statutes, is amended to read:

388.391 Control measures in municipalities and portions of counties located outside boundaries of programs ~~districts~~.—Any program ~~district~~ whose operation is limited to a portion of the county in which it is located may perform any control measures authorized by this chapter in any municipality located in the same county or in any portions of the same county, where there is no established program ~~district~~, when requested to do so by the municipality or county, pursuant to s. 388.381.

Section 28. Section 388.401, Florida Statutes, is amended to read:

388.401 Penalty for damage to property or operations.—Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of any program ~~county or district~~ created under this or other chapters, or any works constructed, maintained, or controlled by such program ~~county or district~~, or who obstructs ~~shall obstruct~~ or causes ~~cause~~ to be obstructed any of the operations of such program ~~county or district~~, or who shall knowingly or willfully violates ~~violate~~ any provisions of this chapter or any rule or regulation promulgated by any board of commissioners of any program, commits ~~county or district shall be guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 29. Paragraph (a) of subsection (2) of section 388.46, Florida Statutes, is amended to read:

388.46 Florida Coordinating Council on Mosquito Control; establishment; membership; organization; responsibilities.—

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

(a) *Membership*.—The Florida Coordinating Council on Mosquito Control shall be composed ~~comprised~~ of the following representatives or their authorized designees:

1. The Secretary of Environmental Protection.
2. The State Surgeon General.
3. The executive director of the Fish and Wildlife Conservation Commission.
4. The state epidemiologist.
5. The Commissioner of Agriculture.
6. The Board of Trustees of the Internal Improvement Trust Fund.
7. Representatives from:
 - a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory.
 - b. The United States Environmental Protection Agency.

c. The United States Department of Agriculture, Center of Medical, Agricultural, and Veterinary Entomology Insects Affecting Man Laboratory.

d. The United States Fish and Wildlife Service.

8. Four ~~Two~~ mosquito control directors to be nominated by the Florida Mosquito Control Association, two representatives of Florida environmental groups, and two private citizens who are property owners whose lands are regularly subject to mosquito control operations, to be appointed to 4-year terms by the Commissioner of Agriculture and serve until his or her successor is appointed.

Section 30. Paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

(d) *Enforcement and verification of basin management action plans and management strategies.*—

1. Basin management action plans are enforceable pursuant to this section and ss. 403.121, 403.141, and 403.161. Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

a. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of water quality monitoring required in lieu of implementation of best management practices or other measures pursuant to sub-subparagraph (b)2.g.;

b. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of nonagricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)1.; and

c. The Department of Agriculture and Consumer Services, in consultation with the water management districts and the department, shall initiate rulemaking to adopt procedures to verify implementation of agricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)2.

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible

person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

3. At least every 2 years, the Department of Agriculture and Consumer Services shall perform onsite inspections of each agricultural producer that enrolls in a best management practice, except those enrolled by rule in subparagraph 4., to ensure that such practice is being properly implemented. Such verification must include a collection and review of the best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2., including, but not limited to, nitrogen and phosphorus fertilizer application records, which must be collected and retained pursuant to subparagraphs (c)3., 4., and 6. The Department of Agriculture and Consumer Services shall initially prioritize the inspection of agricultural producers located in the basin management action plans for Lake Okeechobee, the Indian River Lagoon, the Caloosahatchee River and Estuary, and Silver Springs.

4. The Department of Agriculture and Consumer Services is authorized to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may use in lieu of the best management practices adopted in paragraph (c) and identify best management practices for landowners of parcels which meet the following requirements:

- a. A parcel not more than 25 acres in size;
- b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- c. A parcel with water use not exceeding 100,000 gallons per day on average unless the entire use is met using recycled water from wet detention treatment ponds or reuse water;
- d. A parcel where the agricultural activity on the parcel is not a vegetable crop, an agronomic crop, a nursery, or a dairy operation;
- e. A parcel not abutting an impaired water body identified in subsection (4); and
- f. A parcel not part of a larger operation that is enrolled in the Department of Agriculture and Consumer Services best management practices or conducting water quality monitoring prescribed by the department or a water management district.

Such requirements must specify design or performance criteria that, if applied, would result in compliance with appropriate water quality standards. The Department of Agriculture and Consumer Services is authorized to adopt additional eligibility criteria for landowners or producers to use enrollment by rule and to revoke enrollment by rule.

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of 20 percent for all enrollments that meet the qualifications pursuant to subparagraph 4. by rule within basin management action plan areas, to ensure that practices are being properly implemented. Such inspections must include a collection and review of the identified best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus application records for the previous calendar year, to the Department of Agriculture and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

Section 31. Subsection (19) is added to section 403.852, Florida Statutes, to read:

403.852 Definitions; ss. 403.850-403.864.—As used in ss. 403.850-403.864:

(19) “Water quality additive” means any chemical, additive, or substance that is used in a public water system for the purpose of:

(a) Meeting or surpassing primary or secondary drinking water standards;

(b) Preventing, reducing, or removing contaminants; or

(c) Improving water quality.

Section 32. Subsection (8) is added to section 403.859, Florida Statutes, to read:

403.859 Prohibited acts.—The following acts and the causing thereof are prohibited and are violations of this act:

(8) The use of any additive in a public water system which does not meet the definition of a water quality additive as defined in s. 403.852(19).

Section 33. Subsection (10) of section 482.111, Florida Statutes, is amended to read:

482.111 Pest control operator’s certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect

~~and retain a convenience fee given by the department.~~ The department may not renew a certificate if the continuing education or examination requirement is not met.

(a) Courses or programs, to be considered for credit, must include one or more of the following topics:

1. The law and rules of this state pertaining to pest control.
2. Precautions necessary to safeguard life, health, and property in the conducting of pest control and the application of pesticides.
3. Pests, their habits, recognition of the damage they cause, and identification of them by accepted common name.
4. Current accepted industry practices in the conducting of fumigation, termites and other wood-destroying organisms pest control, lawn and ornamental pest control, and household pest control.
5. How to read labels, a review of current state and federal laws on labeling, and a review of changes in or additions to labels used in pest control.
6. Integrated pest management.

(b) The certificateholder must submit with her or his application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such other information as required by the department.

(c) The department shall charge the same fee for examination as provided in s. 482.141(2).

Section 34. Subsection (1) of section 482.141, Florida Statutes, is amended to read:

482.141 Examinations.—

(1) Each individual seeking certification must satisfactorily pass an examination which must be written but ~~which~~ may include practical demonstration. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee hold at least two examinations each year. An applicant may seek certification in one or more categories.

Section 35. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

482.155 Limited certification for governmental pesticide applicators or private applicators.—

(1)

(b) A person seeking limited certification under this subsection must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee given or approved by the department. Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than \$150 or less than \$50; and a recertification fee of \$25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is \$50. Application for recertification must be accompanied by proof of having completed 4 classroom hours of acceptable continuing education. The limited certificate expires 4 years after the date of issuance. If the certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination. The department shall make available ~~provide~~ the appropriate reference material ~~and make the examination readily accessible and available to all applicants at least quarterly or as necessary in each county.~~

Section 36. Subsection (2) of section 482.156, Florida Statutes, is amended to read:

482.156 Limited certification for commercial landscape maintenance personnel.—

(2)(a) A person seeking limited certification under this section must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee given by the department. Each application for examination must be accompanied by an examination fee set by rule of the department, in an amount of not more than \$150 or less than \$50. Before the department issues a limited certification under this section, each person applying for the certification must furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

(b) The department shall make available ~~provide~~ the appropriate reference materials for the examination and ~~provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee make the examination readily accessible and available to applicants at least quarterly or as necessary in each county.~~

Section 37. Subsection (2) of section 482.157, Florida Statutes, is amended to read:

482.157 Limited certification for commercial wildlife management personnel.—

(2) The department shall issue a limited certificate to an applicant who:

(a) Submits an application and examination fee of at least \$150, but not more than \$300, as prescribed by the department by rule;

(b) ~~Passes an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee administered by the department. The department shall make available provide the appropriate study materials for the examination and make the examination readily available to applicants in each county as necessary, but not less frequently than quarterly; and~~

(c) Provides proof, including a certificate of insurance, that the applicant has met the minimum bodily injury and property damage insurance requirements in s. 482.071(4).

