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1  
2 An act relating to the Department of Agriculture and  
3 Consumer Services; amending s. 366.94, F.S.;  
4 preempting the regulation of electric vehicle charging  
5 stations to the state; prohibiting local governmental  
6 entities from enacting or enforcing such regulations;  
7 amending ss. 482.111, 482.151, and 482.155, F.S.;  
8 providing that a pest control operator's certificate,  
9 a special identification card, and certain limited  
10 certifications for pesticide applicators,  
11 respectively, expire a specified length of time after  
12 issuance; revising renewal requirements for such  
13 certificates and cards; amending s. 482.156, F.S.;  
14 revising the tasks, pesticides, and equipment that  
15 individual commercial landscape maintenance personnel  
16 with limited certifications may perform and use;  
17 revising the initial and renewal certification  
18 requirements for such personnel; amending s. 482.157,  
19 F.S.; providing that a limited certification for  
20 commercial wildlife management personnel expires a  
21 specified length of time after issuance; revising  
22 renewal certification requirements for such personnel;  
23 amending s. 482.161, F.S.; authorizing the department  
24 to take disciplinary action against a person who  
25 swears to or affirms a false statement on certain  
26 applications, cheats on a required examination, or  
27 violates certain procedures under certain  
28 circumstances; amending s. 482.191, F.S.; providing  
29 penalties for a person who swears to or affirms a

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false statement on certain applications; providing  
that cheating on certain examinations or violating  
certain examination procedures voids an examinee's  
exam attempt; authorizing the department to adopt  
rules establishing penalties for such a violation;  
authorizing the department to exercise discretion in  
assessing penalties in certain circumstances; amending  
s. 482.226, F.S.; requiring pest control licensees to  
provide property owners or their agents with a signed  
report that meets certain requirements after each  
inspection; amending s. 487.031, F.S.; prohibiting a  
person from swearing to or affirming a false statement  
on certain pesticide applicator license applications,  
cheating on a required examination, or violating  
certain procedures; making technical changes; amending  
s. 487.175, F.S.; providing penalties for a person who  
swears to or affirms a false statement on certain  
applications; providing that cheating on certain  
examinations or violating certain examination  
procedures voids an examinee's exam attempt; requiring  
the department to adopt rules establishing penalties  
for such a violation; authorizing the department to  
exercise discretion in assessing penalties in certain  
circumstances; amending s. 493.6113, F.S.; authorizing  
Class "G" licensees to qualify for multiple calibers  
of firearms in one requalification class under certain  
circumstances; creating s. 493.6127, F.S.; authorizing  
the department to appoint tax collectors to accept  
new, renewal, and replacement license applications

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under certain circumstances; requiring the department to establish by rule the types of licenses the tax collectors may accept; providing an application process for tax collectors who wish to perform such functions; providing that certain confidential information contained in the records of an appointed tax collector retains its confidentiality; prohibiting any person not appointed to do so from accepting an application for a license for a fee or compensation; authorizing tax collectors to collect and retain certain convenience fees; requiring the tax collectors to remit certain fees to the department for deposit in the Division of Licensing Trust Fund; providing penalties; amending s. 496.404, F.S.; defining the term "street address"; amending s. 496.405, F.S.; deleting certain fees; amending s. 496.406, F.S.; revising the circumstances under which charitable organizations or sponsors are exempt from specified provisions; revising the information that charitable organizations and sponsors must provide to the department when claiming certain exemptions; amending s. 496.407, F.S.; revising the information charitable organizations or sponsors are required to provide to the department when initially registering or annually renewing a registration; revising circumstances under which the department may extend the time for filing a required financial statement; amending ss. 496.409, 496.410, 496.4101, 496.411, 496.4121, and 496.425, F.S.; revising the information that professional

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fundraising consultants must include in applications for registration or renewals of registration, that professional solicitors must include in applications for registration, renewals of registration, and solicitation notices provided to the department and that professional solicitors are required to maintain in their records, that must be included in certain solicitor license applications, that disclosures of charitable organizations or sponsors soliciting in this state must include, that must be displayed on certain collection receptacles, and that a person desiring to solicit funds within a facility must provide in an application to the department and must display prominently on his or her badge or insignia, respectively, to include street addresses; reenacting and amending s. 500.03, F.S.; defining the term "cultivated meat"; creating s. 500.452, F.S.; prohibiting the manufacture for sale, sale, holding or offering for sale, or distribution of cultivated meat in this state; providing criminal penalties; providing for disciplinary action and additional licensing penalties; providing that such products are subject to certain actions and orders; authorizing the department to adopt rules; amending s. 507.07, F.S.; prohibiting a mover from placing a shipper's goods in a self-service storage unit or self-contained unit not owned by the mover unless certain conditions are met; repealing s. 531.67, F.S., relating to the scheduled expiration of certain provisions related to weights,



