

By the Committees on Fiscal Policy; and Agriculture; and Senator Truenow

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A bill to be entitled

An act relating to the Department of Agriculture and Consumer Services; creating s. 125.489, F.S.; defining the terms "gasoline-powered farm equipment" and "gasoline-powered landscape equipment"; prohibiting counties from enacting or enforcing any law that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment or that distinguishes such equipment from any other equipment under certain circumstances; providing construction; amending s. 163.3164, F.S.; defining the terms "ecologically significant parcel" and "low-density municipality"; amending s. 163.3202, F.S.; prohibiting an application for a development on an ecologically significant parcel in a low-density municipality from being administratively approved without an attestation provided by the developer; specifying requirements for such attestation; providing applicability; specifying requirements for the attestation included in certain applications; providing for a waiver; creating s. 166.063, F.S.; defining the terms "gasoline-powered farm equipment" and "gasoline-powered landscape equipment"; prohibiting municipalities from enacting or enforcing any law that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment or that distinguishes such equipment from any other equipment under certain circumstances; providing construction; amending s.

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212.055, F.S.; conforming a cross-reference; making a technical change; amending s. 253.0341, F.S.; requiring the Acquisition and Restoration Council to determine whether certain surplus lands are suitable for bona fide agricultural purposes; prohibiting a local governmental entity from transferring future development rights for surplus lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, to determine whether certain state-owned conservation lands are suitable for bona fide agricultural purposes; authorizing the Department of Environmental Protection to surplus certain state-owned lands determined to be suitable for bona fide agricultural purposes; requiring the Department of Environmental Protection to retain a rural-lands-protection easement for such surplus lands; requiring that all proceeds from the sale of such surplus lands be deposited in the Department of Agriculture and Consumer Services' Incidental Trust Fund for less than fee simple; requiring the Department of Environmental Protection to annually provide a report of such surplus lands to the Board of Trustees of the Internal Improvement Trust Fund; prohibiting certain lands from being surplus; amending s. 259.1053, F.S.; deleting provisions relating to the Babcock Ranch Advisory Group; amending s. 287.1351, F.S.; revising circumstances under which

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a vendor is prohibited from submitting a bid,
proposal, or reply to an agency or from entering into
or renewing any contract to provide goods or services
to an agency; amending s. 322.12, F.S.; providing
penalties for an applicant for a commercial driver
license who receives unauthorized assistance on
certain portions of the examination; amending s.
322.36, F.S.; prohibiting a person from knowingly or
willfully providing unauthorized assistance to an
applicant for the examination required to hold a
commercial driver license; repealing ss. 377.71,
377.711, and 377.712, F.S., relating to definitions
and the Southern States Energy Compact, Florida as
party to the Southern States Energy Compact, and
Florida's participation in the Southern States Energy
Board, respectively; amending s. 403.0855, F.S.;
deleting a provision relating to legislative approval
of certain rules adopted by the Department of
Environmental Protection; revising requirements for
permittees of biosolids land application sites;
revising the date by which permits must comply with
specified provisions; amending s. 482.071, F.S.;
requiring certain persons applying for a pest control
business license or renewal to provide the department
with a certificate of insurance; specifying
requirements for such certificate of insurance;
amending s. 482.161, F.S.; revising the severity of an
administrative fine for violations of certain
provisions; amending s. 482.165, F.S.; revising civil

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penalties; amending s. 489.105, F.S.; defining the terms "subcontractor" and "supplier"; creating s. 489.1295, F.S.; prohibiting licensed contractors or persons holding themselves out as such from failing to pay their subcontractor or supplier within a specified timeframe without reasonable cause after receiving payment for the services the subcontractor or supplier performed; providing penalties; amending s. 500.04, F.S.; revising the list of prohibited acts related to the prevention of fraud, harm, adulteration, misbranding, or false advertising in the preparation, production, manufacture, storage, or sale of food; repealing s. 500.81, F.S., relating to the Healthy Food Financing Initiative; amending s. 500.93, F.S.; making a technical change; amending s. 501.013, F.S.; authorizing the Department of Agriculture and Consumer Services to provide an exemption from certain health studio regulations; creating s. 501.062, F.S.; providing legislative intent; defining the terms "commercial solicitation" and "dwelling"; prohibiting a person from engaging in commercial solicitation under certain circumstances; specifying requirements for certain signage to be displayed on a property; providing penalties; amending s. 570.07, F.S.; authorizing the Department of Agriculture and Consumer Services to reorganize departmental units upon the approval of the Commissioner of Agriculture; amending s. 570.822, F.S.; providing additional eligibility requirements for the Agriculture and Aquaculture

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Producers Emergency Recovery Loan Program; creating s. 570.832, F.S.; requiring the Florida Wildflower Foundation, in coordination with the Department of Agriculture and Consumer Services, to establish the Florida Native Seed Research and Marketing Program, subject to legislative appropriation; providing the purpose of the program; creating s. 570.846, F.S.; establishing the Florida Food Animal Veterinary Medicine Loan Repayment Program; providing the purpose of the program; defining terms; providing eligibility requirements for the program; authorizing the Department of Agriculture and Consumer Services to make loan principal repayments on behalf of eligible candidates up to a certain amount for a specified timeframe, subject to legislative appropriation; providing construction; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 570.85, F.S.; prohibiting a local government from requiring a property owner to obtain a rural event venue permit or license; amending s. 570.86, F.S.; defining "rural event venue"; amending s. 583.01, F.S.; revising the definition of the term "dealer"; amending s. 590.02, F.S.; revising the Florida Forest Service's powers, authority, and duties; authorizing the Florida Forest Service to manage the Welaka Training Center; conforming provisions to changes made by the act; authorizing the Withlacoochee and Welaka Training Centers to assess certain fees as determined by the Florida Forest

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Service, regardless of where certain training occurs;
renaming the Bonifay Forestry Station as the John
Michael Mathis Forestry Station to honor the late John
Michael Mathis; creating s. 595.421, F.S.;
establishing the Farmers Feeding Florida Program for
specified purposes; requiring Feeding Florida to take
certain actions to implement the program; prohibiting
the food purchased by Feeding Florida through such
program from reentering the wholesale, retail, or
secondary market; prohibiting a candidate for elective
office from hosting a food distribution event under
certain circumstances; providing applicability;
amending s. 597.004, F.S.; making a technical change;
prohibiting the Department of Agriculture and Consumer
Services from renewing a certificate of registration
for a noncompliant facility unless certain
documentation is provided with the renewal
application; prohibiting entities whose certificate of
registration have been revoked from reapplying for a
specified period of time; amending s. 597.010, F.S.;
authorizing rather than requiring the periodic
adjustment of the annual rental fee charged for
certain leases; amending s. 599.012, F.S.; making
technical changes; amending s. 616.001, F.S.; revising
and deleting definitions relating to public fairs and
expositions; amending s. 616.01, F.S.; revising
application requirements for a proposed charter for an
association to conduct a public fair or exposition;
requiring the Department of Agriculture and Consumer

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Services to provide an applicant for a proposed charter with specified information upon the denial of a proposed charter; revising requirements for information that must be included in the proposed charter; amending s. 616.02, F.S.; limiting the number of incorporated state fair associations per county; providing construction; authorizing the Department of Agriculture and Consumer Services to waive certain requirements at the discretion of the commissioner; authorizing fair associations incorporated before a certain date to conduct their affairs; deleting provisions relating to requirements for a proposed charter; amending s. 616.03, F.S.; revising requirements for the approval and recordation of the charter; amending s. 616.05, F.S.; revising the process by which a proposed charter amendment is incorporated into the original charter; amending s. 616.051, F.S.; revising the circumstances under which a circuit judge is authorized to dissolve an association and order the distribution of its remaining assets; requiring that such assets be distributed to certain counties; amending s. 616.07, F.S.; deleting provisions relating to distribution of public funds after the dissolution of an association; amending s. 616.101, F.S.; specifying the basis for annual public fair attendance records; requiring a fair association to review its charter every 5 years and submit an updated copy of the charter to the Department of Agriculture and Consumer Services;

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requiring a designated member of the association to make an attestation; amending s. 616.15, F.S.; making a technical change; revising the information that an applicant must submit to the Department of Agriculture and Consumer Services for the department to issue a permit for an association to conduct a fair; revising the timeframe within which the Department of Agriculture and Consumer Services is required to issue the permit upon the receipt of specified information; making technical changes; amending s. 616.251, F.S.; exempting the Florida State Fair Authority from specified provisions; amending s. 843.085, F.S.; prohibiting a person from wearing or displaying an item that displays the words "concealed weapon permit" or "concealed weapon permit holder" with the intent to mislead another to believe that the person is authorized to wear or display such item; reordering and amending s. 865.065, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 934.02, F.S.; defining the term, "signal jamming device"; creating s. 934.51, F.S.; prohibiting the possession, manufacture, sale, importation, distribution, or use of a signal jamming device; providing exceptions; providing criminal penalties; amending s. 288.1175, F.S.; conforming cross-references; reenacting ss. 287.056(4) and 287.138(5), F.S., relating to disqualification for state term contract eligibility, and contracting with entities of foreign countries of concern prohibited, respectively,

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to incorporate the amendment made to s. 287.1351,
F.S., in references thereto; reenacting s. 500.177(1),
F.S., relating to penalties for dissemination of a
false advertisement, to incorporate the amendment made
to s. 500.04, F.S., in a reference thereto; reenacting
s. 212.08(13), F.S., relating to taxation and
specified exemptions, to incorporate the amendment
made to s. 616.07, F.S., in a reference thereto;
reenacting s. 616.185, F.S., relating to trespass upon
grounds or facilities of a public fair, to incorporate
the amendment made to s. 616.15, F.S., in a reference
thereto; providing an effective date.

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

Section 1. Section 125.489, Florida Statutes, is created to
read:

125.489 Preemption of restrictions on gasoline-powered farm
equipment or gasoline-powered landscape equipment.—

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

(a) "Gasoline-powered farm equipment" means any machine
powered by an internal combustion engine or motor that uses
gasoline, diesel, or a blend of gasoline and oil which is used
on a farm or used to transport farm products.

(b) "Gasoline-powered landscape equipment" means any
machine powered by an internal combustion engine or motor that
uses gasoline, diesel, or a blend of gasoline and oil which is
used to provide landscape management or maintenance or to move
leaves, dirt, grass, or other debris off of sidewalks,

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driveways, lawns, or other surfaces.