Section 38. Paragraph (m) is added to subsection (1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose a fine against, or deny the application for licensure or licensure renewal of, a licensee, certified operator, limited certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

(m) Issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 39. Subsection (2) of section 487.044, Florida Statutes, is amended to read:

487.044 Certification; examination.—

(2) The department shall require each applicant for a certified applicator's license to demonstrate competence by a written or oral examination in which the applicant must demonstrate adequate knowledge concerning the proper use and application of restricted-use pesticides in each classification for which application for license is made. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee. The examination may be prepared, administered, and evaluated by the department. Each applicant for a certified applicator's license must shall demonstrate minimum competence as to:

- (a) The proper use of the equipment.
- (b) The environmental hazards that may be involved in applying restricted-use pesticides.
- (c) Calculating the concentration of restricted-use pesticides to be used in particular circumstances.
- (d) Identification of common pests to be controlled and the damages caused by such pests.
- (e) Protective clothing and respiratory equipment required during the handling and application of restricted-use pesticides.
- (f) General precautions to be followed in the disposal of containers, as well as the cleaning and decontamination of the equipment which the applicant proposes to use.
- (g) Applicable state and federal pesticide laws, rules, and regulations.
- (h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

(6) Licensure may be suspended, revoked, or denied by the department, upon the issuance of a final order to a licensee imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 41. Present subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and new subsections (13) and (14) are added to that section, to read:

496.404 Definitions.—As used in ss. 496.401-496.424, the term:

(13) “Foreign country of concern” has the same meaning as in s. 286.101(1)(b).

(14) “Foreign source of concern” means any of the following:

(a) The government or any official of the government of a foreign country of concern;

(b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;

(c) A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal

place of business in a foreign country of concern, or a subsidiary of such entity;

(d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent citizen of the United States;

(e) An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a foreign source of concern; or

(f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term “controlling interest” means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

Section 42. Present paragraphs (d) through (g) of subsection (2) of section 496.405, Florida Statutes, are redesignated as paragraphs (f) through (i), respectively, new paragraphs (d) and (e) are added to that subsection, subsection (11) is added to that section, and subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

496.405 Registration statements by charitable organizations and sponsors.—

(1) A charitable organization or sponsor, unless exempted pursuant to s. 496.406, which intends to solicit contributions in or from this state by any means or have funds solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor, or that participates in a charitable sales promotion or sponsor sales promotion, must, before engaging in any of these activities, file an initial registration statement, which includes an attestation statement, and a renewal statement annually thereafter, with the department.

(a) Except as provided in paragraph (b), any changes in the information submitted on the initial registration statement or the last renewal statement must be updated annually on a renewal statement provided by the department on or before the date that marks 1 year after the date the department approved the initial registration statement as provided in this section. The department shall annually provide a renewal statement to each registrant by mail or by electronic mail at least 30 days before the renewal date.

(b) Any changes to the information submitted to the department pursuant to paragraph ~~(2)(f)~~ ~~(2)(d)~~ on the initial registration statement, which includes an attestation statement, or the last renewal statement must be reported to the department on a form prescribed by the department within 10 days after the change occurs.

(c) A charitable organization or sponsor that is required to file an initial registration statement or annual renewal statement may not, before approval of its statement by the department in accordance with subsection (7), solicit contributions or have contributions solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor or participate in a charitable sales promotion or sponsor sales promotion.

(d) The registration of a charitable organization or sponsor may not continue in effect and shall expire without further action of the department under either of the following circumstances:

1. After the date the charitable organization or sponsor should have filed, but failed to file, its renewal statement in accordance with this section.

2. For failure to provide a financial statement within any extension period provided under s. 496.407.

(2) The initial registration statement must be submitted on a form prescribed by the department, signed by an authorized official of the charitable organization or sponsor who shall certify that the registration statement is true and correct, and include the following information or material:

(d) An attestation statement, which must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if engaged in activities that would require registration pursuant to chapter 106, is registered with the Department of State, pursuant to chapter 106.

(e) An attestation statement on a form prescribed by the department, signed by an authorized official of the charitable organization who shall certify and attest that the charitable organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the Department of State pursuant to chapter 106.

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs ~~(2)(f)2.-7.~~ ~~(2)(d)2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department shall process such initial registration statement or annual renewal statement in accordance with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs ~~(2)(f)2.-7.~~ ~~(2)(d)2.-7.~~ until such time as the required information is submitted to the department.

(11) The department may investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

496.415 Prohibited acts.—It is unlawful for any person in connection with the planning, conduct, or execution of any solicitation or charitable or sponsor sales promotion to:

(20) Solicit or accept contributions or anything of value from a foreign source of concern.

(a) For a first violation of this subsection, this prohibited act is considered involuntary, and shall result in no punitive action from the department if the charitable organization satisfies all of the following requirements:

1. Provides the department with a solicitation or contribution form containing an attestation from such foreign source or country of concern in which the person, country, or entity falsely certifies that they are not a foreign country of concern as defined in s. 496.404(13) or a foreign source of concern as defined in s. 496.404(14);

2. Provides the department with a copy of a refund to the foreign source or country of concern within 30 days after notification by the department of the prohibited act; and

3. Provides the department with a plan of action to prevent the acceptance of contributions from a foreign country or source of concern in future solicitation activities by the charitable organization.

(b) A second or subsequent violation of this subsection is considered voluntary, and the charitable organization or sponsor is subject to the penalties specified in s. 496.419(5) at the discretion of the department.

Section 44. Section 496.417, Florida Statutes, is amended to read:

496.417 Criminal penalties.—Except as otherwise provided in ss. 496.401-496.424, and in addition to any administrative or civil penalties, any person who willfully and knowingly violates ss. 496.401-496.424 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For a second or subsequent conviction, such violation constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The department may also investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 45. Subsection (11) is added to section 496.419, Florida Statutes, to read:

496.419 Powers of the department.—

(11) A charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation required pursuant to s. 496.405(2)(d) or (2)(e) is subject to the penalties specified in subsection (5) at the discretion of the department.

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Services Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

(b) That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department's website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(j) "Cottage food product" means food that is not time or temperature controlled for safety or a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

(1)(a) A food permit from the department is required of any person or business that ~~who~~ operates a food establishment, except:

1. Persons or businesses operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, not age restricted, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the person or business minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

3. Persons selling only legumes in the shell, either parched, roasted, or boiled.

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within this state. Such bottles must contain a label listing the producer's name and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, "This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

(b) Each food establishment regulated under this chapter must apply for and receive a food permit before operation begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment as a condition of issuance or renewal of a food permit. Such fees may not exceed \$650 and must be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed \$1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed \$250. The fee for operating a bottled water plant or a packaged ice plant must be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed in accordance with subparagraphs 1.-3. If an application for renewal of a food permit is not received by the department on or before its due date, a late fee not exceeding \$100 must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected must be deposited in the General Inspection Trust Fund.