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measurements, and standards; amending s. 559.904,  
F.S.; revising the information that must be provided  
to the department on a motor vehicle repair shop  
registration application; providing that the  
registration fee must be calculated for each location;  
amending s. 559.905, F.S.; revising the cost of repair  
work which requires a motor vehicle repair shop to  
provide a customer with a written repair estimate;  
amending s. 570.07, F.S.; revising the amount up to  
which the department is authorized to use to repair or  
build structures; amending s. 570.69, F.S.; defining  
the term "center"; deleting the definition of the term  
"museum"; amending s. 570.691, F.S.; conforming  
provisions to changes made by the act; amending s.  
570.692, F.S.; renaming the Florida Agricultural  
Museum as the Florida Agricultural Legacy Learning  
Center; creating s. 581.189, F.S.; defining terms;  
prohibiting the willful destruction, harvest, or sale  
of saw palmetto berries without first obtaining  
written permission from the landowner or legal  
representative and a permit from the department;  
specifying the information that the landowner's  
written permission must include; requiring an  
authorized saw palmetto berry dealer to maintain  
certain information for a specified timeframe;  
authorizing law enforcement officers or authorized  
employees of the department to seize or order to be  
held for a specified timeframe saw palmetto berries  
harvested, sold, or exposed for sale in violation of

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specified provisions; declaring that unlawfully  
harvested saw palmetto berries constitute contraband  
and are subject to seizure and disposal; authorizing  
law enforcement agencies that seize such saw palmetto  
berries to sell the berries and retain the proceeds to  
implement certain provisions; providing that such law  
enforcement agencies are exempt from certain  
provisions; requiring the law enforcement agencies to  
submit certain information annually to the department;  
providing criminal penalties; providing that  
individuals convicted of such violations are  
responsible for specified costs; defining the term  
"convicted"; providing construction; requiring the  
department to adopt rules; amending s. 585.01, F.S.;  
revising the definition of the term "livestock" to  
include poultry; amending s. 790.0625, F.S.;  
authorizing certain tax collectors to collect and  
retain certain convenience fees for certain concealed  
weapon or firearm license applications; authorizing  
such tax collectors to print and deliver replacement  
licenses to licensees under certain circumstances;  
authorizing such tax collectors to provide  
fingerprinting and photography services; amending s.  
810.011, F.S.; revising the definition of the term  
"posted land" to include land classified as  
agricultural which has specified signs placed at  
specified points; amending s. 810.09, F.S.; providing  
criminal penalties for trespassing with the intent to  
commit a crime on commercial agricultural property

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under certain circumstances; defining the term  
"commercial agricultural property"; amending s.  
1003.24, F.S.; providing that a student's  
participation in a 4-H or Future Farmers of America  
activity is an excused absence from school; defining  
the term "4-H representative"; amending ss. 379.3004,  
812.014, and 921.0022, F.S.; conforming cross-  
references; reenacting s. 493.6115(6), F.S., relating  
to weapons and firearms, to incorporate the amendment  
made to s. 493.6113, F.S., in a reference thereto;  
reenacting s. 496.4055(2), F.S., relating to  
charitable organization or sponsor board duties, to  
incorporate the amendment made to s. 496.405, F.S., in  
references thereto; reenacting s. 559.907(1)(b), F.S.,  
relating to the charges for motor vehicle repair  
estimates, to incorporate the amendment made to s.  
559.905, F.S., in a reference thereto; reenacting ss.  
468.382(6), 534.47(3), 767.01, and 767.03, F.S.,  
relating to the definition of the term "livestock" for  
auctions, livestock markets, dog owner's liability for  
damages to livestock, and defenses for killing dogs,  
respectively, to incorporate the amendment made to s.  
585.01, F.S., in references thereto; providing  
effective dates.

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

Section 1. Subsection (2) of section 366.94, Florida  
Statutes, is amended to read:

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366.94 Electric vehicle charging stations.—

(2) The regulation of electric vehicle charging stations is preempted to the state.

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

(b) The Department of Agriculture and Consumer Services shall adopt rules to provide ~~definitions, methods of sale, labeling requirements, and price-posting~~ requirements for electric vehicle charging stations to allow for consistency for consumers and the industry.

Section 2. Subsections (3), (4), and (10) of section 482.111, Florida Statutes, are amended to read:

482.111 Pest control operator's certificate.—

(3) A certificate expires 1 year after the date of issuance. Annually, on or before the 1-year ~~an~~ anniversary of the date of issuance ~~set by the department~~, an individual ~~so~~ issued a pest control operator's certificate must apply to the department on a form prescribed by the department to renew the ~~for renewal of such~~ certificate. After a grace period not exceeding 30 calendar days following such expiration ~~renewal~~ date, the department shall assess a late renewal charge of \$50 ~~shall be assessed~~ and the certificateholder must pay the late renewal charge ~~be paid~~ in addition to the renewal fee.

(4) If a certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units under subsection (10) within 60 days after the certificate's expiration date, the certificateholder may be recertified only after reexamination ~~Unless timely~~

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~~renewed, a certificate automatically expires 180 calendar days  
after the anniversary renewal date. Subsequent to such  
expiration, a certificate may be issued only upon successful  
reexamination and upon payment of the examination and issuance  
fees due.~~

(10) In order to renew ~~Prior to the expiration date of a~~  
certificate, the certificateholder must complete 2 hours of  
approved continuing education on legislation, safety, pesticide  
labeling, and integrated pest management and 2 hours of approved  
continuing education in each category of her or his certificate  
or must pass an examination given by the department. The  
department may not renew a certificate if the continuing  
education or examination requirement is not met.