(2) A county may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and may not create differing standards for such equipment or distinguish such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting.

(3) This section does not prohibit or limit a county from encouraging the use of alternative farm or landscape equipment, such as battery-powered farm or landscape equipment.

Section 2. Present subsections (18) through (30) and (31) through (54) of section 163.3164, Florida Statutes, are redesignated as subsections (19) through (31) and (33) through (56), respectively, and new subsections (18) and (32) are added to that section, to read:

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

(18) "Ecologically significant parcel" means a parcel of land located within the boundaries of a low-density municipality which is currently undeveloped and has been designated as either rural, conservation, agricultural, or greenspace as provided by a local government comprehensive plan developed pursuant to s. 163.3177.

(32) "Low-density municipality" means a municipality existing on or before January 1, 2025, which is less than 2,500 acres in total size and contains a population of 5,000 or fewer legal residents.

Section 3. Present subsection (7) of section 163.3202,

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Florida Statutes, is redesignated as subsection (8), and a new subsection (7) is added to that section, to read:

163.3202 Land development regulations.—

(7) (a) Notwithstanding any ordinance to the contrary, an application for a development on an ecologically significant parcel in a low-density municipality may not be administratively approved without an attestation provided by the developer, under penalty of perjury, to the low-density municipality which states that the development will not exceed a maximum density of 1 residential unit per 20 acres.

(b) This subsection does not apply to applications for the construction of residential units on an ecologically significant parcel for the express purpose of providing housing for family members of the applicant. However, the applicant must provide an attestation, under penalty of perjury, to the low-density municipality which states that the residential units being constructed will be used for such express purpose before the administrative approval of an application for development.

(c) The density requirements provided in this subsection may be waived upon a resolution approved by a unanimous vote of the commission or council of the low-density municipality.

Section 4. Section 166.063, Florida Statutes, is created to read:

166.063 Preemption of restrictions on gasoline-powered farm equipment or gasoline-powered landscape equipment.—

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

(a) "Gasoline-powered farm equipment" means a machine powered by an internal combustion engine or motor that uses gasoline, diesel, or a blend of gasoline and oil which is used

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on a farm or used to transport farm products.

(b) "Gasoline-powered landscape equipment" means any machine powered by an internal combustion engine or motor that uses gasoline, diesel, or a blend of gasoline and oil which is used to provide landscape management or maintenance or to move leaves, dirt, grass, or other debris off of sidewalks, driveways, lawns, or other surfaces.

(2) A municipality may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and may not create differing standards for such equipment or distinguish such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting.

(3) This section does not prohibit or limit a municipality from encouraging the use of alternative farm or landscape equipment, such as battery-powered farm or landscape equipment.

Section 5. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended;

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and such other requirements as the Legislature may provide.

Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service

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indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" has the same meaning ~~means facilities as defined in s.~~

163.3164(43) ~~s. 163.3164(41)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

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d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s.

252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school

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436 district's classrooms. As used in this sub-subparagraph, the
437 term "instructional technology" means an interactive device that
438 assists a teacher in instructing a class or a group of students
439 and includes the necessary hardware and software to operate the
440 interactive device. The term also includes support systems in
441 which an interactive device may mount and is not required to be
442 affixed to the facilities.

443 2. For the purposes of this paragraph, the term "energy
444 efficiency improvement" means any energy conservation and
445 efficiency improvement that reduces consumption through
446 conservation or a more efficient use of electricity, natural
447 gas, propane, or other forms of energy on the property,
448 including, but not limited to, air sealing; installation of
449 insulation; installation of energy-efficient heating, cooling,
450 or ventilation systems; installation of solar panels; building
451 modifications to increase the use of daylight or shade;
452 replacement of windows; installation of energy controls or
453 energy recovery systems; installation of electric vehicle
454 charging equipment; installation of systems for natural gas fuel
455 as defined in s. 206.9951; and installation of efficient
456 lighting equipment.

457 3. Notwithstanding any other provision of this subsection,
458 a local government infrastructure surtax imposed or extended
459 after July 1, 1998, may allocate up to 15 percent of the surtax
460 proceeds for deposit into a trust fund within the county's
461 accounts created for the purpose of funding economic development
462 projects having a general public purpose of improving local
463 economies, including the funding of operational costs and
464 incentives related to economic development. The ballot statement

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must indicate the intention to make an allocation under the authority of this subparagraph.

4. Surtax revenues that are shared with eligible charter schools pursuant to paragraph (c) shall be allocated among such schools based on each school's proportionate share of total school district capital outlay full-time equivalent enrollment as adopted by the education estimating conference established in s. 216.136. Surtax revenues must be expended by the charter school in a manner consistent with the allowable uses provided in s. 1013.62(4). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement pursuant to s. 1002.33(9). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this paragraph shall revert to the sponsor.

Section 6. Present subsection (19) of section 253.0341, Florida Statutes, is redesignated as subsection (21), and new subsections (19) and (20) are added to that section, to read:

253.0341 Surplus of state-owned lands.—

(19) The Acquisition and Restoration Council shall determine whether any lands surplus by a local governmental entity, as defined in s. 218.72, on or after January 1, 2024, are suitable for bona fide agricultural purposes, as defined in s. 193.461(3)(b). A local governmental entity may not transfer future development rights for any surplus lands determined to be suitable for bona fide agricultural purposes on or after January 1, 2024.

(20) The Department of Environmental Protection, in

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coordination with the Department of Agriculture and Consumer Services, shall determine whether any state-owned conservation lands acquired on or after January 1, 2024, are suitable for bona fide agricultural purposes, as defined in s. 193.461(3)(b).

(a) Notwithstanding any other law or rule, the Department of Environmental Protection may surplus state-owned conservation lands acquired on or after January 1, 2024, determined to be suitable for bona fide agricultural purposes.

(b) For all state-owned conservation lands determined to be suitable for bona fide agricultural production and surplus by the Department of Environmental Protection, the department shall retain a rural-lands-protection easement pursuant to s. 570.71(3). All proceeds from the sale of such surplus lands 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.

(c) By January 1, 2027, and each January 1 thereafter, the Department of Environmental Protection shall provide a report of state-owned conservation lands surplus pursuant to this subsection to the Board of Trustees of the Internal Improvement Trust Fund.

(d) Designated state forest lands, state park lands, or wildlife management areas may not be surplus pursuant to this subsection.

Section 7. Section 259.1053, Florida Statutes, is amended to read:

259.1053 Babcock Ranch Preserve; ~~Babcock Ranch Advisory Group.~~

(1) SHORT TITLE.—This section may be cited as the "Babcock

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Ranch Preserve Act."

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

(a) "Babcock Ranch Preserve" and "preserve" mean the lands and facilities acquired in the purchase of the Babcock Crescent B Ranch, as provided in s. 259.1052.

(b) "Commission" means the Fish and Wildlife Conservation Commission.

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

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

(e) "Executive director" means the Executive Director of the Fish and Wildlife Conservation Commission.

(f) "Financially self-sustaining" means having management and operation expenditures not more than the revenues collected from fees and other receipts for resource use and development and from interest and invested funds.

(g) "Florida Forest Service" means the Florida Forest Service of the Department of Agriculture and Consumer Services.

(h) "Multiple use" means the management of all of the renewable surface resources of the Babcock Ranch Preserve to best meet the needs of the public, including the use of the land for some or all of the renewable surface resources or related services over areas large enough to allow for periodic adjustments in use to conform to the changing needs and conditions of the preserve while recognizing that a portion of the land will be used for some of the renewable surface resources available on that land. The goal of multiple use is the harmonious and coordinated management of the renewable surface resources without impairing the productivity of the land

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and considering the relative value of the renewable surface resources, and not necessarily a combination of uses to provide the greatest monetary return or the greatest unit output.

(i) "Sustained yield of the renewable surface resources" means the achievement and maintenance of a high level of annual or regular periodic output of the various renewable surface resources of the preserve without impairing the productivity of the land.

(3) CREATION OF BABCOCK RANCH PRESERVE.—

(a) Upon the date of acquisition of the Babcock Crescent B Ranch, there is created the Babcock Ranch Preserve, which shall be managed in accordance with the purposes and requirements of this section.

(b) The preserve is established to protect and preserve the environmental, agricultural, scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the preserve, and to provide for the multiple use and sustained yield of the renewable surface resources within the preserve consistent with this section.

(c) This section does not preclude the use of common varieties of mineral materials such as sand, stone, and gravel for construction and maintenance of roads and facilities within the preserve.

(d) This section does not affect the constitutional responsibilities of the commission in the exercise of its regulatory and executive power with respect to wild animal life and freshwater aquatic life, including the regulation of hunting, fishing, and trapping within the preserve.

(e) This section does not interfere with or prevent the

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581 implementation of agricultural practices authorized by the
582 agricultural land use designations established in the local
583 comprehensive plans of either Charlotte County or Lee County as
584 those plans apply to the Babcock Ranch Preserve.

585 (f) This section does not preclude the maintenance and use
586 of roads and trails or the relocation of roads in existence on
587 the effective date of this section, or the construction,
588 maintenance, and use of new trails, or any motorized access
589 necessary for the administration of the land contained within
590 the preserve, including motorized access necessary for
591 emergencies involving the health or safety of persons within the
592 preserve.