1. A food permit issued to a new food establishment ~~on or after September 1, 2023,~~ is valid for 1 calendar year after the date of issuance and must be renewed annually on or before that date thereafter.

2. ~~Effective January 1, 2024,~~ A food permit issued before September 1, 2023, expires on the month and day the initial permit was issued to the food establishment and must be renewed annually on or before that date thereafter. The department may charge a prorated permit fee for purposes of this subparagraph.

3. The department may establish a single permit renewal date for multiple food establishments owned by the same entity ~~The owner of 100 or more permitted food establishment locations may elect to set the expiration of food permits for such establishments as December 31 of each calendar year.~~

Section 49. Section 500.166, Florida Statutes, is amended to read:

500.166 Records of interstate shipment.—For the purpose of enforcing this chapter, carriers engaged in interstate commerce and persons receiving food in interstate commerce shall retain all records for 3 years from the date of the record showing the movement in interstate commerce of any food, and the quantity, shipper and consignee thereof and, upon the request by an officer or employee duly designated by the department, permit the officer or employee to have access to and to copy all records showing the movement in interstate commerce of any food, and the quantity, shipper, and consignee thereof.

Section 50. Subsection (1) of section 500.172, Florida Statutes, is amended to read:

500.172 Embargoing, detaining, destroying of food, food processing equipment, or areas that are in violation.—

(1) When the department, or its duly authorized agent who has received appropriate education and training regarding the legal requirements of this chapter, finds or has probable cause to believe that any food, food processing equipment, food processing area, or food storage area is in violation of this chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, mislabeled, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to read:

500.75 Mushroom spores and mycelium; offenses.—It is unlawful to transport or offer to transport, import into this state, sell or offer for sale,

furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. A person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 52. Section 500.93, Florida Statutes, is created to read:

500.93 Mislabeling of plant-based products as milk, meat, or poultry.

(1) As used in this section, the term:

(a) “Egg” or “egg product” has the same meaning as in 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

(b) “FDA” means the United States Food and Drug Administration.

(c) “Meat” has the same meaning as in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act.

(d) “Milk” has the same meaning as in 21 C.F.R. s. 131.110 and the Grade “A” pasteurized milk ordinance.

(e) “Poultry” or “poultry product” has the same meaning as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

(2)(a) In accordance with the established standard of identity for milk defined in 21 C.F.R. s. 131.110 and the Grade “A” pasteurized milk ordinance, the department shall adopt rules to enforce the FDA’s standard of identity for milk, as adopted in state law, to prohibit the sale of plant-based products mislabeled as milk in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as milk that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(3)(a) In accordance with the established standard of identity for meat defined in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act, and both poultry and poultry products defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act, the department shall adopt rules to enforce the FDA’s standard of identity for meat, poultry, and poultry products as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products which is consistent with this section by any 11 of the group of 14 states composed of Alabama,

Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(4)(a) In accordance with the established standard of identity for eggs and egg products as defined in 21 U.S.C. s. 1033 and the Egg Products Inspection Act, the department shall adopt rules to enforce the FDA's standard of identity for eggs and egg products, as adopted in state law, to prohibit the sale of plant-based products mislabeled as egg or egg products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as egg or egg products that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(5) The Department of Agriculture and Consumer Services shall notify the Division of Law Revision upon the enactment into law by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia of the mandatory labeling requirements pursuant to subsections (2) and (3).

(6) The department shall adopt rules to implement this section.

(7) This section may not be construed to limit the department's authority to enforce laws and regulations.

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

501.912 Definitions.—As used in ss. 501.91-501.923:

(1) “Antifreeze” means any substance or preparation, including, but not limited to, coolant, antifreeze-coolant, antifreeze and summer coolant, or summer coolant, that is sold, distributed, or intended for use:

(a) As the cooling liquid, or to be added to the cooling liquid, in the cooling system of ~~internal combustion engines~~ of motor vehicles to prevent freezing of the cooling liquid or to lower its freezing point; or

(b) To raise the boiling point of water, aid in vehicle component cooling, or for the prevention of engine overheating, whether or not the liquid is used as a year-round cooling system fluid.

Section 55. Section 525.19, Florida Statutes, is created to read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum registration program for petroleum owners or operators and shall adopt rules detailing the requirements for such registration that include, at minimum:

- (a) The name of the petroleum owner or operator;
 - (b) The address of the petroleum owner or operator;
 - (c) The phone number of the petroleum owner or operator;
 - (d) The e-mail address of the petroleum owner or operator;
 - (e) Requirements for the transfer switch;
 - (f) Fuel and petroleum infrastructure; and
 - (g) Fuel and petroleum inventory and delivery information.
- (2) The registration program must be free for all registrants.

(3) The department has the authority to require registrants to provide updates related to the status of infrastructure, inventory, and delivery information during a state of emergency as declared by an executive order issued by the Governor.

Section 56. Section 526.147, Florida Statutes, is created to read:

526.147 Florida Retail Fuel Transfer Switch Modernization Grant Program.—

(1)(a) There is created, subject to appropriation, the Florida Retail Fuel Transfer Switch Modernization Grant Program within the Department of Agriculture and Consumer Services.

(b) The grant program shall provide grant funds, not to exceed \$10,000 per retail fuel facility, to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities to allow for the continuity of fueling operations under generated power.

(c) The department shall award funds based upon the following criteria:

1. Up to \$10,000, of costs for transfer switch purchase and installation for retail fuel locations in fiscally constrained counties as designated under s. 218.67(1).

2. Up to \$5,000, of costs for transfer switch purchase and installation for all other retail fuel locations.

(d) Retail fuel facilities which are awarded grant funds must comply with s. 526.143 and must install a transfer switch capable of operating all

fuel pumps, dispensing equipment, life safety systems, and payment acceptance equipment using an alternative generated power source.

(e) Before being awarded funding from the department, retail fuel facilities must provide documentation on transfer switch installation and required generator sizing to the department.

(f) Marinas and fueling facilities with fewer than four fueling positions are excluded from being awarded funding through this program.

(g) Fueling facilities subject to s. 526.143(2) are excluded from being awarded funding through this program.

(2) The department, in consultation with the Division of Emergency Management, shall adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include application deadlines and establish the supporting documentation necessary to be provided to the department.

Section 57. Section 531.48, Florida Statutes, is amended to read:

531.48 Declarations of unit price on random packages.—In addition to the declarations required by s. 531.47, any package being one of a lot containing random weights of the same commodity must ~~and bearing the total selling price of the package shall bear on the outside of the package a~~ plain and conspicuous declaration of the price per single unit of weight and the total retail price of the package, as defined by department rule.

Section 58. Section 531.49, Florida Statutes, is amended to read:

531.49 Advertising packages for sale.—Whenever A packaged commodity is advertised ~~in any manner with the retail price stated, there shall be~~ closely and conspicuously associated with the retail price must have a declaration of quantity as is required by law or rule to appear on the package.

Section 59. Subsection (10) of section 564.06, Florida Statutes, is amended to read:

564.06 Excise taxes on wines and beverages.—

(10) Fifty percent of all revenues collected from the excise taxes imposed by this section on wine produced by manufacturers in this state from products grown in the state must be deposited into the Florida Wine Viticulture Trust Fund established pursuant to s. 599.012.

Section 60. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as subsections (47), (48), and (49), respectively, and new subsections (44), (45), and (46) are added to that section, to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(44)(a) To foster and encourage the employment and retention of qualified veterinary pathologists. The department may reimburse the educational expenses of qualified veterinary pathologists who enter into an agreement with the department to retain employment for a specified period of time.