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

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

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

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

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

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

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6. Integrated pest management.

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

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

Section 3. Subsections (6), (7), and (8) of section 482.151, Florida Statutes, are amended to read:

482.151 Special identification card for performance of fumigation.—

(6) A special identification card expires 1 year after the date of issuance. A cardholder must apply ~~An application~~ to the department to renew his or her ~~for renewal of a special~~ identification card ~~must be made~~ on or before the 1-year ~~an~~ anniversary of the date of issuance ~~set by the department~~. The department shall set the fee for renewal of a special identification card ~~shall be set by the department~~ but the fee may not be more than \$100 or less than \$50; however, until a rule setting this fee is adopted by the department, the renewal fee is ~~shall be~~ \$50. After a grace period not exceeding 30 calendar days following such expiration ~~renewal~~ date, the department shall assess a late renewal charge of \$25, which the cardholder must pay ~~be paid~~ in addition to the renewal fee.

(7) If a cardholder fails to renew his or her card and provide proof of completion of the continuing education units

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required by subsection (8) within 60 days after the expiration date, the cardholder may be reissued a special identification card only after reexamination. ~~Unless timely renewed, a special identification card automatically expires 180 calendar days after the anniversary renewal date. Subsequent to such expiration, a special identification card may be issued only upon successful reexamination and upon payment of examination and issuance fees due, as provided in this section.~~

(8) In order to renew ~~Prior to the expiration date of a~~ special identification card, the cardholder must do at least one of the following:

(a) Complete 2 hours of approved continuing education on legislation, safety, and pesticide labeling and 2 hours of approved continuing education in the fumigation category. ~~or~~

(b) Pass an examination in fumigation given by the department.

Section 4. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

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

(1)

(b) A person seeking limited certification under this subsection must pass an examination given or approved by the department. Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than \$150 or less than \$50; and a recertification fee of \$25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is \$50. Application for recertification must be accompanied by proof of having completed

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4 classroom hours of acceptable continuing education. The  
limited certificate expires 4 years after the date of issuance.  
If the certificateholder fails to renew his or her certificate  
and provide proof of completion of the required continuing  
education units within 60 days after the expiration date, the  
certificateholder may be recertified only after reexamination.

The department shall provide the appropriate reference material  
and make the examination readily accessible and available to all  
applicants at least quarterly or as necessary in each county.

Section 5. Subsections (1), (2), and (3), of section  
482.156, Florida Statutes, are amended to read:

482.156 Limited certification for commercial landscape  
maintenance personnel.—

(1) The department shall establish a limited certification  
category for individual commercial landscape maintenance  
personnel to authorize them to apply herbicides for controlling  
weeds in plant beds, driveways, sidewalks, and patios and to  
perform integrated pest management on ornamental plants using  
pesticides that do not have a ~~insecticides and fungicides having~~  
~~the~~ signal word or that have the signal word "caution" but do  
not have ~~having~~ the signal word "warning" or "danger" on the  
label. The application equipment that may be used by a person  
certified pursuant to this section is limited to portable,  
handheld application equipment and ~~3-gallon compressed air~~  
~~sprayers or~~ backpack sprayers but having no more than a 5-gallon  
~~capacity and~~ does not include any type of power equipment.

(2) ~~(a)~~ A person seeking limited certification under this  
section must pass an examination given by the department. Each  
application for examination must be accompanied by an



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examination fee set by rule of the department, in an amount of not more than \$150 or less than \$50. Before the department issues ~~Prior to the department's issuing~~ a limited certification under this section, each person applying for the certification must furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

~~(b) To be eligible to take the examination, an applicant must have completed 6 classroom hours of plant bed and ornamental continuing education training approved by the department and provide sufficient proof, according to criteria established by department rule.~~ The department shall provide the appropriate reference materials for the examination and make the examination readily accessible and available to applicants at least quarterly or as necessary in each county.

(3) A certificate expires 1 year after the date of issuance. A certificateholder must apply to the department to renew his or her certificate on or before the 1-year anniversary of the date of issuance. ~~The An application for recertification under this section must be made annually and~~ be accompanied by a recertification fee set by rule of the department, in an amount of not more than \$75 or less than \$25. The application must also be accompanied by proof of having completed 4 classroom hours of acceptable continuing education and the same proof of having a certificate of insurance as is required for issuance of this certification. After a grace period not exceeding 30 calendar days following such expiration date ~~the annual date that recertification is due~~, a late renewal charge of \$50 shall be

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assessed and must be paid in addition to the renewal fee. If a  
certificateholder fails to renew his or her certificate and  
provide proof of completing the required continuing education  
units within 60 days after the expiration date, the  
certificateholder may be recertified only after reexamination  
~~Unless timely recertified, a certificate automatically expires~~  
~~180 calendar days after the anniversary recertification date.~~  
~~Subsequent to such expiration, a certificate may be issued only~~  
~~upon successful reexamination and upon payment of the~~  
~~examination fees due.~~