593 ~~(4) BABCOCK RANCH ADVISORY GROUP.—~~

594 ~~(a) The purpose of the Babcock Ranch Advisory Group is to~~
595 ~~assist the department by providing guidance and advice~~
596 ~~concerning the management and stewardship of the Babcock Ranch~~
597 ~~Preserve.~~

598 ~~(b) The Babcock Ranch Advisory Group shall be comprised of~~
599 ~~nine members appointed to 5-year terms. Based on recommendations~~
600 ~~from the Governor and Cabinet, the commission, and the governing~~
601 ~~boards of Charlotte County and Lee County, the commissioner~~
602 ~~shall appoint members as follows:~~

603 ~~1. One member with experience in sustainable management of~~
604 ~~forest lands for commodity purposes.~~

605 ~~2. One member with experience in financial management,~~
606 ~~budget and program analysis, and small business operations.~~

607 ~~3. One member with experience in management of game and~~
608 ~~nongame wildlife and fish populations, including hunting,~~
609 ~~fishing, and other recreational activities.~~

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~~4. One member with experience in domesticated livestock management, production, and marketing, including range management and livestock business management.~~

~~5. One member with experience in agriculture operations or forestry management.~~

~~6. One member with experience in hunting, fishing, nongame species management, or wildlife habitat management, restoration, and conservation.~~

~~7. One member with experience in public outreach and education.~~

~~8. One member who is a resident of Lee County, to be designated by the Board of County Commissioners of Lee County.~~

~~9. One member who is a resident of Charlotte County, to be designated by the Board of County Commissioners of Charlotte County.~~

~~Vacancies will be filled in the same manner in which the original appointment was made. A member appointed to fill a vacancy shall serve for the remainder of that term.~~

~~(c) Members of the Babcock Ranch Advisory Group shall:~~

~~1. Elect a chair and vice chair from among the group members.~~

~~2. Meet regularly as determined by the chair.~~

~~3. Serve without compensation but shall receive reimbursement for travel and per diem expenses as provided in s. 112.061.~~

~~(4)(5) MANAGEMENT OF PRESERVE; FEES.—~~

~~(a) The department shall assume all authority provided by this section to manage and operate the preserve as a working~~

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639 ranch upon the termination or expiration of the management
640 agreement attached as Exhibit "E" to that certain agreement for
641 sale and purchase approved by the Board of Trustees of the
642 Internal Improvement Trust Fund on November 22, 2005, and by Lee
643 County on November 20, 2005.

644 (b) Upon assuming management and operation of the preserve,
645 the department shall:

646 1. Manage and operate the preserve and the uses thereof,
647 including, but not limited to, the activities necessary to
648 administer and operate the preserve as a working ranch; the
649 activities necessary for the preservation and development of the
650 land and renewable surface resources of the preserve; the
651 activities necessary for interpretation of the history of the
652 preserve on behalf of the public; the activities necessary for
653 the management, public use, and occupancy of facilities and
654 lands within the preserve; and the maintenance, rehabilitation,
655 repair, and improvement of property within the preserve.

656 2. Develop programs and activities relating to the
657 management of the preserve as a working ranch.

658 3. Establish procedures for entering into lease agreements
659 and other agreements for the use and occupancy of the facilities
660 of the preserve. The procedures shall ensure reasonable
661 competition and set guidelines for determining reasonable fees,
662 terms, and conditions for such agreements.

663 4. Assess reasonable fees for admission to, use of, and
664 occupancy of the preserve to offset costs of operating the
665 preserve as a working ranch. These fees are independent of fees
666 assessed by the commission for the privilege of hunting,
667 fishing, or pursuing outdoor recreational activities within the

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668 preserve, and shall be deposited into the Incidental Trust Fund
669 of the Florida Forest Service, subject to appropriation by the
670 Legislature.

671 (c) The commission, in cooperation with the department,
672 shall:

673 1. Establish and implement public hunting and other fish
674 and wildlife management activities. Tier I and Tier II public
675 hunting opportunities shall be provided consistent with the
676 management plan and the recreation master plan. Tier I public
677 hunting shall provide hunting opportunities similar to those
678 offered on wildlife management areas with an emphasis on youth
679 and family-oriented hunts. Tier II public hunting shall be
680 provided specifically by fee-based permitting to ensure
681 compatibility with livestock grazing and other essential
682 agricultural operations on the preserve.

683 2. Establish and administer permit fees for Tier II public
684 hunting to capitalize on the value of hunting on portions of the
685 preserve and to help ensure the preserve is financially self-
686 sufficient. The fees shall be deposited into the State Game
687 Trust Fund of the Fish and Wildlife Conservation Commission to
688 be used to offset the costs of providing public hunting and to
689 support fish and wildlife management and other land management
690 activities on the preserve.

691 (d) The Board of Trustees of the Internal Improvement Trust
692 Fund or its designated agent may:

693 1. Negotiate directly with and enter into such agreements,
694 leases, contracts, and other arrangements with any person, firm,
695 association, organization, corporation, or governmental entity,
696 including entities of federal, state, and local governments, as

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are necessary and appropriate to carry out the purposes and activities authorized by this section.

2. Grant privileges, leases, concessions, and permits for the use of land for the accommodation of visitors to the preserve, provided no natural curiosities or objects of interest shall be granted, leased, or rented on such terms as shall deny or interfere with free access to them by the public. Such grants, leases, and permits may be made and given without advertisement or securing competitive bids. Such grants, leases, or permits may not be assigned or transferred by any grantee without consent of the Board of Trustees of the Internal Improvement Trust Fund or its designated agent.

(5)~~(6)~~ DISSOLUTION OF BABCOCK RANCH, INC.—Upon dissolution of the Babcock Ranch, Inc., all statutory powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of the corporation shall be transferred to the Department of Agriculture and Consumer Services unless otherwise provided by law. Any cash balances of funds shall revert to the Incidental Trust Fund of the Florida Forest Service.

Section 8. Paragraph (a) of subsection (2) of section 287.1351, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

287.1351 Suspended vendors; state contracts.—

(2)(a) A vendor that is in default on any contract with an agency, has failed to timely compensate its subcontractors or suppliers, or has otherwise repeatedly demonstrated a recent inability to fulfill the terms and conditions of previous state contracts or to adequately perform its duties under those

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contracts may not submit a bid, proposal, or reply to an agency or enter into or renew a contract to provide any goods or services to an agency after its placement, pursuant to this section, on the suspended vendor list.

(3) An agency shall notify the department of any vendor that has met the grounds for suspension described in paragraph (2)(a). The agency must provide documentation to the department evidencing the vendor's default or other grounds for suspension. The department shall review the documentation provided and determine whether good cause exists to remove the vendor from the vendor list and to place it on the suspended vendor list. If good cause exists, the department must notify the vendor in writing of its intent to remove the vendor from the vendor list and of the vendor's right to an administrative hearing and the applicable procedures and time requirements for any such hearing. If the vendor does not request an administrative hearing, the department must enter a final order removing the vendor from the vendor list. A vendor may not be removed from the vendor list without receiving an individual notice of intent from the department.

Section 9. Paragraph (c) is added to subsection (4) of section 322.12, Florida Statutes, to read:

322.12 Examination of applicants.—

(4) The examination for an applicant for a commercial driver license shall include a test of the applicant's eyesight given by a driver license examiner designated by the department or by a licensed ophthalmologist, optometrist, or physician and a test of the applicant's hearing given by a driver license examiner or a licensed physician. The examination shall also

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include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; his or her knowledge of the effects of alcohol and controlled substances and the dangers of driving a motor vehicle after having consumed alcohol or controlled substances; and his or her knowledge of any special skills, requirements, or precautions necessary for the safe operation of the class of vehicle which he or she is applying to be licensed to operate. In addition, the examination shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle or combination of vehicles of the type covered by the license classification which the applicant is seeking, including an examination of the applicant's ability to perform an inspection of his or her vehicle.

(c) An applicant for a commercial driver license who receives unauthorized assistance from another person in completing the portion of the examination which tests the applicant's ability to read and understand highway signs regulating, warning, and directing traffic or his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle for which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an

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784 unlawful blood-alcohol level, and driving while intoxicated,
785 commits a misdemeanor of the second degree, punishable as
786 provided in s. 775.082 or s. 775.083.

787 Section 10. Section 322.36, Florida Statutes, is amended to
788 read:

789 322.36 Permitting unauthorized operator to drive.—

790 (1) A person may not authorize or knowingly permit a motor
791 vehicle owned by him or her or under his or her dominion or
792 control to be operated upon any highway or public street except
793 by a person who is duly authorized to operate a motor vehicle
794 under this chapter.

795 (2) A person may not knowingly or willfully provide
796 unauthorized assistance to an applicant for the examination
797 required to hold a commercial driver license pursuant to s.
798 322.12(4).

799 (3) A ~~Any~~ person who violates this section commits a
800 misdemeanor of the second degree, punishable as provided in s.
801 775.082 or s. 775.083. If a person violates this section by
802 knowingly loaning a vehicle to a person whose driver license is
803 suspended and if that vehicle is involved in an accident
804 resulting in bodily injury or death, the driver license of the
805 person violating this section must ~~shall~~ be suspended for 1
806 year.

807 Section 11. Section 377.71, Florida Statutes, is repealed.

808 Section 12. Section 377.711, Florida Statutes, is repealed.

809 Section 13. Section 377.712, Florida Statutes, is repealed.

810 Section 14. Present paragraphs (a) and (b) of subsection
811 (3) of section 403.0855, Florida Statutes, are redesignated as
812 paragraphs (b) and (c), respectively, a new paragraph (a) is

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added to that subsection, and subsections (2) and (4) of that section are amended, to read:

403.0855 Biosolids management.—

(2) The department shall adopt rules for biosolids management. ~~Rules adopted by the department pursuant to this section may not take effect until ratified by the Legislature.~~

(3) For a new land application site permit or a permit renewal issued after July 1, 2020, the permittee of a biosolids land application site shall:

(a) Ensure that only Class AA biosolids are applied to the soil.

(4) All permits shall comply with the requirements of paragraph (3)(a) ~~subsection (3)~~ by July 1, 2028 ~~July 1, 2022~~.

Section 15. Present subsection (5) of section 482.071, Florida Statutes, is redesignated as subsection (6), and a new subsection (5) is added to that section, to read:

482.071 Licenses.—

(5) Each person applying for a pest control business license or renewal thereof who will offer and perform fumigations as a part of his or her regular business operations must furnish to the department a certificate of insurance that meets the requirement for minimum financial responsibility for bodily injury and property damage, consisting of:

(a) Bodily injury coverage of \$1 million per person and \$2 million per occurrence; and property damage coverage of \$1 million per occurrence and \$2 million in the aggregate; or

(b) Combined single-limit coverage of \$2 million in the aggregate.

Section 16. Subsection (7) of section 482.161, Florida

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Statutes, is amended to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(7) The department, pursuant to chapter 120, in addition to or in lieu of any other remedy provided by state or local law, may impose an administrative fine in the Class III ~~II~~ category pursuant to s. 570.971 for a violation of this chapter or of the rules adopted pursuant to this chapter. In determining the amount of fine to be levied for a violation, the following factors shall be considered:

(a) The severity of the violation, including the probability that the death, or serious harm to the health or safety, of any person will result or has resulted; the severity of the actual or potential harm; and the extent to which this chapter or the rules adopted pursuant to this chapter were violated;

(b) Any actions taken by the licensee or certified operator in charge, or limited certificateholder, to correct the violation or to remedy complaints;

(c) Any previous violations of this chapter or of the rules adopted pursuant to this chapter; and

(d) The cost to the department of investigating the violation.