(b) The department shall adopt rules to administer this subsection.

(45) Subject to appropriation, to extend state and national Future Farmers of America opportunities to any public school student enrolled in agricultural education, at little or no cost to the student or school district, and to support statewide Future Farmers of America programming that helps such students develop their potential for premier leadership, personal growth, and career success.

(46)(a) Notwithstanding ss. 287.042 and 287.057, to use contracts procured by another agency.

(b) As used in this subsection, the term “agency” has the same meaning as provided in s. 287.012.

Section 61. Subsection (2) of section 570.544, Florida Statutes, is amended to read:

570.544 Division of Consumer Services; director; powers; processing of complaints; records.—

(2) The director shall supervise, direct, and coordinate the activities of the division and shall, under the direction of the department, enforce the provisions of ss. 366.94 and ss. 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526, 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

Section 62. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

(a) Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

(c) Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

(2) The department shall prorate any licensing fee for which the term of the license was reduced for the purposes of alignment.

(3) The department shall adopt rules to implement this section.

Section 63. Section 570.694, Florida Statutes, is created to read:

570.694 Florida Aquaculture Foundation.—

(1) The Florida Aquaculture Foundation is established as a direct-support organization within the Department of Agriculture and Consumer Services. The purpose of the foundation is to:

(a) Conduct programs and activities related to the assistance, promotion, and furtherance of aquaculture and aquaculture producers in this state.

(b) Identify and pursue methods to provide statewide resources and materials for these programs.

(2) The foundation shall be governed by s. 570.691.

(3) The department is authorized to appoint an advisory committee adjunct to the foundation pursuant to s. 570.232.

Section 64. Section 570.822, Florida Statutes, is amended to read:

570.822 Agriculture and Aquaculture Producers ~~Emergency~~ Natural Disaster Recovery Loan Program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Bona fide farm operation” means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 or on sovereign submerged land that is leased to the applicant by the department pursuant to s. 597.010 and that produces agricultural products within the definition of agriculture under s. 570.02.

(b) “~~Declared emergency natural disaster~~” means ~~an emergency a natural disaster~~ for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) “Department” means the Department of Agriculture and Consumer Services.

(d) “Essential physical property” means fences; equipment; structural production facilities, such as shade houses and greenhouses; or other agriculture or aquaculture facilities or infrastructure.

(e) “Program” means the Agriculture and Aquaculture Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

(2) USE OF LOAN FUNDS; LOAN TERMS.—

(a) The program is established within the department to make loans to agriculture and aquaculture producers that have experienced damage or destruction from a declared emergency ~~natural disaster~~. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property, or restock aquaculture. A structure or building constructed using loan proceeds must comply with storm-hardening standards for nonresidential farm buildings as defined in s. 604.50(2). The department shall adopt such standards by rule.

(b) The department may make a low-interest or interest-free loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is \$500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

(3) ELIGIBLE APPLICANTS.—To be eligible for the program, an applicant must:

(a) Own or lease a bona fide farm operation that is located in a county named in a declared emergency ~~natural disaster~~ and that was damaged or destroyed as a result of such declared emergency ~~natural disaster~~.

(b) Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.

(4) LOAN APPLICATION AND AGREEMENT.—

(a) Requests for loans must be made by application to the department. Upon a determination that funding for loans is available, the department shall publicly notice an application period for the declared emergency ~~natural disaster~~, beginning within 60 days after the date of the declared emergency ~~natural disaster~~ and running up to 1 year after the date of the declared emergency ~~natural disaster~~ or until all available loan funds are exhausted, whichever occurs first. The application period may be renewed upon a determination from the department and pursuant to an active declared emergency.

(b) An applicant must demonstrate the need for financial assistance and an ability to repay or meet a standard credit rating determined by the department.

(c) Loans must be made pursuant to written agreements specifying the terms and conditions agreed to by the approved applicant and the

department. The loan agreement must specify that the loan is due upon sale if the property or other collateral for the loan is sold.

(d) An approved applicant must agree to stay in production for the duration of the loan. A loan is not assumable.

(5) **LOAN SECURITY REQUIREMENTS.**—All loans must be secured by a lien, subordinate only to any mortgage held by a financial institution as defined in s. 655.005, on property or other collateral as set forth in the loan agreement. The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant. The department shall record the lien in public records in the county where the property is located and, in the case of personal property, perfect the security interest by filing appropriate Uniform Commercial Code forms with the Florida Secured Transaction Registry as required pursuant to chapter 679.

(6) **LOAN REPAYMENT.**—

(a) A loan is due and payable in accordance with the terms of the loan agreement.

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

(c) An approved applicant may make payments on the loan at any time without penalty. Early repayment is encouraged as other funding sources or revenues become available to the approved applicant.

(d) All repayments of principal and interest, if applicable, received by the department in a fiscal year must be returned to the loan fund and made available for loans to other applicants in the next application period.

(e) The department may periodically review an approved applicant to determine whether he or she continues to be in compliance with the terms of the loan agreement. If the department finds that an applicant is no longer in production or has otherwise violated the loan agreement, the department may seek repayment of the full original principal balance outstanding, including any interest or costs, as applicable, and excluding any applied or anticipated original principal balance reductions.

(f) The department may defer or waive loan payments if at any time during the repayment period of a loan, the approved applicant experiences a

significant hardship such as crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

(a) The following information held by the department pursuant to its administration of the program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. Tax returns.
2. Credit history information, credit reports, and credit scores.

(b) This subsection does not prohibit the disclosure of information held by the department pursuant to its administration of the program in an aggregated and anonymized format.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

(9) RULES.—The department shall adopt rules to implement this section.

(10) **REPORTS.**—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

(11) **SUNSET.**—This section expires July 1, 2043, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 65. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Bona fide farm operation” means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 that produces agricultural products within the definition of agriculture under s. 570.02.

(b) “Declared emergency” means an emergency for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) “Department” means the Department of Agriculture and Consumer Services.

(d) “Program” means the silviculture emergency recovery program.

(2) USE OF GRANT FUNDS; GRANT TERMS.—

(a) The silviculture emergency recovery program is established within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency. Grants provided to eligible timber landowners must be used for:

1. Timber stand restoration, including downed tree removal on land which will retain the existing trees on site which are lightly or completely undamaged;

2. Site preparation, and tree replanting; or

3. Road and trail clearing on private timber lands to provide emergency access and facilitate salvage operations.

(b) Only timber land located on lands classified as agricultural lands under s. 193.461 are eligible for the program.

(c) The department shall coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners

have access to the maximum financial assistance available following a specified declared emergency. The coordination must endeavor to ensure that there is no duplication of financial assistance between these funds and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which would render the approved applicant ineligible for other financial assistance.

(d) The department is authorized to adopt rules to implement this section, including emergency rules. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 66. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the market position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

Section 67. Subsections (2) and (5) of section 581.1843, Florida Statutes, are amended to read:

581.1843 Citrus nursery stock propagation and production and the establishment of regulated areas around citrus nurseries.—

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department and that is ~~not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered.~~ However, the nursery shall be required to propagate citrus within a protective structure approved by the department. Effective January 1, 2008, it is ~~shall be~~ unlawful to distribute any citrus nursery stock that was not produced in a protective structure approved by the department.