Section 6. Subsection (3) of section 482.157, Florida  
Statutes, is amended to read:

482.157 Limited certification for commercial wildlife  
management personnel.—

(3) A certificate expires 1 year after the date of  
issuance. A certificateholder must apply to the department to  
renew his or her certificate on or before the 1-year anniversary  
of the date of issuance. The ~~An application for recertification~~  
~~must be made annually and~~ be accompanied by a recertification  
fee of at least \$75, but not more than \$150, as prescribed by  
the department by rule. The application must also be accompanied  
by proof of completion of the required 4 classroom hours of  
acceptable continuing education and the required proof of  
insurance. After a grace period not exceeding 30 calendar days  
following such expiration ~~after the recertification renewal~~  
date, the department shall assess a late fee of \$50 in addition  
to the renewal fee. If a certificateholder fails to renew his or  
her certificate and provide proof of completing the required  
continuing education units within 60 days after the expiration

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date, the certificateholder may be recertified only after  
reexamination ~~A certificate automatically expires 180 days after~~  
~~the recertification date if the renewal fee has not been paid.~~  
~~After expiration, the department shall issue a new certificate~~  
~~only if the applicant successfully passes a reexamination and~~  
~~pays the examination fee and late fee.~~

Section 7. Paragraphs (k) and (l) are added to subsection  
(1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose  
a fine against, or deny the application for licensure or  
licensure renewal of, a licensee, certified operator, limited  
certificateholder, identification cardholder, or special  
identification cardholder or any other person, or may suspend,  
revoke, or deny the issuance or renewal of any license,  
certificate, limited certificate, identification card, or  
special identification card that is within the scope of this  
chapter, in accordance with chapter 120, upon any of the  
following grounds:

(k) Swearing to or affirming any false statement in an  
application for a license issued pursuant to this chapter.

(l) Cheating on an examination required for licensure under  
this chapter or violating a published test center or examination  
procedure provided orally, in writing, or electronically at the  
test site and affirmatively acknowledged by the examinee.

Section 8. Section 482.191, Florida Statutes, is amended to  
read:

482.191 Violation and penalty.—

(1) It is unlawful to do any of the following:

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(a) Solicit, practice, perform, or advertise in pest control except as provided by this chapter.

(b) Swear to or affirm a false statement in an application for a license or certificate issued pursuant to this chapter. A false statement contained in an application for such license or certificate renders the application, license, or certificate void.

(c) Cheat on an examination required for licensure under this chapter or violate a published test center or examination procedure provided orally, in writing, or electronically at the test site and affirmatively acknowledged by an examinee. Violating this paragraph renders the examinee's exam attempt void. The department shall adopt rules establishing penalties for examinees who violate this subsection. The department may exercise discretion in assessing penalties based on the nature and frequency of the violation.

(2) Except as provided in paragraph (1)(c), a person who violates ~~any provision of this chapter~~ commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A ~~Any~~ person who violates any rule of the department relative to pest control commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 9. Subsection (3) of section 482.226, Florida Statutes, is amended to read:

482.226 Wood-destroying organism inspection report; notice of inspection or treatment; financial responsibility.-

(3) When an inspection ~~If periodic reinspections or~~

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~~retreatments are~~ specified in wood-destroying organisms preventive or control contracts is conducted or any treatment covered by the wood-destroying organisms preventive or control contracts is performed, the licensee shall furnish the property owner or the property owner's authorized agent, ~~after each such reinspection or retreatment~~, a signed report indicating the presence or absence of wood-destroying organisms covered by the contract, whether treatment ~~retreatment~~ was made, and the common or brand name of the pesticide used. Such report need not be on a form prescribed by the department.

(a) If a licensee performs an inspection not specified in the wood-destroying organisms preventive or control contract, and the presence of wood-destroying organisms covered by the contract is identified, the licensee must provide the property owner or property owner's authorized agent with a signed report notifying her or him of the presence of wood-destroying organisms.

(b) A person may not perform inspections ~~periodic reinspections~~ or treatments ~~retreatments~~ unless she or he has an identification card issued under s. 482.091(9).

Section 10. Subsection (13) of section 487.031, Florida Statutes, is amended to read:

487.031 Prohibited acts.—It is unlawful:

(13) For any person to do any of the following:

(a) Make a false or fraudulent claim through any medium, misrepresenting the effect of materials or methods used. ~~÷~~

(b) Make a pesticide recommendation or application not in accordance with the label, except as provided in this section, or not in accordance with recommendations of the United States

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Environmental Protection Agency or not in accordance with the specifications of a special local need registration.†

(c) Operate faulty or unsafe equipment.†

(d) Operate in a faulty, careless, or negligent manner.†

(e) Apply any pesticide directly to, or in any manner cause any pesticide to drift onto, any person or area not intended to receive the pesticide.†

(f) Fail to disclose to an agricultural crop grower, before ~~prior to the time~~ pesticides are applied to a crop, full information regarding the possible harmful effects to human beings or animals and the earliest safe time for workers or animals to reenter the treated field.†

(g) Refuse or, after notice, neglect to comply with ~~the provisions of~~ this part, the rules adopted under this part, or any lawful order of the department.†

(h) Refuse or neglect to keep and maintain the records required by this part or to submit reports when and as required.†

(i) Make false or fraudulent records, invoices, or reports.†

(j) Use fraud or misrepresentation in making an application for a license or license renewal.†

(k) Swear to or affirm a false statement in an application for a license issued pursuant to this chapter.