Section 17. Subsections (3) and (5) of section 482.165, Florida Statutes, are amended to read:

482.165 Unlicensed practice of pest control; cease and desist order; injunction; civil suit and penalty.—

(3) In addition to or in lieu of any remedy provided under subsection (2), the department may institute a civil suit in circuit court to recover a civil penalty for any violation for

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which the department may issue a notice to cease and desist under subsection (2). The civil penalty shall be in the Class III ~~II~~ category pursuant to s. 570.971 for each offense. The court may also award to the prevailing party court costs and reasonable attorney fees.

(5) In addition to or in lieu of any remedy provided under subsections (2) and (3), the department may, even in the case of a first offense, impose a fine not less than twice the cost of a pest control business license, but not more than a fine in the Class III ~~II~~ category pursuant to s. 570.971, upon a determination by the department that a person is in violation of subsection (1). For the purposes of this subsection, the lapse of a previously issued license for a period of less than 1 year is not considered a violation.

Section 18. Subsections (20) and (21) are added to section 489.105, Florida Statutes, to read:

489.105 Definitions.—As used in this part:

(20) "Subcontractor" has the same meaning as in s. 558.002.

(21) "Supplier" has the same meaning as in s. 558.002.

Section 19. Section 489.1295, Florida Statutes, is created to read:

489.1295 Theft of subcontractor or supplier services.—

(1) A person licensed as a contractor or who otherwise holds himself or herself out to be a contractor may not knowingly or willfully fail to compensate his or her subcontractors or suppliers without reasonable cause within 30 days after receiving payment for the services performed by the subcontractor or supplier.

(2) A person licensed as a contractor or who otherwise

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holds himself or herself out to be a contractor and who violates
this section commits a misdemeanor of the first degree,
punishable as provided in s. 775.082 or s. 775.083.

(3) If a person licensed as a contractor or who otherwise
holds himself or herself out to be a contractor violates this
section and the services performed by the subcontractor or
supplier are valued at \$20,000 or more, such person commits a
felony of the third degree, punishable as provided in s.
775.082, s. 775.083, or s. 775.084.

Section 20. Subsection (6) of section 500.04, Florida
Statutes, is amended to read:

500.04 Prohibited acts.—The following acts and the causing
thereof within the state are prohibited:

(6) The obstruction of or refusal to permit entry or
inspection, or to permit the taking of a sample, as authorized
by s. 500.147.

Section 21. Section 500.81, Florida Statutes, is repealed.

Section 22. Subsection (5) of section 500.93, Florida
Statutes, is amended to read:

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

(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 paragraphs (2)(a), (3)(a), and (4)(a)
~~subsections (2) and (3).~~

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929 Section 23. Section 501.013, Florida Statutes, is amended
930 to read:

931 501.013 Health studios; exemptions.—

932 (1) The following businesses or activities may be declared
933 exempt from ~~the provisions of~~ ss. 501.012-501.019 upon the
934 filing of an affidavit with the department establishing that the
935 stated qualifications are met:

936 (a)~~(1)~~ A bona fide nonprofit organization which has been
937 granted tax-exempt status by the Internal Revenue Service.

938 (b)~~(2)~~ A gymnastics school which engages only in
939 instruction and training and in which exercise is only
940 incidental to such instruction and training.

941 (c)~~(3)~~ A golf, tennis, or racquetball club in which sports
942 play is the only activity offered by the club. If the facility
943 offers the use of physical exercise equipment, this exemption
944 shall not apply.

945 (d)~~(4)~~ A program or facility which is offered and used
946 solely for the purpose of dance, aerobic exercise, or martial
947 arts, and which utilizes no physical exercise equipment.

948 (e)~~(5)~~ A country club that has as its primary function the
949 provision of a social life and recreational amenities to its
950 members, and for which a program of physical exercise is merely
951 incidental to membership. As used in this paragraph subsection,
952 the term "country club" means a facility that offers its members
953 a variety of services that may include, but need not be limited
954 to, social activities; dining, banquet, catering, and lounge
955 facilities; swimming; yachting; golf; tennis; card games such as
956 bridge and canasta; and special programs for members' children.
957 Upon the filing of an affidavit with the department establishing

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that the stated qualifications of this paragraph ~~subsection~~ were met before July 1, 1997, this paragraph ~~subsection~~ will apply retroactively to the date that the country club met these qualifications.

(f) ~~(6)~~ A program or facility that is offered by an organization for the exclusive use of its employees and their family members.

(2) In addition to the businesses and activities listed in subsection (1), the department may exempt any other business or activity not in existence as of July 1, 2026, from ss. 501.012-501.019.

Section 24. Section 501.062, Florida Statutes, is created to read:

501.062 Unauthorized commercial solicitation; legislative intent; definitions; prohibited acts; penalties.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to protect, preserve, and promote the safety, welfare, and peace of the citizens of this state by adopting measures to reduce the threat to private property rights, including the right to exclude and to be free from trespass of unauthorized commercial solicitation on private property when noticed by the property owner. It is the intent of this section to protect such private property rights by creating a uniform standard for notifying individuals or groups of individuals that commercial solicitation is prohibited on private property.

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

(a) "Commercial solicitation" means the act of attempting to sell goods or services, or to raise funds for a commercial purpose, through direct or indirect contact with individuals,

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including, but not limited to, using words, body gestures, or signs, on behalf of a business or commercial entity.

(b) "Dwelling" has the same meaning as in s. 810.011(2).

(3) PROHIBITED ACTS.—A person may not engage in commercial solicitation on any dwelling that clearly and prominently displays a sign that is no less than 8.5 by 11 inches, is visible to any person approaching the dwelling, and clearly displays a statement which identifies the dwelling as private property on which commercial solicitation is prohibited, in substantially the following manner with letters at least 1 inch in height:

THIS DWELLING IS DESIGNATED PRIVATE PROPERTY. NO COMMERCIAL SOLICITATION IS PERMITTED PURSUANT TO SECTION 501.062, FLORIDA STATUTES.

(4) PENALTIES.—A person who violates subsection (3) commits a noncriminal violation, punishable as provided in s. 775.083. A person who commits a second or subsequent violation commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 25. Subsection (50) is added to section 570.07, Florida Statutes, 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:

(50) Notwithstanding s. 20.04(7), to reorganize departmental units upon the approval of the commissioner.

Section 26. Paragraph (c) is added to subsection (3) of

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section 570.822, Florida Statutes, to read:

570.822 Agriculture and Aquaculture Producers Emergency Recovery Loan Program.—

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

(c) Be a United States citizen and a legal resident of this state before or on the date of the declared emergency. If the applicant is an entity as defined in s. 605.0102, the entity must be wholly owned and operated in the United States and possess an active certificate of status issued by the Department of State pursuant to chapter 605.

Section 27. Section 570.832, Florida Statutes, is created to read:

570.832 Florida Native Seed Research and Marketing Program.—The Florida Wildflower Foundation, in coordination with the department, shall, subject to appropriation, establish the Florida Native Seed Research and Marketing Program to conduct research designed to expand the availability and uses of native seeds and strengthen the market position of this state's native seed industry through marketing campaigns and promotions in this state and across the nation.

Section 28. Section 570.846, Florida Statutes, is created to read:

570.846 Florida Food Animal Veterinary Medicine Loan Repayment Program.—

(1) PURPOSE.—To encourage specialized and qualified veterinary professionals to practice in this state, to retain the employment of such professionals in this state, and to promote the care and treatment of food animals intended for

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human consumption, there is established the Florida Food Animal Veterinary Medicine Loan Repayment Program. The purpose of the program is to authorize the department to make payments that offset loans incurred, for up to three new eligible candidates annually, for studies leading to a veterinary degree with a specialization in food animal veterinary medicine.

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

(a) “Food animal” means a species of animal raised for the human food supply. Food animal species include cattle, swine, sheep, goat, poultry, aquaculture, and apiary species.

(b) “Food animal veterinarian” means a veterinarian working in food animal veterinary medicine who focuses on the management and health of food animals and who spends a minimum of 20 hours per week on food animal species care and treatment.

(c) “Food animal veterinary medicine” means a veterinary medical practice which encompasses medical care, disease prevention, and consultation on feeding, housing, and overall herd or flock management of food animals to ensure a safe, healthy, and sustainable food supply for the public.

(3) ELIGIBILITY.—To be eligible for the program, a candidate must have graduated from an American Veterinary Medical Association-accredited college of veterinary medicine, have received a Florida veterinary medical license, have obtained a Category II Accreditation from the United States Department of Agriculture, and be a practicing food animal veterinarian in this state.

(4) FUNDING.—Subject to legislative appropriation, the department may make loan principal repayments of up to \$25,000 a year for up to 5 years on behalf of eligible candidates. All

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1074 repayments are contingent upon continued proof of employment in
1075 this state as a practicing food animal veterinarian.

1076 (5) DUPLICATION OF FINANCIAL ASSISTANCE.—An eligible
1077 candidate receiving financial assistance from the federal
1078 veterinary medicine loan repayment program as established in 7
1079 U.S.C. part 3151a is ineligible to receive financial assistance
1080 from the program under this section.

1081 (6) RULEMAKING.—The department may adopt any rule necessary
1082 for the administration of the program.

1083 Section 29. Subsection (1) of section 570.85, Florida
1084 Statutes, is amended to read:

1085 570.85 Agritourism.—

1086 (1) It is the intent of the Legislature to promote
1087 agritourism as a way to support bona fide agricultural
1088 production by providing a stream of revenue and by educating the
1089 general public about the agricultural industry. It is also the
1090 intent of the Legislature to eliminate duplication of regulatory
1091 authority over agritourism as expressed in this section. Except
1092 as otherwise provided for in this section, and notwithstanding
1093 any other law, a local government may not adopt or enforce a
1094 local ordinance, regulation, rule, or policy that prohibits,
1095 restricts, regulates, or otherwise limits an agritourism
1096 activity on land classified as agricultural land under s.
1097 193.461, and may not require a property owner to obtain a rural
1098 event venue permit or license. This subsection does not limit
1099 the powers and duties of a local government to address
1100 substantial offsite impacts of agritourism activities or an
1101 emergency as provided in chapter 252.