(5) ~~The department shall establish regulated areas around the perimeter of commercial citrus nurseries that were established on sites after April 1, 2006, not to exceed a radius of 1 mile. The planting of citrus in an established regulated area is prohibited. The planting of citrus within a 1-mile radius of commercial citrus nurseries that were established on sites prior to April 1, 2006, must be approved by the department. Citrus plants planted within a~~

regulated area prior to the establishment of the regulated area may remain in the regulated area unless the department determines the citrus plants to be infected or infested with citrus canker or citrus greening. The department shall require the removal of infected or infested citrus, nonapproved planted citrus, and citrus that has sprouted by natural means in regulated areas. The property owner shall be responsible for the removal of citrus planted without proper approval. Notice of the removal of citrus trees, by immediate final order of the department, shall be provided to the owner of the property on which the trees are located. ~~An immediate final order issued by the department under this section shall notify the property owner that the citrus trees, which are the subject of the immediate final order, must be removed and destroyed unless the property owner, no later than 10 days after delivery of the immediate final order, requests and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.~~

Section 68. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

Section 69. Subsection (11) of section 595.404, Florida Statutes, is amended to read:

595.404 School food and other nutrition programs; powers and duties of the department.—The department has the following powers and duties:

(11) To adopt and implement an appeal process by rule, as required by federal regulations, for applicants and participants under the programs implemented pursuant to this chapter, notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ss. 120.569 and 120.57-120.595.

Section 70. Section 599.002, Florida Statutes, is amended to read:

599.002 Florida Wine Viticulture Advisory Council.—

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine Viticulture Advisory Council, to be composed ~~consist~~ of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural Sciences; a representative from the viticultural science program at Florida Agricultural and Mechanical University; and five additional commercial members, to be appointed for a 2-year term each by the Commissioner of Agriculture, including a wine producer, a fresh fruit producer, a nonwine product (juice, jelly, pie fillings, etc.) producer, and a viticultural nursery operator.

(2) The meetings, powers and duties, procedures, and recordkeeping of the Florida Wine Viticulture Advisory Council shall be pursuant to s. 570.232.

(3) The primary responsibilities of the Florida Wine Viticulture Advisory Council are to submit to the Commissioner of Agriculture, annually, the industry's recommendations for wine and viticultural research, promotion, and education and, as necessary, the industry's recommendations for revisions to the State Wine Viticulture Plan.

Section 71. Section 599.003, Florida Statutes, is amended to read:

599.003 State Wine Viticulture Plan.—

(1) The Commissioner of Agriculture, in consultation with the Florida Wine Viticulture Advisory Council, shall develop and coordinate the implementation of the State Wine Viticulture Plan, which shall identify problems and constraints of the wine and viticulture industry, propose possible solutions to those problems, and develop planning mechanisms for the orderly growth of the industry, including:

(a) Criteria for wine and viticultural research, service, and management priorities.

(b) Additional proposed legislation that may be required.

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University and the University of Florida in their efforts to address current and future needs of the industry.

(d) The potential for viticulture products in terms of market and needs for development.

(e) Evaluation of wine policy alternatives, including, but not limited to, continued improvement in wine quality, blending considerations, promotion and advertising, labeling and vineyard designations, and development of production and marketing strategies.

(f) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.

(g) Evaluation of policy alternatives for nonwine processed products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.

(h) Research and service priorities for further development of the wine and viticulture industry.

(i) The identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to wine and viticultural development and the delineation of contributions and responsibilities.

(j) Business planning, investment potential, financial risks, and economics of production and utilization.

(2) A revision and update of the State Wine Viticulture Plan must shall be submitted biennially to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request must shall be submitted annually.

Section 72. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

599.004 Florida Farm Winery Program; registration; logo; fees.—

(2)(a) The department, in coordination with the Florida Wine Viticulture Advisory Council, shall develop and designate by rule a Florida Farm Winery logo, emblem, and directional sign to guide the public to certified Florida Farm Wineries ~~Winery~~ tourist attractions. The logo and emblem of certified Florida Farm Winery signs must shall be uniform.

(d) Wineries that fail to recertify annually or pay the licensing fee required in paragraph (c) are subject to having the signs referenced in paragraph (b) removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

(3) All fees collected, except as otherwise provided by this section, shall be deposited into the Florida Wine Viticulture Trust Fund and used to develop consumer information on the native characteristics and proper use of wines.

Section 73. Section 599.012, Florida Statutes, is amended to read:

599.012 Florida Wine Viticulture Trust Fund; creation.—

(1) There is established the Florida Wine Viticulture Trust Fund within the Department of Agriculture and Consumer Services. The department shall use the moneys deposited in the trust fund pursuant to subsection (2) to do all the following:

(a) Develop and coordinate the implementation of the State Viticulture Plan.

(b) Promote viticulture products manufactured from products grown in the state.

(c) Provide grants for viticultural research.

(2) Fifty percent of the revenues collected from the excise taxes imposed under s. 564.06 on wine produced by manufacturers in this state from products grown in the state will be deposited in the Florida Wine Viticulture Trust Fund in accordance with that section.

Section 74. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

616.12 Licenses upon certain shows; distribution of fees; exemptions.

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law. However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession is exempt.

Section 75. Section 687.16, Florida Statutes, is created to read:

687.16 Florida Farmer Financial Protection Act.—

(1) SHORT TITLE.—This section may be cited as the “Florida Farmer Financial Protection Act.”

(2) DEFINITIONS.—As used in this section, the term:

(a) “Agriculture producer” means a person or company authorized to do business in this state and engaged in the production of goods derived from plants or animals, including, but not limited to, the growing of crops, silviculture, animal husbandry, or the production of livestock or dairy products.

(b) “Agritourism activity” has the same meaning as provided in s. 570.86.

(c) “Commissioner” means the Commissioner of Agriculture.

(d) “Company” means a for-profit organization, association, corporation, partnership, joint venture, sole proprietorship, limited partnership, limited liability partnership, or limited liability company, including a wholly owned

subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations authorized to do business in this state.

(e) “Denies or restricts” means refusing to provide services, terminating existing services, or restricting or burdening the scope or nature of services offered or provided.

(f) “Discriminate in the provision of financial services” means to deny or restrict services and thereby decline to provide financial services.

(g) “ESG factor” means any factor or consideration that is collateral to or not reasonably likely to affect or impact financial risk and includes the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes, which may include the agriculture producer’s greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

(h) “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

(i) “Financial institution” means a company defined under s. 655.005(1)(h) and (i), which has total assets of more than \$100 million. A financial institution includes any affiliate as defined in s. 655.005(1)(a) or subsidiary company as defined in s. 655.005(1)(x), even if such affiliate or subsidiary company is also a financial institution.

(j) “Financial service” means any product or service that is of a financial nature and is offered by a financial institution.

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.

(a) A financial institution may not discriminate in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.

(b) If a financial institution has made any ESG commitment related to agriculture, there is an inference that the institution’s denial or restriction of a financial service to an agriculture producer violates paragraph (a).

(c) A financial institution may overcome the inference in paragraph (b) by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

(4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney General, in consultation with the Office of Financial Regulation, is authorized to enforce subsection (3). Any violation of subsection (3) constitutes an unfair trade practice under part II of chapter 501 and the Attorney General is authorized to investigate and seek remedies as provided in general law. Actions for damages may be sought by an aggrieved party.

Section 76. Paragraph (a) of subsection (3) of section 741.0305, Florida Statutes, is amended to read:

741.0305 Marriage fee reduction for completion of premarital preparation course.—

(3)(a) All individuals electing to participate in a premarital preparation course shall choose from the following list of qualified instructors:

1. A psychologist licensed under chapter 490.
2. A clinical social worker licensed under chapter 491.
3. A marriage and family therapist licensed under chapter 491.
4. A mental health counselor licensed under chapter 491.
5. An official representative of a religious institution which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the representative has relevant training.
6. Any other provider designated by a judicial circuit, including, but not limited to, school counselors who are certified to offer such courses. Each judicial circuit may establish a roster of area course providers, including those who offer the course on a sliding fee scale or for free.