(l) Cheat on an examination required for licensure under this chapter or violate a published test center or examination procedure provided orally, in writing, or electronically at the test site and affirmatively acknowledged by the examinee.

(m) Refuse or neglect to comply with any limitations or

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restrictions on or in a duly issued license.†

(n)~~(l)~~ Aid or abet a licensed or unlicensed person to evade  
~~the provisions of this part, or combine or conspire with a~~  
licensed or unlicensed person to evade ~~the provisions of this~~  
part, or allow a license to be used by an unlicensed person.†

(o)~~(m)~~ Make false or misleading statements during or after  
an inspection concerning any infestation or infection of pests  
found on land.†

(p)~~(n)~~ Make false or misleading statements, or fail to  
report, pursuant to this part, any suspected or known damage to  
property or illness or injury to persons caused by the  
application of pesticides.†

(q)~~(o)~~ Impersonate any state, county, or city inspector or  
official.†

(r)~~(p)~~ Fail to maintain a current liability insurance  
policy or surety bond required by ~~as provided for in~~ this part.†

(s)~~(q)~~ Fail to adequately train, as required by ~~provided~~  
~~for in~~ this part, unlicensed applicators or mixer-loaders  
applying restricted-use pesticides under the direct supervision  
of a licensed applicator.†~~or~~

(t)~~(r)~~ Fail to provide authorized representatives of the  
department with records required by this part or with free  
access for inspection and sampling of any pesticide, areas  
treated with or impacted by these materials, and equipment used  
in their application.

Section 11. Section 487.175, Florida Statutes, is amended  
to read:

487.175 Penalties; administrative fine; injunction.—

(1) In addition to any other penalty provided in this part,

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when the department finds any person, applicant, or licensee has violated any provision of this part or rule adopted under this part, it may enter an order imposing any one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Issuance of a warning letter.

(d) Placement of the licensee on probation for a specified period of time and subject to conditions the department may specify by rule, including requiring the licensee to attend continuing education courses, to demonstrate competency through a written or practical examination, or to work under the direct supervision of another licensee.

(e) Imposition of an administrative fine in the Class III category pursuant to s. 570.971 for each violation. When imposing a fine under this paragraph, the department shall consider the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator benefited from by noncompliance, whether the violation was committed willfully, and the compliance record of the violator.

(2) It is unlawful for a person to swear to or affirm a false statement in an application for a license or certificate issued pursuant to this chapter. A false statement contained in an application for such license or certificate renders the application, license, or certificate void.

(3) Cheating on an examination required for licensure under this chapter or violating a published test center or examination procedure provided orally, in writing, or electronically at the



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test site and affirmatively acknowledged by the examinee renders the examinee's exam attempt void. The department shall adopt rules establishing penalties for examinees who violate this section. The department may exercise discretion in assessing penalties based on the nature and frequency of the violation.

(4) Except as provided under subsection (3), a ~~Any~~ person who violates ~~any provision of~~ this part or rules adopted pursuant thereto commits a misdemeanor of the second degree and upon conviction is punishable as provided in s. 775.082 or s. 775.083. For a subsequent violation, such person commits a misdemeanor of the first degree and upon conviction is punishable as provided in s. 775.082 or s. 775.083.

~~(5)(3)~~ In addition to the remedies provided in this part and notwithstanding the existence of any adequate remedy at law, the department may bring an action to enjoin the violation or threatened violation of ~~any provision of~~ this part, or rule adopted under this part, in the circuit court of the county in which the violation occurred or is about to occur. Upon the department's presentation of competent and substantial evidence to the court of the violation or threatened violation, the court shall immediately issue the temporary or permanent injunction sought by the department. The injunction shall be issued without bond. A single act in violation of ~~any provision of~~ this part is ~~shall be~~ sufficient to authorize the issuance of an injunction.

Section 12. Paragraph (b) of subsection (3) of section 493.6113, Florida Statutes, is amended to read:

493.6113 Renewal application for licensure.—

(3) Each licensee is responsible for renewing his or her license on or before its expiration by filing with the

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department an application for renewal accompanied by payment of the renewal fee and the fingerprint retention fee to cover the cost of ongoing retention in the statewide automated biometric identification system established in s. 943.05(2)(b). Upon the first renewal of a license issued under this chapter before January 1, 2017, the licensee shall submit a full set of fingerprints and fingerprint processing fees to cover the cost of entering the fingerprints into the statewide automated biometric identification system pursuant to s. 493.6108(4)(a) and the cost of enrollment in the Federal Bureau of Investigation's national retained print arrest notification program. Subsequent renewals may be completed without submission of a new set of fingerprints.