1102 Section 30. Subsection (6) is added to section 570.86,

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Florida Statutes, to read:

570.86 Definitions.—As used in ss. 570.85-570.89, the term:

(6) "Rural event venue" means a venue located on property classified as agricultural pursuant to s. 193.461 and used for special functions, such as weddings, receptions, corporate meetings, or similar gatherings.

Section 31. Subsection (4) of section 583.01, Florida Statutes, is amended to read:

583.01 Definitions.—For the purpose of this chapter, unless elsewhere indicated, the term:

(4) "Dealer" means a person, firm, or corporation, including a producer, processor, retailer, or wholesaler, that sells, offers for sale, or holds for the purpose of sale in this state 30 dozen or more eggs or its equivalent in any one week, or more than 20,000 ~~384~~ dressed birds annually ~~in any one week~~.

Section 32. Section 590.02, Florida Statutes, is amended to read:

590.02 Florida Forest Service; powers, authority, and duties; liability; building structures; Withlacoochee and Welaka Training Centers ~~Center~~.—

(1) The Florida Forest Service has the following powers, authority, and duties to:

(a) Enforce the provisions of this chapter;

(b) Prevent, detect, and suppress wildfires wherever they may occur on public or private land in this state and do all things necessary in the exercise of such powers, authority, and duties;

(c) Provide firefighting crews, who shall be under the control and direction of the Florida Forest Service and its

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designated agents;

(d) Appoint center managers, forest area supervisors, forestry program administrators, a forest protection bureau chief, a forest protection assistant bureau chief, a field operations bureau chief, deputy chiefs of field operations, district managers, forest operations administrators, senior forest rangers, investigators, forest rangers, firefighter rotorcraft pilots, and other employees who may, at the Florida Forest Service's discretion, be certified as forestry firefighters pursuant to s. 633.408(8). Other law notwithstanding, center managers, district managers, forest protection assistant bureau chief, and deputy chiefs of field operations have Selected Exempt Service status in the state personnel designation;

(e) Develop a training curriculum for wildland firefighters which must contain a minimum of 40 hours of structural firefighter training, a minimum of 40 hours of emergency medical training, and a minimum of 376 hours of wildfire training;

(f) Pay the cost of the initial commercial driver license examination fee, and renewal, for those employees whose position requires them to operate equipment requiring a license. This paragraph is intended to be an authorization to the department to pay such costs, not an obligation;

(g) Provide fire management services and emergency response assistance and set and charge reasonable fees for performance of those services. Moneys collected from such fees shall be deposited into the Incidental Trust Fund of the Florida Forest Service;

(h) Require all state, regional, and local government

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1161 agencies operating aircraft in the vicinity of an ongoing
1162 wildfire to operate in compliance with the applicable state
1163 Wildfire Aviation Plan;

1164 (i) Authorize broadcast burning, prescribed burning, pile
1165 burning, and land clearing debris burning to carry out the
1166 duties of this chapter and the rules adopted thereunder; and

1167 (j) Make rules to accomplish the purposes of this chapter.

1168 (2) The Florida Forest Service's employees, and the
1169 firefighting crews under their control and direction, may enter
1170 upon any lands for the purpose of preventing, detecting, and
1171 suppressing wildfires and investigating smoke complaints or open
1172 burning not in compliance with authorization and to enforce the
1173 provisions of this chapter.

1174 (3) Employees of the Florida Forest Service and of federal,
1175 state, and local agencies, and all other persons and entities
1176 that are under contract or agreement with the Florida Forest
1177 Service to assist in firefighting operations as well as those
1178 entities, called upon by the Florida Forest Service to assist in
1179 firefighting may, in the performance of their duties, set
1180 counterfires, remove fences and other obstacles, dig trenches,
1181 cut firelines, use water from public and private sources, and
1182 carry on all other customary activities in the fighting of
1183 wildfires without incurring liability to any person or entity.
1184 The manner in which the Florida Forest Service monitors a
1185 smoldering wildfire or smoldering prescribed fire or fights any
1186 wildfire are planning level activities for which sovereign
1187 immunity applies and is not waived.

1188 (4) (a) The department may build structures, notwithstanding
1189 chapters 216 and 255, not to exceed a cost of \$50,000 per

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structure from existing resources on forest lands, federal excess property, and unneeded existing structures. These structures must meet all applicable building codes.

(b) Notwithstanding s. 553.80(1), the department shall exclusively enforce the Florida Building Code as it pertains to wildfire, law enforcement, and other Florida Forest Service facilities under the jurisdiction of the department.

(5) The Florida Forest Service shall organize its operational units to most effectively prevent, detect, and suppress wildfires, and to that end, may employ the necessary personnel to manage its activities in each unit. The Florida Forest Service may construct lookout towers, roads, bridges, firelines, and other facilities and may purchase or fabricate tools, supplies, and equipment for firefighting. The Florida Forest Service may reimburse the public and private entities that it engages to assist in the suppression of wildfires for their personnel and equipment, including aircraft.

(6) The Florida Forest Service shall undertake privatization alternatives for fire prevention activities including constructing fire lines and conducting prescribed burns and, where appropriate, entering into agreements or contracts with the private sector to perform such activities.

(7) The Florida Forest Service may organize, staff, equip, and operate the Withlacoochee and Welaka Training Centers ~~Center~~. The centers ~~center~~ shall serve as sites ~~a site~~ where fire and forest resource managers can obtain current knowledge, techniques, skills, and theory as they relate to their respective disciplines, and the centers:-

(a) ~~The center~~ May establish cooperative efforts involving

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1219 federal, state, and local entities; hire appropriate personnel;
1220 and engage others by contract or agreement with or without
1221 compensation to assist in carrying out the training and
1222 operations of the centers ~~center~~.

1223 (b) ~~The center~~ Shall provide wildfire suppression training
1224 opportunities for rural fire departments, volunteer fire
1225 departments, and other local fire response units.

1226 (c) ~~The center~~ Shall focus on curriculum related to, but
1227 not limited to, fuel reduction, an incident management system,
1228 prescribed burning certification, multiple-use land management,
1229 water quality, forest health, environmental education, and
1230 wildfire suppression training for structural firefighters.

1231 (d) ~~The center~~ May assess appropriate fees for food,
1232 lodging, travel, course materials, and supplies in order to meet
1233 their ~~its~~ operational costs and may grant free meals, room, and
1234 scholarships to persons and other entities as determined by the
1235 Florida Forest Service, regardless of whether training occurs at
1236 the Withlacoochee Training Center or Welaka Training Center or
1237 at another location ~~in exchange for instructional assistance.~~

1238 (8) (a) The Cross City Work Center shall be named the L.
1239 Earl Peterson Forestry Station. This is to honor Mr. L. Earl
1240 Peterson, Florida's sixth state forester, whose distinguished
1241 career in state government has spanned 44 years, and who is a
1242 native of Dixie County.

1243 (b) The Madison Forestry Station shall be named the Harvey
1244 Greene Sr. Forestry Station. This is to honor Mr. Harvey Greene
1245 Sr., a World War I veteran and pioneer in forestry in Madison
1246 County. In 1947, Mr. Harvey Greene Sr. offered to give the land
1247 on which the forestry station is located to the state; however,

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at that time, the state could not accept donations of land. Instead, Mr. Harvey Greene Sr. sold the land to the state and, with the proceeds of the sale, purchased forestry equipment to be used by the citizens of Madison County to plant trees and fight wildfires.

(c) The Bonifay Forestry Station shall be named the John Michael Mathis Forestry Station. This is to honor the late Mr. John Michael Mathis, the Chipola Forestry Center manager whose distinguished career spanned 18 years, and who received many awards for his service, including commendation for leadership in wildfire mitigation for his service during Hurricane Michael. Mr. John Michael Mathis was a proud husband, father, forester, and friend.

(9) (a) Notwithstanding ss. 273.055 and 287.16, the department may retain, transfer, warehouse, bid, destroy, scrap, or otherwise dispose of surplus equipment and vehicles that are used for wildland firefighting.

(b) All money received from the disposition of state-owned equipment and vehicles that are used for wildland firefighting shall be retained by the department. Money received pursuant to this section is appropriated for and may be disbursed for the acquisition of exchange and surplus equipment used for wildland firefighting, and for all necessary operating expenditures related to such equipment, in the same fiscal year and the fiscal year following the disposition. The department shall maintain records of the accounts into which the money is deposited.

(10) (a) Notwithstanding the provisions of s. 252.38, the Florida Forest Service has exclusive authority to require and

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1277 issue authorizations for broadcast burning and agricultural and
1278 silvicultural pile burning. An agency, commission, department,
1279 county, municipality, or other political subdivision of the
1280 state may not adopt or enforce laws, regulations, rules, or
1281 policies pertaining to broadcast burning or agricultural and
1282 silvicultural pile burning.

1283 (b) The Florida Forest Service may delegate to a county,
1284 municipality, or special district its authority:

1285 1. As delegated by the Department of Environmental
1286 Protection pursuant to ss. 403.061(29) and 403.081, to manage
1287 and enforce regulations pertaining to the burning of yard trash
1288 in accordance with s. 590.125(6).

1289 2. To manage the open burning of land clearing debris in
1290 accordance with s. 590.125.

1291 Section 33. Section 595.421, Florida Statutes, is created
1292 to read:

1293 595.421 Farmers Feeding Florida Program.—There is
1294 established the Farmers Feeding Florida Program to coordinate
1295 with Feeding Florida, or its successor entity, for the
1296 acquisition, transportation, and distribution of non-Emergency
1297 Food Assistance Program fresh food products for the benefit of
1298 residents who are food insecure due to a lack of local food
1299 resources, accessibility, and affordability.

1300 (1) In order to implement the program, Feeding Florida
1301 shall:

1302 (a) Enter into an agreement with the department to provide,
1303 at a minimum, all of the following services:

1304 1. Transportation of non-Emergency Food Assistance Program
1305 fresh food products using owned vehicles or contracted

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1306 commercial vehicles.

1307 2. Coordination of the purchase and pickup of food from the
1308 purchase location and delivery to the distribution location.

1309 (b) Submit monthly reports to the department, beginning
1310 July 1, 2026, which include, at a minimum, all of the following:

1311 1. A detailed record of the amount of food purchased,
1312 measured per pound and itemized according to its commodity type.

1313 2. Food purchase locations.

1314 3. Food purchase dates.

1315 4. The date of delivery and locations to which the food was
1316 distributed.