Section 77. Paragraph (h) of subsection (2), subsection (3), paragraph (c) of subsection (6), and subsection (10) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or concealed firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;
2. Completion of any National Rifle Association firearms safety or training course;
3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or United States military service;

6. Is licensed or has been licensed to carry a concealed weapon or concealed firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. A person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement and ~~subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. If the criminal case or injunction results in a nondisqualifying

disposition and the applicant or licensee is otherwise eligible, the suspension shall end. The department must issue an order confirming the end of the suspension within 90 days after the applicant or licensee's submission to the department of a copy of the final resolution of the criminal case or injunction. The copy provided to the department must be sent through electronic or certified mail to a location that shall be specified on the notice of suspension received by the licensee or applicant. If the criminal case or injunction results in a disqualifying disposition, the suspension must remain in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

(b) This subsection may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The Legislature finds it a matter of public policy and public safety that it is necessary to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner by the department pursuant to this section. The Legislature intends to clarify that suspensions pursuant to this section are temporary, and the department has the duty to make an eligibility determination and issue a license in the time frame prescribed in this subsection.

(6)

(c) The Department of Agriculture and Consumer Services shall, within 90 days after the date of receipt of the items listed in subsection (5):

1. Issue the license; or

2. Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsection (2) or subsection (3). If the Department of Agriculture and Consumer Services denies the application, it shall notify the applicant in writing, stating the ground for denial and informing the applicant of any right to a hearing pursuant to chapter 120.

3. In the event the result of the criminal history screening identifies department receives criminal history information related to a crime that may disqualify the applicant but does not contain with no final disposition of the crime or lacks sufficient information to make an eligibility determination on a crime which may disqualify the applicant, the time limitation prescribed by this paragraph may be extended for up to an additional 45 days after the receipt of the information suspended until receipt of the final disposition or proof of restoration of civil and firearm rights. The department may make a request for information to the jurisdiction where the criminal history information originated but must issue a license if it does not obtain a disposition or sufficient information to make an eligibility determination within the additional 45 days if the applicant is otherwise eligible. The department may take any action authorized in this section if it receives disqualifying criminal history information during the additional 45-day review period or after issuance of a license.

(10) A license issued under this section must ~~shall~~ be temporarily suspended as provided for in subparagraph (6)(c)3., or revoked pursuant to chapter 120 if the license was issued in error or if the licensee:

- (a) Is found to be ineligible under the criteria set forth in subsection (2);
- (b) Develops or sustains a physical infirmity which prevents the safe handling of a weapon or firearm;
- (c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;
- (d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;
- (e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar laws of any other state;
- (f) Is convicted of a second violation of s. 316.193, or a similar law of another state, within 3 years after a first conviction of such section or similar law of another state, even though the first violation may have occurred before the date on which the application was submitted;
- (g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or
- (h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

Section 78. Subsection (2) of section 812.0151, Florida Statutes, is amended to read:

812.0151 Retail fuel theft.—

(2)(a) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Breaches a retail fuel dispenser or accesses any internal portion of a retail fuel dispenser; or

2. Possesses any device constructed for the purpose of fraudulently altering, manipulating, or interrupting the normal functioning of a retail fuel dispenser.

(b) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, knowingly, and without authorization:

1. Physically tampers with, manipulates, removes, replaces, or interrupts any mechanical or electronic component located on within the internal or external portion of a retail fuel dispenser; or

2. Uses any form of electronic communication to fraudulently alter, manipulate, or interrupt the normal functioning of a retail fuel dispenser.

(c) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

1. Obtains fuel as a result of violating paragraph (a) or paragraph (b); ~~or~~

2. Modifies a vehicle's factory installed fuel tank or possesses any item used to hold fuel which was not fitted to a vehicle or conveyance at the time of manufacture with the intent to use such fuel tank or item to hold or transport fuel obtained as a result of violating paragraph (a) or paragraph (b); or

3. Possesses or uses any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card with a magnetic stripe or a chip encoded with account information or both, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

Section 79. Section 812.136, Florida Statutes, is created to read:

812.136 Mail theft.—

(1) As used in this section, unless the context otherwise requires:

(a) "Mail" means any letter, postal card, parcel, envelope, package, bag, or any other sealed article addressed to another, along with its contents.

(b) "Mail depository" means a mail box, letter box, mail route, or mail receptacle of a postal service, an office of a postal service, or mail carrier of a postal service, or a vehicle of a postal service or any other authorized receptacle.

(c) "Postal service" means the United States Postal Service or its contractors, or any commercial courier that delivers mail.

(2) Any of the following acts constitutes mail theft:

(a) Knowingly removing mail from a mail depository or taking mail from a mail carrier of a postal service with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of his or her right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of such mail.

(b) Knowingly obtaining custody of mail by fraud or deception with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of his or her right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of the mail.

(c) Selling, receiving, possessing, transferring, buying, or concealing mail in violation of paragraph (a) or paragraph (b) of this subsection, while knowing or having reason to know the mail was obtained illegally.

(3) Any of the following constitutes theft of or unauthorized reproduction of a mail depository key or lock:

(a) Knowingly obtaining or using, or endeavoring to obtain or use, any key or lock used by a postal service for a mail depository with the intent to either temporarily or permanently:

1. Deprive the owner of such key or lock of his or her right to such key or lock.

2. Appropriate the key or lock to his or her own use or the use of any person not entitled to the use of such key or lock.

(b) Knowingly and unlawfully making, forging, or counterfeiting any such key or possessing any such key or lock adopted by a postal service with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or otherwise disposed.

(c) Selling, receiving, possessing, transferring, buying, or concealing a key or lock obtained in violation of paragraph (a) or paragraph (b) while knowing or having reason to know such key or lock was obtained illegally.

(4)(a) Except as provided in paragraph (b), a violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A second or subsequent violation of this section is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.084.

Section 80. Paragraph (i) of subsection (4) of section 934.50, Florida Statutes, is amended, and a new paragraph (q) is added to that subsection, to read:

934.50 Searches and seizure using a drone.—

(4) EXCEPTIONS.—This section does not prohibit the use of a drone:

~~(i) By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.~~

(q) By a local governmental entity, or a person under contract with or acting under the direction of such entity, for the purpose of managing and eradicating plant or animal diseases or activities consistent with chapters 369, 388, and 487.

Section 81. Section 1013.373, Florida Statutes, is created to read:

1013.373 Educational facilities used for agricultural education.—

(1) Notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animal or equipment therein.

(2) Lands used for agricultural education or for Future Farmers of America or 4-H activities are considered agricultural lands pursuant to s. 193.461 and subject to s. 823.14.

Section 82. For the purpose of incorporating the amendment made by this act to section 110.205, Florida Statutes, in a reference thereto,

paragraph (a) of subsection (5) of section 295.07, Florida Statutes, is reenacted to read:

295.07 Preference in appointment and retention.—

(5) The following positions are exempt from this section:

(a) Those positions that are exempt from the state Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the Florida College System and the School for the Deaf and the Blind, or the equivalent of such positions at state universities, Florida College System institutions, or the School for the Deaf and the Blind, are not exempt.