(b) Each Class "G" licensee shall additionally submit proof that he or she has received during each year of the license period a minimum of 4 hours of firearms requalification training taught by a Class "K" licensee and has complied with such other health and training requirements that the department shall adopt by rule. Proof of completion of firearms requalification training shall be submitted to the department upon completion of the training. A Class "G" licensee must successfully complete this requalification training for each type and caliber of firearm carried in the course of performing his or her regulated duties. At the discretion of a Class "K" instructor, a Class "G" licensee may qualify for up to two calibers of firearms in one 4-hour firearm requalification class if the licensee successfully completes training for each firearm, including a separate course of fire for each caliber of firearm. If the licensee fails to complete the required 4 hours of annual

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training during the first year of the 2-year term of the license, the license is ~~shall be~~ automatically suspended. The licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be reinstated. If the licensee fails to complete the required 4 hours of annual training during the second year of the 2-year term of the license, the licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be renewed. The department may waive the firearms training requirement if:

1. The applicant provides proof that he or she is currently certified as a law enforcement officer or correctional officer under the Criminal Justice Standards and Training Commission and has completed law enforcement firearms requalification training annually during the previous 2 years of the licensure period;

2. The applicant provides proof that he or she is currently certified as a federal law enforcement officer and has received law enforcement firearms training administered by a federal law enforcement agency annually during the previous 2 years of the licensure period;

3. The applicant submits a valid firearm certificate among those specified in s. 493.6105(6)(a) and provides proof of having completed requalification training during the previous 2 years of the licensure period; or

4. The applicant provides proof that he or she has completed annual firearms training in accordance with the

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requirements of the federal Law Enforcement Officers Safety Act under 18 U.S.C. ss. 926B-926C.

Section 13. Section 493.6127, Florida Statutes, is created to read:

493.6127 Appointment of tax collectors to accept applications and renewals for licenses; fees; penalties.-

(1) The department may appoint a tax collector, a county officer as described in s. 1(d), Art. VIII of the State Constitution, to accept new, renewal, and replacement license applications on behalf of the department for licenses issued under this chapter. Such appointment shall be for specified locations that will best serve the public interest and convenience in persons applying for these licenses. The department shall establish by rule the type of new, renewal, or replacement licenses a tax collector appointed under this section is authorized to accept.

(2) A tax collector seeking to be appointed to accept applications for new, renewal, or replacement licenses must submit a written request to the department stating his or her name, address, telephone number, each location within the county at which the tax collector wishes to accept applications, and other information as required by the department.

(a) Upon receipt of a written request, the department shall review it and may decline to enter into a memorandum of understanding or, if approved, may enter into a memorandum of understanding with the tax collector to accept applications for new or renewal licenses on behalf of the department.

(b) The department may rescind a memorandum of understanding for any reason at any time.

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(3) All information provided pursuant to s. 493.6105 or s. 493.6113 and contained in the records of a tax collector appointed under this section which is confidential pursuant to s. 493.6122, or any other state or federal law, retains its confidentiality.

(4) A person may not handle an application for a license issued pursuant to this chapter for a fee or compensation of any kind unless he or she has been appointed by the department to do so.

(5) A tax collector appointed under this section may collect and retain a convenience fee of \$22 for each new application, \$12 for each renewal application, \$12 for each replacement license, \$9 for fingerprinting services associated with the completion of an application submitted online or by mail, and \$9 for photography services associated with the completion of an application submitted online or by mail, and shall remit weekly to the department the license fees pursuant to chapter 493 for deposit in the Division of Licensing Trust Fund.

(6) A person who willfully violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(7) Upon receipt of a completed renewal or replacement application, a new color photograph, and appropriate payment of required fees, a tax collector authorized to accept renewal or replacement applications for licenses under this section may, upon approval and confirmation of license issuance by the department, print and deliver a license to a licensee renewing or replacing his or her license at the tax collector's office.

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Section 14. Subsection (28) is added to section 496.404, Florida Statutes, to read:

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

(28) "Street address" means the physical location where activities subject to regulation under this chapter are conducted or where an applicant, licensee, or other referenced individual actually resides. The term does not include a virtual office, a post office box, or a mail drop.

Section 15. Paragraph (d) of subsection (1), subsection (3), and paragraph (a) of subsection (4) of section 496.405, Florida Statutes, are amended to read:

496.405 Registration statements by charitable organizations and sponsors.—

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

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

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

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755 accordance with this section.

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

758 (3) Each chapter, branch, or affiliate of a parent  
759 organization ~~that is~~ required to register under this section  
760 must file a separate registration statement and financial  
761 statement or report the required information to its parent  
762 organization, which shall then file, on a form prescribed by the  
763 department, a consolidated registration statement for the parent  
764 organization and its Florida chapters, branches, and affiliates.  
765 A consolidated registration statement filed by a parent  
766 organization must include or be accompanied by financial  
767 statements as specified in s. 496.407 for the parent  
768 organization and each of its Florida chapters, branches, and  
769 affiliates that solicited or received contributions during the  
770 preceding fiscal year. However, if all contributions received by  
771 chapters, branches, or affiliates are remitted directly into a  
772 depository account that feeds directly into the parent  
773 organization's centralized accounting system from which all  
774 disbursements are made, the parent organization may submit one  
775 consolidated financial statement on a form prescribed by the  
776 department. The consolidated financial statement must comply  
777 with s. 496.407 and must reflect the activities of each chapter,  
778 branch, or affiliate of the parent organization, including all  
779 contributions received in the name of each chapter, branch, or  
780 affiliate; all payments made to each chapter, branch, or  
781 affiliate; and all administrative fees assessed to each chapter,  
782 branch, or affiliate. A copy of Internal Revenue Service Form  
783 990 and all attached schedules filed for the preceding fiscal

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year, or a copy of Internal Revenue Service Form 990-EZ and Schedule O for the preceding fiscal year, for the parent organization and each Florida chapter, branch, or affiliate ~~that is~~ required to file such forms must be attached to the consolidated financial statement.