1317 (c) Submit quarterly reports, beginning July 1, 2026, to
1318 the chairs of the legislative appropriations committees,
1319 including all of the following information:

1320 1. A detailed record of the amount of food distributed,
1321 measured per pound and itemized according to its commodity type.

1322 2. The distribution locations.

1323 3. An itemized list of the types of commodities
1324 distributed.

1325 (2) Foods purchased by Feeding Florida through the program
1326 are restricted to charitable purposes for hunger relief and may
1327 not reenter the wholesale, retail, or secondary market.

1328 (3) Feeding Florida may not, in implementing this section,
1329 allow a candidate for elective office to host a food
1330 distribution event during the period of time between the last
1331 day of the election qualifying period and the date of the
1332 election if the candidate is opposed for election or reelection
1333 at the time of the event. This subsection does not apply if the
1334 event is in response to a declared state of emergency.

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Section 34. Present paragraph (c) of subsection (7) of section 597.004, Florida Statutes, is redesignated as paragraph (d) and amended, a new paragraph (c) is added to that subsection, and paragraph (a) of subsection (2) of that section is amended, to read:

597.004 Aquaculture certificate of registration.—

(2) RULES.—

(a) The department, in consultation with the Department of Environmental Protection, the water management districts, environmental groups, and representatives from the affected farming groups, shall adopt rules to:

1. Specify the requirement of best management practices to be implemented by holders of aquaculture certificates of registration.

2. Establish procedures for holders of aquaculture certificates of registration to submit the notice of intent to comply with best management practices.

3. Establish schedules for implementation of best management practices, and of interim measures that can be taken prior to adoption of best management practices. Interim measures may include the continuation of regulatory requirements in effect on June 30, 1998.

4. Establish a system to assure the implementation of best management practices, including recordkeeping requirements.

5. Require any facility that cultures *Micropterus salmoides* ~~floridanus~~ to maintain stock acquisition documentation or records of genetic testing.

(7) REGISTRATION AND RENEWALS.—

(c) The department may not renew a certificate of

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1364 registration for a facility that is not compliant with this
1365 section unless documentation of corrective action is provided
1366 with the renewal application.

1367 (d)(e) A ~~Any~~ person whose certificate of registration has
1368 been revoked or suspended must reapply to the department for
1369 certification. A person, a company, or an entity, or a principal
1370 of a company or an entity whose certificate of registration has
1371 been revoked, may not reapply for a period of 3 years.

1372 Section 35. Paragraph (a) of subsection (5) of section
1373 597.010, Florida Statutes, is amended to read:

1374 597.010 Shellfish regulation; leases.—

1375 (5) LEASES IN PERPETUITY; RENT.—

1376 (a) All leases issued previously under ~~the provisions of s.~~
1377 379.2525 shall be enforced under the authority of this chapter,
1378 notwithstanding any other law to the contrary, and shall
1379 continue in perpetuity under such restrictions as stated in the
1380 lease agreement. The annual rental fee charged for all leases
1381 shall consist of the minimum rate of \$15 per acre, or any
1382 fraction of an acre, per year and may ~~shall~~ be adjusted on
1383 January 1, 1995, and every 5 years thereafter, based on the 5-
1384 year average change in the Consumer Price Index. Rent must ~~shall~~
1385 be paid in advance of January 1 of each year or, in the case of
1386 a new lease, at the time of signing, regardless of who holds the
1387 lease.

1388 Section 36. Paragraphs (b) and (c) of subsection (1) of
1389 section 599.012, Florida Statutes, are amended to read:

1390 599.012 Florida Wine Trust Fund; creation.—

1391 (1) There is established the Florida Wine Trust Fund within
1392 the Department of Agriculture and Consumer Services. The

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department shall use the moneys deposited in the trust fund pursuant to subsection (2) to do all the following:

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

(c) Provide grants for wine and viticultural research.

Section 37. Section 616.001, Florida Statutes, is amended to read:

616.001 Definitions.—As used in this chapter, the term:

(1) "Annual public fair" means a ~~community, county, district, regional, or state~~ fair that is held and conducted by a fair association and permitted by the department pursuant to s. 616.15.

(2) "Authority" means the Florida State Fair Authority.

(3) ~~"Community fair" means an annual public fair that serves an area of less than an entire county, has exhibits that are in accordance with s. 616.17, and gives premiums or awards to exhibitors. Agricultural products shall be produced in the community the exhibit represents. The majority of the board of directors of the fair shall reside, be employed, or operate a business in the community the fair represents.~~

~~(4)~~ "Concession" means use by a fair association, or a grant, lease, or license to a third party, of a portion of the land under the ownership, custody, or control of a fair association for specific uses, or the right to enter upon the land for specific purposes, such as providing rides, games, food, beverage, merchandise for sale, exhibits, projects, activities, events, programs, or other uses authorized in this chapter.

~~(5) "County fair" means an annual public fair that serves~~

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~~an entire county and provides exhibitors with premiums or awards for exhibits that are in accordance with s. 616.17. Agricultural products must be typical of those produced in the county the exhibit represents. The majority of the board of directors of the fair shall reside, be employed, or operate a business in the county that the fair association represents.~~

(4)~~(6)~~ "Department" means the Department of Agriculture and Consumer Services.

~~(7) "District fair" means an annual public fair that serves at least five counties and has exhibits that meet the requirements of s. 616.17. A district fair shall pay at least \$25,000 in cash premiums or awards to exhibitors. Agricultural products must be typical of those produced in the counties the exhibit represents. Livestock may originate from outside the district, but must be registered in the exhibitor's name at least 30 days before the opening day of the fair. Each county is encouraged to have proportionate exhibits, typical of its respective natural resources. Each county shall have exhibits representing basic resources in agriculture and industry.~~

(5)~~(8)~~ "Entry" means one item entered for competition or show. An entry may constitute an exhibit, depending upon the regulations stated in the premium book.

(6)~~(9)~~ "Exhibit" means one or more entries entered for exhibition and constituting a unit. An exhibit may consist of one or more entries, depending upon the regulations stated in the premium book. The term includes parades and displays of articles or a collection of articles, whether static, interactive, or dynamic, by a fair association or a third party contracting with a fair association, such as exhibits of

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animals, art, housewares, or motor vehicles.

(7)~~(10)~~ "Exhibitor" means an individual, a group of individuals, or a business, including a fair association or third party contracting with a fair association, which has an exhibit.

(8)~~(11)~~ "Fair association" or "association" means an association not for profit incorporated under this chapter for the purpose of conducting and operating public fairs or expositions.

(9)~~(12)~~ "Public fair or exposition" means a project, activity, event, or program, and use by a fair association, including, but not limited to, the annual public fair, which serves the purposes specified in s. 616.08 and benefits and develops the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific, and other resources of this state, or any county, municipality, or other community in this state.

~~(13) "Regional fair" or "interstate fair" means an annual public fair of this state and other states in which fair exhibits meet the requirements of s. 616.17. Agricultural products must be typical of those produced in the area the exhibit represents.~~

(10)~~(14)~~ "Specialized show" means a show or an exhibition exhibiting and emphasizing livestock or poultry, or a fruit or vegetable festival, and must meet the minimum exhibit requirements specified in s. 616.17. ~~A specialized show may qualify under one of the definitions in subsections (3), (5), (7), and (15).~~

(11)~~(15)~~ "State fair" means an annual public fair that

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1480 serves the entire state. ~~Exhibits must comply with s. 616.17,~~
1481 ~~and cash premiums or awards may be given to exhibitors.~~

1482 Section 38. Section 616.01, Florida Statutes, is amended to
1483 read:

1484 616.01 Requirements for ~~Number of persons required;~~
1485 ~~requisites of~~ proposed charter. ~~Twenty-five or more persons who~~
1486 ~~are~~ Residents and qualified electors of the county in which the
1487 annual public fair is to be located, who wish to form an
1488 association not for profit for the purpose of conducting and
1489 operating public fairs or expositions, may become incorporated
1490 in the following manner. The applicant must ~~subscribers shall~~
1491 submit the proposed charter to the department for review and
1492 approval or denial. If the proposed charter is denied, the
1493 department must provide the applicant with a letter sent to the
1494 mailing address provided on the proposed charter and include a
1495 complete listing of all deficiencies, if any, which must be
1496 remedied before resubmittal of the proposed charter for
1497 approval. If the proposed charter is approved, the applicant
1498 must ~~subscribers shall~~ sign and present a notarized copy of the
1499 proposed charter to the judge of the circuit court for the
1500 county in which the principal office of the association will be
1501 located. The proposed charter must specify:

1502 (1) The name of the association and the place where the
1503 principal office is to be located. The name of the association
1504 must ~~shall~~ include the word, "Inc."

1505 (2) The general nature of the objectives and powers of the
1506 association, including a provision that the association is
1507 incorporated for the sole purpose of conducting and operating
1508 public fairs or expositions.

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(3) The qualifications and terms of association members and criteria for their admission and expulsion. Provision must ~~may~~ be made in the charter for ex officio membership.

(4) The time for which the association is to exist.

(5) The name and residence of each subscriber.

(6) Procedures for the election of and governance by officers, who may be elected or appointed.

(7) The designation of officers who will manage the affairs of the association until the first election or appointment under the charter.

(8) Procedures for the adoption, amendment, or rescission of bylaws of the association.

(9) The highest amount of indebtedness or liability that may be accrued by the association.

(10) The name of an elected member of the board of county commissioners of the county in which the principal office of the association will be located, who will serve as an ex officio member of the board of directors of the association.

(11) The official e-mail address of the association which will be used for the purpose of official communication between the association and governmental entities.

(12) The language for the oath that will be taken by the applicant, which must include, but is not limited to, all of the following:

(a) That the primary objective of the association is for public service and to hold, conduct, and promote public fairs or expositions.

(b) That money and other available assets in value exceeding \$5,000 have been provided for purposes designated by

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the association.

(c) That the association will operate in good faith to carry out the purposes and objectives set forth in the charter.

Section 39. Section 616.02, Florida Statutes, is amended to read:

616.02 Fair associations per county ~~Acknowledgment of charter.~~—

(1) Beginning July 1, 2026, there may be only one incorporated fair association per county in this state, excluding the state fair, which may be incorporated and conducted in any county. The department may not approve a proposed charter incorporating a fair association within the same county in which a fair association currently exists. The department may waive this requirement at the discretion of the Commissioner of Agriculture.