Section 83. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. 189.067, that the district has failed to file any of the reports listed in s. 189.066;

5. The district has not had a registered office and agent on file with the department for 1 or more years;

6. The governing body of a special district provides documentation to the department that it has unanimously adopted a resolution declaring the

special district inactive. The special district is responsible for payment of any expenses associated with its dissolution;

7. The district is an independent special district or a community redevelopment district created under part III of chapter 163 that has reported no revenue, no expenditures, and no debt under s. 189.016(9) or s. 218.32 for at least 5 consecutive fiscal years beginning no earlier than October 1, 2018. This subparagraph does not apply to a community development district established under chapter 190 or to any independent special district operating pursuant to a special act that provides that any amendment to chapter 190 to grant additional powers constitutes a power of that district; or

8. For a mosquito control district created pursuant to chapter 388, the department has received notice from the Department of Agriculture and Consumer Services that the district has failed to file a tentative work plan and tentative detailed work plan budget as required by s. 388.271.

Section 84. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 482.072, Florida Statutes, is reenacted to read:

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

1. A customer contact center licensee is subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center.

2. A pest control business licensee may be subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center operated by a licensee if the licensee participates in the violation.

Section 85. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, section 482.163, Florida Statutes, is reenacted to read:

482.163 Responsibility for pest control activities of employee.—Proper performance of pest control activities by a pest control business employee is the responsibility not only of the employee but also of the certified operator in charge, and the certified operator in charge may be disciplined pursuant to the provisions of s. 482.161 for the pest control activities of an employee. A licensee may not automatically be considered responsible for violations

made by an employee. However, the licensee may not knowingly encourage, aid, or abet violations of this chapter.

Section 86. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a reference thereto, section 487.156, Florida Statutes, is reenacted to read:

487.156 Governmental agencies.—All governmental agencies shall be subject to the provisions of this part and rules adopted under this part. Public applicators using or supervising the use of restricted-use pesticides shall be subject to examination as provided in s. 487.044.

Section 87. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

(2) The board of directors, or an authorized committee thereof, of a charitable organization or sponsor required to register with the department under s. 496.405 shall adopt a policy regarding conflict of interest transactions. The policy shall require annual certification of compliance with the policy by all directors, officers, and trustees of the charitable organization. A copy of the annual certification shall be submitted to the department with the annual registration statement required by s. 496.405.

Section 88. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in references thereto, subsections (2) and (4) of section 496.406, Florida Statutes, are reenacted to read:

496.406 Exemption from registration.—

(2) Before soliciting contributions, a charitable organization or sponsor claiming to be exempt from the registration requirements of s. 496.405 under paragraph (1)(d) must submit annually to the department, on forms prescribed by the department:

(a) The name, street address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose or purposes for which the contributions to be solicited will be used.

(b) The tax exempt status of the organization.

(c) The date on which the organization's fiscal year ends.

(d) The names, street addresses, and telephone numbers of the individuals or officers who have final responsibility for the custody of the contributions and who will be responsible for the final distribution of the contributions.

(e) A financial statement of support, revenue, and expenses and a statement of functional expenses that must include, but not be limited to, expenses in the following categories: program, management and general, and fundraising. In lieu of the financial statement, a charitable organization or sponsor may submit a copy of its Internal Revenue Service Form 990 and all attached schedules or Internal Revenue Service Form 990-EZ and Schedule O.

(4) Exemption from the registration requirements of s. 496.405 does not limit the applicability of other provisions of this section to a charitable organization or sponsor.

Section 89. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

(1)(a) A cottage food operation must comply with the applicable requirements of this chapter but is exempt from the permitting requirements of s. 500.12 if the cottage food operation complies with this section and has annual gross sales of cottage food products that do not exceed \$250,000.

Section 90. For the purpose of incorporating the amendment made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

(6) If the department determines that a food offered in a food establishment is labeled with nutrient claims that are in violation of this chapter, the department shall retest or reexamine the product within 90 days after notification to the manufacturer and to the firm at which the product was collected. If the product is again found in violation, the department shall test or examine the product for a third time within 60 days after the second notification. The product manufacturer shall reimburse the department for the cost of the third test or examination. If the product is found in violation for a third time, the department shall exercise its authority under s. 500.172 and issue a stop-sale or stop-use order. The department may impose additional sanctions for violations of this subsection.

Section 91. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must comply with the provisions of s.

790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 92. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

Approved by the Governor May 15, 2025.

Filed in Office Secretary of State May 15, 2025.



Village of Palm Springs

Staff Report

AGENDA DATE: August 12, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #6: Ordinance No.2025-XX - Village Code Amendment - Section 14-61. - Hours of Operation of Establishments where served and Section 34-891. - Hours of Operation and Hours of Construction Activity

SUMMARY: Planning, Zoning, & Building staff are requesting a housekeeping amendment to the Village Code - Chapter 14 - Businesses, Article III. - Alcohol Beverages, Section 14-61. - Hours of operation of establishments where served, and amendments to Chapter 34 - Land Development, Article VI. - Land Use, Division 7. - Supplemental District Regulations, Sec. 34-891. - Hours of operation and hours of construction activity, to clarify existing provisions for dispensing and selling alcoholic beverages according to Florida Statutes. Clarification is needed to ensure that the hours of operation for establishments dispensing and selling alcoholic beverages are clear for both on-premise and off-premise consumption.

Additionally, there is a desire to allow for full-service or gas stations (with or without convenience stores) to have regular hours of operation from 6:00 a.m. to midnight and to be able to apply for an administrative variance to the Village Council to allow an extension of those regular hours of operation.

Note: Provisions in Section 34-891 regarding hours of operation for selling alcoholic beverages for off-premises consumption are to be removed and transferred to Section 14-61, so all regulations for alcoholic beverages are in one section.

Hours of operation for establishments dispensing and selling alcoholic beverages can be summarized as follows:

All establishments wherein alcoholic beverages are dispensed for on-premises consumption	7:00 a.m. – 2:00 a.m. Sunday does not commence until 12 noon	If located within 250 feet of a residential district 7:00 a.m. – 11:00 p.m.
Restaurants	As late as 11:00 p.m.	
Package liquor stores for consumption off-premises	7:00 a.m. – 2:00 a.m.	
All establishments (except for package liquor stores) wherein alcoholic beverages are sold for off-premises consumption	7:00 a.m. - 11:00 p.m.	Administrative variance can be approved to extend its hours from 11:00 pm to midnight.
A fuel station or gas station, with or without a convenience store,	6:00 a.m. - midnight	Administrative variance can be approved to extend the hours; however, such extended

legally existing within the village
as of October 1, 2025.

All new fuel stations or gas
stations with or without a
convenience store, not legally
existing within the village as of
October 1, 2025.

6:00 a.m. - midnight

hours should not include selling
alcoholic beverages.

Variance requires council
approval

The proposed ordinance was prepared by the Village Attorney and reviewed by the Planning, Zoning & Building Director and by the Chief.

FISCAL IMPACT:

Amending the Land Development Regulations does not have a fiscal impact on the Village.