(4) (a) Every charitable organization, sponsor, or parent organization filing on behalf of one or more chapters, branches, or affiliates that is required to register under this section must pay a single registration fee. A parent organization filing on behalf of one or more chapters, branches, or affiliates shall total all contributions received by the chapters, branches, or affiliates included in the registration statement to determine registration fees. Fees shall be assessed as follows:

~~1.a. Ten dollars, if the contributions received for the last fiscal or calendar year were less than \$5,000; or~~

~~b. Ten dollars, if the contributions actually raised or received from the public during the immediately preceding fiscal year by such organization or sponsor are no more than \$50,000 and the fundraising activities of such organization or sponsor are carried on by volunteers, members, officers, or permanent employees, who are not compensated, primarily to solicit such contributions, provided no part of the assets or income of such organization or sponsor inures to the benefit of or is paid to any officer or member of such organization or sponsor or to any professional fundraising consultant, professional solicitor, or commercial co-venturer;~~

2. Seventy-five dollars, if the contributions received for the last fiscal year were \$5,000 or more, but less than \$100,000;



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3. One hundred twenty-five dollars, if the contributions received for the last fiscal year were \$100,000 or more, but less than \$200,000;

4. Two hundred dollars, if the contributions received for the last fiscal year were \$200,000 or more, but less than \$500,000;

5. Three hundred dollars, if the contributions received for the last fiscal year were \$500,000 or more, but less than \$1 million;

6. Three hundred fifty dollars, if the contributions received for the last fiscal year were \$1 million or more, but less than \$10 million;

7. Four hundred dollars, if the contributions received for the last fiscal year were \$10 million or more.

Section 16. Paragraph (d) of subsection (1) and paragraph (a) of subsection (2) of section 496.406, Florida Statutes, are amended to read:

496.406 Exemption from registration.—

(1) The following charitable organizations and sponsors are exempt from the requirements of s. 496.405:

(d) A charitable organization or sponsor that has less than \$50,000 in total contributions ~~revenue~~ during a fiscal year if the fundraising activities of such organization or sponsor are carried on by volunteers, members, or officers who are not compensated and no part of the assets or income of such organization or sponsor inures to the benefit of or is paid to any officer or member of such organization or sponsor or to any professional fundraising consultant, professional solicitor, or commercial co-venturer. If a charitable organization or sponsor

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that has less than \$50,000 in total contributions ~~revenue~~ during a fiscal year actually acquires total contributions ~~revenue~~ equal to or in excess of \$50,000, the charitable organization or sponsor must register with the department as required by s. 496.405 within 30 days after the date the contributions reach ~~revenue reaches~~ \$50,000.

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

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

Section 17. Paragraph (a) of subsection (1) and subsection (3) of section 496.407, Florida Statutes, are amended to read:

496.407 Financial statement.—

(1) A charitable organization or sponsor that is required to initially register or annually renew registration must file an annual financial statement for the immediately preceding fiscal year on a form prescribed by the department.

(a) The statement must include the following:

1. A balance sheet.
2. A statement of support, revenue and expenses, and any change in the fund balance.
3. The names and street addresses of the charitable organizations or sponsors, professional fundraising consultant,

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professional solicitors, and commercial co-venturers used, if any, and the amounts received therefrom, if any.

4. A statement of functional expenses that must include, but is not limited to, expenses in the following categories:

- a. Program service costs.
- b. Management and general costs.
- c. Fundraising costs.

~~(3) Upon a showing of good cause by a charitable organization or sponsor,~~ The department may extend the time for the filing of a financial statement required under this section ~~by up to 180 days,~~ during which time the previous registration shall remain active. The registration must ~~shall~~ be automatically suspended for failure to file the financial statement within the extension period.

Section 18. Paragraph (c) of subsection (2) of section 496.409, Florida Statutes, is amended to read:

496.409 Registration and duties of professional fundraising consultant.—

(2) Applications for registration or renewal of registration must be submitted on a form prescribed by the department, signed by an authorized official of the professional fundraising consultant who shall certify that the report is true and correct, and must include the following information:

(c) The names and street ~~residence~~ addresses of all principals of the applicant, including all officers, directors, and owners.