(2) Any fair association incorporated before July 1, 2026, may conduct public fairs or expositions and exercise the authority provided to them pursuant to this chapter ~~The proposed charter of a fair association shall be acknowledged by at least three of its subscribers before an officer authorized to make acknowledgment of deeds. Subscribers shall also make and take an oath, which must be attached to the proposed charter, stating that the primary objective of the association is public service and holding, conducting, and promoting public fairs or expositions; that money and other available assets in value exceeding \$5,000 have been provided for the purposes of the association; and that the association will operate in good faith to carry out the purposes and objectives set forth in its charter.~~

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1567 Section 40. Section 616.03, Florida Statutes, is amended to
1568 read:

1569 616.03 ~~Notice of application;~~ Approval and record of
1570 charter.Upon approval by the department, ~~A notice of intention~~
1571 ~~to apply to the circuit court for the charter of a fair~~
1572 ~~association must specify the date that application will be made,~~
1573 ~~shall be sent to the department for approval, and shall be~~
1574 ~~published in a newspaper in the county where the principal~~
1575 ~~office of the association will be located once each week for 4~~
1576 ~~consecutive weeks. The notice must briefly summarize the charter~~
1577 ~~and objectives of the proposed association. the proposed charter~~
1578 must ~~shall~~ be submitted to and approved by the board of county
1579 commissioners of the county in which the principal office of the
1580 association will be located. After approval by the ~~department~~
1581 ~~and the~~ board of county commissioners, the proposed charter and
1582 proof of approval must ~~and publication shall~~ be submitted to the
1583 circuit judge ~~on the date specified in the notice.~~ If no cause
1584 is shown to the contrary and the judge finds that the proposed
1585 charter is in proper form and will serve the primary objective
1586 of public service, the judge must ~~shall~~ approve the charter and
1587 issue an order incorporating the applicant ~~subscribers~~ under the
1588 charter for the objectives and purposes specified in the
1589 charter. The charter and order of incorporation must ~~shall~~ be
1590 recorded in the office of the clerk of the circuit court in the
1591 county where the principal office of the association will be
1592 located and provided to the department. After the order is
1593 recorded, the applicant ~~subscribers~~ and any ~~their~~ associates are
1594 incorporated with the objectives and powers established in the
1595 charter and under the name given in the charter. ~~During the~~

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publication period, the proposed charter shall be on file in the office of the clerk of the circuit court. This section does not preclude a fair association from also filing its duly approved charter with the Department of State pursuant to chapter 617 for notice purposes.

Section 41. Subsection (2) of section 616.05, Florida Statutes, is amended to read:

616.05 Amendment of charter.—A fair association may propose an amendment to its charter by resolution as provided in its charter or bylaws.

(2) After the department approves the proposed amendment, it will be incorporated into the original charter upon:

(a) ~~Publication of notice in the same manner as provided in s. 616.03;~~

~~(b)~~ Filing the order of the circuit judge approving the amendment with the office of the clerk of the circuit court and the department; and

(b) ~~(e)~~ Being recorded in the clerk's office.

If a fair association has filed its charter with the Department of State pursuant to chapter 617, a copy of any amendment to the charter must be filed with the Department of State for notice purposes.

Section 42. Section 616.051, Florida Statutes, is amended to read:

616.051 Dissolving a charter.—

(1) A fair association may dissolve its charter by resolution as provided in its charter or bylaws. The proposal for dissolving the charter shall be submitted to the department

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for approval.

(2) Upon approval by the department and upon presentation of sufficient evidence demonstrating ~~and publication of notice and proof~~ that all indebtedness has been paid and no claims are outstanding against the association, the circuit judge may, by decree, dissolve the association and order the distribution of its remaining assets. Such assets must be distributed, by resolution of the board of directors, to the county in which the principal office of the association is located unless otherwise specified by the deed of the property held by the association ~~its remaining public funds to be distributed as recommended by the board of directors~~.

Section 43. Subsection (3) of section 616.07, Florida Statutes, is amended, and subsections (1) and (2) of that section are republished, to read:

616.07 Members not personally liable; property of association held in trust; exempt from taxation.—

(1) A member, officer, director, or trustee of a fair association is not personally liable for any of the debts of the association, and money or property of a fair association may not be distributed as profits or dividends among its members, officers, directors, or trustees.

(2) All money and property of the association, except that necessary for the payment of its just debts and liabilities, are public property, shall be administered by the association as trustee, and shall be used exclusively for the legitimate purpose of the association. So long as they are used for that purpose, all money and property of the association are exempt from all forms of taxation, including special assessments, and

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any projects, activities, events, programs, and uses authorized by this part serve an essential governmental purpose and, therefore, are not taxable and are not subject to assessments. This subsection does not apply to chapter 212.

~~(3) Upon order of the circuit judge, any public funds or property remaining in a fair association when the association is dissolved shall be distributed by resolution of the board of directors to any county or any municipality within the county. The board may designate in the distribution resolution the public project that will benefit from the funds or the manner in which the property will be used. If property has been contributed by a municipality or county, the property shall be reconveyed to the municipality or county that gave the property to the association.~~

Section 44. Section 616.101, Florida Statutes, is amended to read:

616.101 Annual review of accounts and records; review of charter.—

(1) The accounts and records of a ~~every~~ fair association whose annual public fair has an annual attendance of more than 25,000, based upon recorded attendance from the previous year, must ~~shall~~ be reviewed annually by a qualified accountant licensed by the state. A fair association whose annual public fair has an annual attendance of 25,000 or fewer, based upon recorded attendance from the previous year, or a fair association that is holding an annual public fair for the first time, must submit an annual financial statement that has been signed by an officer of the county. The results of the reviews must ~~shall~~ be kept in the official records of each association,

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available to all directors of the association. A certified copy of the review must ~~shall~~ be filed with the department:

(a)(1) On request by the department to certify expenditures of the premiums awarded to exhibitors of a fair or of building funds ~~if~~ when there is evidence of a violation of state laws; or

(b)(2) When the association is applying for a fair permit.

(2) A fair association shall, every 5 years beginning July 1, 2026, review its charter and submit to the department a certified copy of the charter which incorporates any amendment made during the last 5 years. A designated member of the association shall attest that the charter is accurate and factual when submitting the certified copy to the department.

Section 45. Section 616.15, Florida Statutes, is amended to read:

616.15 Permit from Department of Agriculture and Consumer Services required.—

(1) An annual public fair may not be conducted by a fair association without a permit issued by the department. The association shall present to the department an application for a permit, signed by an officer of the association, at least 90 calendar days ~~3 months~~ before holding the annual public fair. The application must ~~shall~~ be accompanied by a fee in an amount to be determined by the department for processing the application and making any required investigation. The application fee must be at least \$183 and may not exceed \$366. Fees collected under this subsection shall be deposited in the General Inspection Trust Fund of the State Treasury in a special account to be known as the "Agricultural and Livestock Fair Account." A copy of the application must be sent to each fair

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association located within 50 miles of the site of the proposed annual public fair at the same time the application is sent to the department. The department may issue a permit if the applicant provides:

(a) The opening and closing dates of the proposed annual public fair.

(b) The name and address of the owner of the central amusement attraction that will operate during the annual public fair.

(c) An affidavit properly executed by the president or chief executive officer of the applicant association certifying the existence of a binding contract entered into by the association and the owner of the central amusement attraction covering the period for which the permit from the department is applied. The contract between the parties must ~~shall~~ be available for inspection by duly authorized agents of the department in administering this chapter.

(d) A copy of the association's charter which incorporates all amendments made ~~A written statement that the main purpose of the association is to conduct and operate a public fair and exposition, including the annual fair, for the benefit and development of the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific, and other resources of the geographical area the fair association represents and serves. The statement must be subscribed and acknowledged by an officer of the association before an officer authorized to take acknowledgments.~~

(e) A premium list of the current annual public fair to be conducted and ~~or~~ a copy of the previous year's premium list

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showing all premiums and awards to be offered to exhibitors in various departments of the annual public fair, which may include, but are not limited to, art exhibition, beef cattle, county exhibits, dairy cattle, horticulture, swine, women's department, 4-H Club activities, Future Farmers of America activities, Future Homemakers of America activities, poultry and egg exhibits, and community exhibits. The premium list, which may be submitted separately from the application, must be submitted at least 60 calendar days before the annual public fair begins operation.

(f) A complete listing of all exhibits required pursuant to s. 616.17 ~~Proof of liability insurance insuring the association against liability for injury to persons, in an amount of not less than \$300,000 per occurrence.~~

~~(g) A copy of the most recent review.~~

~~(h) A list of all current members of the board of directors of the association and their contact information, including home address.~~

The department shall issue the permit within 10 calendar days after it receives ~~all~~ the information required by this subsection ~~and the applicant qualifies pursuant to this section.~~

(2) At least 21 calendar days before holding the annual public fair, the association shall present the department with all of the following information:

(a) Proof of liability insurance insuring the association against liability for injury to persons, in an amount not less than \$300,000 per occurrence.

(b) A copy of the association's most recent annual

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1770 financial statement pursuant to s. 616.101.

1771 (c) A list of all current members of the board of directors
1772 of the association and their contact information, including
1773 mailing addresses.

1774 (3)~~(2)~~ The department shall administer and enforce ~~the~~
1775 ~~provisions of~~ this chapter except as to the regulation of games,
1776 which shall be regulated by local law enforcement agencies. The
1777 department shall adopt rules to administer this chapter,
1778 including rules governing the form and contents of the
1779 application for the permit and any reports that it deems ~~may~~
1780 ~~deem~~ necessary in enforcing the provisions of this chapter.

1781 (4)~~(3)~~ Notwithstanding any fair association meeting the
1782 requirements set forth in subsection (1), the department may
1783 order a full investigation to determine if the fair association
1784 meets the requirements of this part ~~s. 616.01~~, and may withhold
1785 a permit from, deny a permit to, or withdraw a permit once
1786 issued to the association. The department shall also consider
1787 whether any proposed annual public fair, as set forth in an
1788 application for a permit, will compete with another annual
1789 public fair within 50 miles of the proposed annual public fair
1790 with respect to name, dates of operation, or market. The
1791 department may deny, withhold, or withdraw a permit from a fair
1792 association if the department determines that such fair
1793 association will compete with another association. The
1794 department shall give preference to existing fair associations
1795 with established dates, locations, and names. The determination
1796 by the department is final.