ATTACHMENTS:

1. Ordinance 2025-06 - Hours of Operation and Serving Alcoholic Beverages

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, PROVIDING FOR CODIFICATION, CONFLICTING ORDINANCES, AMENDING CHAPTER 14, "BUSINESSES", ARTICLE III, "ALCOHOLIC BEVERAGES", SECTION 14-61, "HOURS OF OPERATION OF ESTABLISHMENTS WHERE SERVED", TO CLARIFY EXISTING PROVISIONS FOR DISPENSING AND SELLING ALCOHOLIC BEVERAGES; AMENDING CHAPTER 34, ARTICLE VI, "LAND USE", DIVISION 7, "SUPPLEMENTAL DISTRICT REGULATIONS", SECTION 34-891, "HOURS OF OPERATION AND HOURS OF CONSTRUCTION ACTIVITY" TO ALLOW FOR EXTENDED HOURS OF OPERATION BY FUEL STATIONS AND GAS STATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2(b), Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the Village Council has all powers of local self-government to perform municipal functions and to exercise its police power to protect the general health, safety, and welfare of the public in a manner not inconsistent with law, and such power may be exercised by the enactment of Village ordinances; and

WHEREAS, except where granted a variance by Village Council, all commercial establishments are limited to hours of operation from 7:00 a.m. to 11:00 p.m. including restaurants; and

WHEREAS, section 14-61 of the Village Code of Ordinances, sets forth the hours for dispensing alcoholic beverages for on premise consumption and the sale of alcoholic beverages by package liquor stores for off-premise consumption; and

WHEREAS, section 34-891 of the Village Code of Ordinances, authorizes establishments selling alcohol for off-premise consumption to sell until 12 midnight (by reference to section 562.14, Florida Statutes); and

WHEREAS, clarification is needed in section 14-61 to ensure that the hours of operation for establishments dispensing and selling alcoholic beverages is clear for both on premise and off-premise consumption in one code section; and

WHEREAS, to assist in clarifying section 14-61, provisions in section 34-891 regarding hours of operation for selling alcoholic beverages for off-premises consumption should be removed; and

WHEREAS, the Village also desires to allow for full-service fuel-stations or gas stations (with or without convenience stores) to have regular hours of operation from 6:00 a.m. to 12:00 a.m. (midnight) and to be able to apply for an administrative variance or to the Village Council to allow an extension of those regular hours of operation; and

WHEREAS, the Village Council has determined that making the clarifications and

amendments to sections 14-61 and 34-891 as stated herein will assist in better understanding of the Village's hours of operations and hours for serving alcohol within the Village of Palm Springs; and

WHEREAS, the Village Council has determined that extending the hours of operation and allowing for variances for certain hours of operations as stated herein will assist in creating a more efficient process for the stated establishments; and,

WHEREAS, the Village Council has determined that it is in the public interest to adopt this Ordinance which will serve a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Recitals. The foregoing recitals are incorporated herein as true and correct findings and statements of the Village Council of the Village of Palm Springs.

Section 2. Chapter 14, "Businesses", Article III, "Alcoholic Beverages", Section 14-61, "Hours of Operation of Establishments where Served", is amended as follows (words stricken are deletions; words underlined are additions):

14-61. Hours of operation for dispensing or selling alcoholic beverages of establishments where served.

- (a) Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.
- (b) Establishments within the village designated as restaurants which serve alcoholic beverages, with or without a lounge, may remain open for business as late as 11:00 p.m. after which all restaurants serving alcoholic beverages within the village must close.
- (c) Package liquor stores, where at least 51 percent of the gross revenue is derived from the sale of alcoholic beverages sold only in sealed containers for consumption off-premises, shall be permitted to remain open for the sale of alcoholic beverages (off-premises consumption only) from 7:00 a.m. to 2:00 a.m.
- (d) Establishments wherein alcoholic beverages are dispensed for on premise consumption, which are located within 250 feet of a residential district, shall not continue business activities later than 11:00 p.m. daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the establishment.

- (e) Except for package liquor stores, all establishments within the village wherein alcoholic beverages are sold for off-premises consumption shall be restricted in the hours in which such alcoholic beverages are sold to between the hours of 7:00 a.m. and 11:00 p.m. each day. However, any establishment wherein alcoholic beverages are sold for off-premises consumption may apply for an administrative approval by the land development director to extend its hours of operation and for such off-premises consumption sales from 11:00 p.m. to midnight. Such administrative approval application shall be considered consistent with the requirements set forth in section 34-606.
- (f) Any establishment wherein alcoholic beverages are dispensed for on premise consumption or are sold for off-premise consumption desiring to dispense or sell alcoholic beverages ~~operate later than these specified times herein~~ may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (g) All establishments existing upon September 11, 2014 with effective business tax receipts from the village and alcoholic beverage licenses from the State of Florida, may continue to operate pursuant to the former hours of operation; however, upon closure of the establishment, change or transfer in ownership, change in the business name, and/or any change in a business tax receipt, all establishments shall comply with the hours of operation established herein. All existing establishments effectively annexed into the village limits after September 11, 2014 shall comply with the hours of operation established herein.

Section 3. Chapter 34, "Land Development", Article VI, "Land Use", Division 7, "Supplemental District Regulations", section 34-891, "Hours of Operation and Hours of Construction Activity", is amended as follows (words ~~stricken~~ are deletions; words underlined are additions):

34-891. Hours of operation and hours of construction activity.

The following shall apply to hours of operation and hours of construction activity:

- (1) Except as provided herein and elsewhere in this code, nNo commercial use shall commence business activities prior to 7:00 a.m., nor continue such activities later than 11:00 p.m. Outside delivery to such commercial activities shall not commence prior to 8:00 a.m. or continue later than 9:00 p.m.
- (2) Any commercial business activity desiring to operate prior to 7:00 a.m. or later than 11:00 p.m. may apply in writing for a hearing before the village council, setting forth the desired hours of operation and the reasons for deviations from the provisions of subsection (1) of this section. The village council, in its discretion, may vary the hours from those set forth in subsection (1) of this section.
- (3) Hours for an establishment to dispense or sell alcoholic beverages for the ~~Such restrictions shall not apply to lounges, bars, package stores, restaurants~~

~~or clubs in which alcoholic beverages are served. The hours of operation for such establishments shall be as set forth in section 14-61. Hours of package retail sales of alcoholic beverages for off-premises consumption shall be governed by F.S. ch. 562, unless specifically approved for an hours of operation variance by the village council that includes sales of alcoholic beverages.~~

- (4) Full-service fuel station or gas station with or without a convenience store legally existing within the village as of October 1, 2025 may operate from 6:00 a.m. to 12:00 midnight each day. Such full-service fuel station or gas station with or without convenience store may apply to have these hours of operation extended by seeking an administrative approval from the land development director to extend the hours of operation; however, such extended hours shall not include selling alcoholic beverages unless such sales are extended consistent with section 14-61. Such administrative approval application shall be considered consistent with the requirements set forth in section 34-606.
- (5) All new full-service fuel station or gas station with or without convenience store not legally existing within the village as of October 1, 2025 may operate from 6:00 a.m. to 12:00 midnight each day. All new full-service fuel station or gas station with or without convenience store not legally existing within the village as of October 1, 2025 may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (6) No construction activity shall commence prior to 7:00 a.m., nor continue later than 6:00 p.m. Monday through Friday. Saturdays no construction activity shall commence prior to 9:00 a.m., nor continue later than 5:00 p.m. No construction activity shall occur on Sundays. The land development director, at his or her discretion, may vary these hours upon written request which sets forth the desired hours of construction activity and the reasons for the requested deviation.

Section 4. Codification. This Ordinance shall be codified in the Village Code of Ordinances with the repealed sections in this Ordinance deleted from the Code and the added sections/language in this Ordinance included in the Code, which may all be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

Section 5. Repeal of Conflicting Ordinances. All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective upon adoption.

Council Member _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
KIMBERLY SCHMITZ, VICE MAYOR	☐	☐	☐
GARY READY, MAYOR PRO TEM	☐	☐	☐
_____, COUNCIL MEMBER	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, on this day of _____ day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
CHRISTY GODDEAU, VILLAGE ATTORNEY