1797 Section 46. Section 616.251, Florida Statutes, is amended
1798 to read:

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1799 616.251 Florida State Fair Authority; creation;
1800 responsibility for staging annual state fair; exemptions.—

1801 (1) There is created and constituted the "Florida State
1802 Fair Authority," a public body corporate and politic, for the
1803 purposes and with the powers set forth in this part. Such
1804 instrumentality, hereinafter referred to as "the authority,"
1805 shall have perpetual succession. For the purposes of
1806 implementing the intent of this part, the authority shall be
1807 considered an instrumentality of the state, subject to the
1808 jurisdiction of the state. Any conflict with respect to that
1809 jurisdiction will be resolved by the authority and respective
1810 state agencies.

1811 (2) The authority shall operate under the supervision of
1812 the Commissioner of Agriculture, which supervision may include,
1813 but is not limited to, assisting, advising, and making
1814 recommendations regarding the financing and operation of the
1815 authority. In assisting and advising the authority, the
1816 Commissioner of Agriculture may make appropriate staff of the
1817 department available to the authority.

1818 (3) The authority is charged with the responsibility of
1819 staging an annual fair to serve the entire state. Cash premiums
1820 or awards may be given to exhibitors.

1821 (4) The authority shall be exempt from the requirements of
1822 part I of this chapter.

1823 (5)~~(4)~~ The principal offices of the authority shall be in
1824 such place or places in or near the City of Tampa as the
1825 authority may from time to time designate.

1826 Section 47. Subsection (1) of section 843.085, Florida
1827 Statutes, is amended, and subsection (5) of that section is

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1828 republished, to read:

1829 843.085 Unlawful use of badges or other indicia of
1830 authority.—

1831 (1) It is unlawful for any person, unless appointed by the
1832 Governor pursuant to chapter 354, authorized by the appropriate
1833 agency, or displayed in a closed or mounted case as a collection
1834 or exhibit, to wear or display any authorized indicia of
1835 authority, including any badge, insignia, emblem, identification
1836 card, or uniform, or any colorable imitation thereof, of any
1837 federal, state, county, or municipal law enforcement agency, or
1838 other criminal justice agency as defined in s. 943.045, with the
1839 intent to mislead or cause another person to believe that he or
1840 she is a member of that agency or is authorized to display or
1841 wear such item, or to wear or display any item that displays in
1842 any manner or combination the word or words "police,"
1843 "patrolman," "patrolwoman," "agent," "sheriff," "deputy,"
1844 "trooper," "highway patrol," "commission officer," "Wildlife
1845 Officer," "Department of Environmental Protection officer,"
1846 "Marine Patrol Officer," "state attorney," "public defender,"
1847 "marshal," "constable," "bailiff," ~~or~~ "fire department,"
1848 "concealed weapon permit," or "concealed weapon permitholder"
1849 with the intent to mislead or cause another person to believe
1850 that he or she is a member of that agency, if applicable, or is
1851 authorized to wear or display such item.

1852 (5) A violation of this section is a misdemeanor of the
1853 first degree, punishable as provided in s. 775.082 or s.
1854 775.083. This section is cumulative to any law now in force in
1855 the state.

1856 Section 48. Section 865.065, Florida Statutes, is reordered

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and amended to read:

865.065 Disparagement of ~~perishable~~ agricultural food products; cause of action; limitation.—

(1) The Legislature finds, determines, and declares that the production of agricultural food products constitutes an important and significant portion of the state economy and that it is imperative to protect the vitality of the agricultural economy for the citizens of this state by providing a cause of action for agricultural producers to recover damages for the disparagement of any ~~perishable~~ agricultural product.

(2) For purposes of this section, the term:

(b) ~~(a)~~ "Disparagement" means the willful or malicious dissemination to the public in any manner of any false information that an ~~a~~ ~~perishable~~ agricultural food product is not safe for human consumption. False information is that information which is not based on reliable, scientific facts and reliable, scientific data which the disseminator knows or should have known to be false.

(a) ~~(b)~~ "~~Perishable~~ Agricultural food product" means any agricultural or aquacultural food product or commodity grown or produced within this the state for a commercial purpose. The term also includes any agricultural practices used in the production of such products ~~of Florida which is sold or distributed in a form that will perish or decay within a reasonable period of time~~.

(c) "Producer" means the person who actually grows or produces ~~perishable~~ agricultural food products.

(3) Any producer or any association representing producers of ~~perishable~~ agricultural food products which suffers damages

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as a result of another person's disparagement of any such
~~perishable~~ agricultural food product may bring an action for
damages and for any other relief a court of competent
jurisdiction deems appropriate, including, but not limited to,
compensatory and punitive damages, reasonable attorney fees, and
costs of the action.

(4) The statute of limitations for disparagement of
~~perishable~~ agricultural food products is 2 years from the date
the disparagement occurs.

Section 49. Subsection (27) is added to section 934.02,
Florida Statutes, to read:

934.02 Definitions.—As used in this chapter:

(27) "Signal jamming device" means a device or process,
such as a phone jammer, global positioning systems blocker, or
other similar device designed to intentionally block, jam, or
interfere with radio communications, such as cellular and
personal communication services, police radar, or global
positioning systems.

Section 50. Section 934.51, Florida Statutes, is created to
read:

934.51 Possession, use, and sale of signal jamming device;
prohibition; exceptions; penalties.—

(1) PROHIBITION.—It is unlawful to possess, manufacture,
hold or offer for sale, sell, import, distribute, or use a
signal jamming device in this state.

(2) EXCEPTIONS.—This section does not apply to a federal or
military law enforcement agency that lawfully installs, places,
or uses a signal jamming device as part of a criminal
investigation, or to any person duly authorized by the Federal

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1915 Communications Commission.

1916 (3) PENALTIES.—A person who violates this section commits a
1917 misdemeanor of the first degree, punishable as provided in s.
1918 775.082 or s. 775.083.

1919 Section 51. Paragraph (a) of subsection (4) and subsection
1920 (6) of section 288.1175, Florida Statutes, are amended to read:

1921 288.1175 Agriculture education and promotion facility.—

1922 (4) The Department of Agriculture and Consumer Services
1923 shall certify a facility as an agriculture education and
1924 promotion facility if the Department of Agriculture and Consumer
1925 Services determines that:

1926 (a) The applicant is a unit of local government as defined
1927 in s. 218.369, or a fair association as defined in s. 616.001(8)
1928 ~~s. 616.001(11)~~, which is responsible for the planning, design,
1929 permitting, construction, renovation, management, and operation
1930 of the agriculture education and promotion facility or holds
1931 title to the property on which such facility is to be developed
1932 and located.

1933 (6) Funds may not be expended to develop or subsidize
1934 privately owned facilities, except for facilities owned by fair
1935 associations as defined in s. 616.001(8) ~~s. 616.001(11)~~.

1936 Section 52. For the purpose of incorporating the amendment
1937 made by this act to section 287.1351, Florida Statutes, in a
1938 reference thereto, subsection (4) of section 287.056, Florida
1939 Statutes, is reenacted to read:

1940 287.056 Purchases from purchasing agreements and state term
1941 contracts; vendor disqualification.—

1942 (4) A firm or individual placed on the suspended vendor
1943 list pursuant to s. 287.1351 or placed on a disqualified vendor

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list pursuant to s. 287.133 or s. 287.134 is immediately disqualified from state term contract eligibility.

Section 53. For the purpose of incorporating the amendment made by this act to section 287.1351, Florida Statutes, in a reference thereto, subsection (5) of section 287.138, Florida Statutes, is reenacted to read:

287.138 Contracting with entities of foreign countries of concern prohibited.—

(5) The Attorney General may bring a civil action in any court of competent jurisdiction against an entity that violates this section. Violations of this section may result in:

(a) A civil penalty equal to twice the amount of the contract for which the entity submitted a bid or proposal for, replied to, or entered into;

(b) Ineligibility to enter into, renew, or extend any contract, including any grant agreements, with any governmental entity for up to 5 years;

(c) Ineligibility to receive or renew any license, certification, or credential issued by a governmental entity for up to 5 years; and

(d) Placement on the suspended vendor list pursuant to s. 287.1351.

Section 54. For the purpose of incorporating the amendment made by this act to section 500.04, Florida Statutes, in a reference thereto, subsection (1) of section 500.177, Florida Statutes, is reenacted to read:

500.177 Penalty for violation of s. 500.04; dissemination of false advertisement.—

(1) Any person who violates any provision of s. 500.04 is

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guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; but, if the violation is committed after a conviction of such person under this section has become final, such person is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 55. For the purpose of incorporating the amendment made by this act to section 616.07, Florida Statutes, in a reference thereto, subsection (13) of section 212.08, Florida Statutes, is reenacted to read:

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

(13) LIMITATIONS ON EXEMPTIONS.—No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13,

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chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681.

This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

Section 56. For the purpose of incorporating the amendment made by this act to section 616.15, Florida Statutes, in a reference thereto, section 616.185, Florida Statutes, is reenacted to read:

616.185 Trespass upon grounds or facilities of public fair; penalty; arrests.—

(1) For the purposes of this chapter, trespass upon the grounds of the Florida State Fair Authority or any other fair association permitted under s. 616.15 means:

(a) Entering and remaining upon any grounds or facilities owned, operated, or controlled by the Florida State Fair Authority or any other association permitted under s. 616.15 and committing any act that disrupts the orderly conduct of any authorized activity of the fair association in charge, or its lessees, licensees, or the general public on those grounds or facilities; or

(b) Entering and remaining on those grounds or facilities after being directed not to enter or to leave them by the executive director of the authority, chief administrative officer of the fair association, or any employee or agent of the association designated by the executive director or administrator to maintain order on those grounds and facilities, after a determination by the executive director, administrator,

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employee, or agent that the entering or remaining on those grounds or facilities is in violation of the rules and regulations of the Florida State Fair Authority or permitted fair association or is disrupting the orderly conduct of any authorized activity of the fair association in charge, or its lessees, licensees, or the general public on those grounds or facilities.

(2) Any person committing the offense of trespass upon the grounds of the Florida State Fair Authority or any other fair association permitted under s. 616.15 commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A law enforcement officer may arrest any person on or off the premises, without a warrant, if the officer has probable cause for believing such person has committed the offense of trespass upon the grounds of the Florida State Fair Authority or any fair association permitted under s. 616.15. Such an arrest does not render the law enforcement officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

Section 57. This act shall take effect July 1, 2026.