Section 19. Paragraphs (d) and (j) of subsection (2), paragraph (c) of subsection (6), paragraphs (a), (b), and (h) of subsection (10), and subsection (11) of section 496.410, Florida

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Statutes, are amended to read:

496.410 Registration and duties of professional solicitors.—

(2) Applications for registration or renewal of registration must be submitted on a form prescribed by rule of the department, signed by an authorized official of the professional solicitor who shall certify that the report is true and correct, and must include the following information:

(d) The names and street ~~residence~~ addresses of all principals of the applicant, including all officers, directors, and owners.

(j) A list of all telephone numbers the applicant will use to solicit contributions as well as the actual street ~~physical~~ address associated with each telephone number and any fictitious names associated with such address.

(6) No less than 15 days before commencing any solicitation campaign or event, the professional solicitor must file with the department a solicitation notice on a form prescribed by the department. The notice must be signed and sworn to by the contracting officer of the professional solicitor and must include:

(c) The legal name and street ~~residence~~ address of each person responsible for directing and supervising the conduct of the campaign.

(10) During each solicitation campaign, and for not less than 3 years after its completion, the professional solicitor shall maintain the following records:

(a) The date and amount of each contribution received and the name, street address, and telephone number of each

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contributor.

(b) The name and ~~residence~~ street address of each employee, agent, and any other person, however designated, who is involved in the solicitation, the amount of compensation paid to each, and the dates on which the payments were made.

(h) If a refund of a contribution has been requested, the name and street address of each person requesting the refund, and, if a refund was made, its amount and the date it was made.

(11) If the professional solicitor sells tickets to any event and represents that the tickets will be donated for use by another person, the professional solicitor also must ~~shall~~ maintain for the same period as specified in subsection (10) the following records:

(a) The name and street address of each contributor who purchases or donates tickets and the number of tickets purchased or donated by the contributor.

(b) The name and street address of each organization that receives the donated tickets for the use of others, and the number of tickets received by the organization.

Section 20. Paragraph (a) of subsection (2) of section 496.4101, Florida Statutes, is amended to read:

496.4101 Licensure of professional solicitors and certain employees thereof.—

(2) Persons required to obtain a solicitor license under subsection (1) shall submit to the department, in such form as the department prescribes, an application for a solicitor license. The application must include the following information:

(a) The true name, date of birth, unique identification number of a driver license or other valid form of

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identification, and street ~~home~~ address of the applicant.

Section 21. Paragraph (c) of subsection (2) of section 496.411, Florida Statutes, is amended, and paragraph (e) of that subsection is reenacted, to read:

496.411 Disclosure requirements and duties of charitable organizations and sponsors.—

(2) A charitable organization or sponsor soliciting in this state must include all of the following disclosures at the point of solicitation:

(c) Upon request, the name and either the street address or telephone number of a representative to whom inquiries may be addressed.

(e) Upon request, the source from which a written financial statement may be obtained. Such financial statement must be for the immediate preceding fiscal year and must be consistent with the annual financial statement filed under s. 496.407. The written financial statement must be provided within 14 days after the request and must state the purpose for which funds are raised, the total amount of all contributions raised, the total costs and expenses incurred in raising contributions, the total amount of contributions dedicated to the stated purpose or disbursed for the stated purpose, and whether the services of another person or organization have been contracted to conduct solicitation activities.

Section 22. Paragraph (a) of subsection (2) of section 496.4121, Florida Statutes, is amended to read:

496.4121 Collection receptacles used for donations.—

(2) A collection receptacle must display a permanent sign or label on each side which contains the following information

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printed in letters that are at least 3 inches in height and no less than one-half inch in width, in a color that contrasts with the color of the collection receptacle:

(a) For a collection receptacle used by a person required to register under this chapter, the name, street ~~business~~ address, telephone number, and registration number of the charitable organization or sponsor for whom the solicitation is made.

Section 23. Paragraph (a) of subsection (2) and subsection (6) of section 496.425, Florida Statutes, are amended to read:

496.425 Solicitation of funds within public transportation facilities.—

(2) Any person desiring to solicit funds within a facility shall first obtain a written permit therefor from the authority responsible for the administration of the facility.

(a) An application in writing for such permit must ~~shall~~ be submitted to the authority and must state ~~shall set forth~~:

1. The full name, street ~~mailing~~ address, and telephone number of the person or organization sponsoring, promoting, or conducting the proposed activities;

2. The full name, street ~~mailing~~ address, and telephone number of each person who will participate in such activities and of the person who will have supervision of and responsibility for the proposed activities;

3. A description of the proposed activities indicating the type of communication to be involved;

4. The dates on and the hours during which the activities are proposed to be carried out and the expected duration of the proposed activities; and

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5. The number of persons to be engaged in such activities.

(6) Each individual solicitor shall display prominently on her or his person a badge or insignia, provided by the solicitor and approved by the authority, bearing the signature of a responsible officer of the authority and that of the solicitor and describing the solicitor by name, age, height, weight, eye color, hair color, street address, and principal occupation and indicating the name of the organization for which funds are solicited.

Section 24. Effective upon this act becoming a law, present paragraphs (k) through (y) of subsection (1) of section 500.03, Florida Statutes, are redesignated as paragraphs (l) through (z), respectively, a new paragraph (k) is added to that subsection, and present paragraph (m) of that subsection is reenacted, to read:

500.03 Definitions; construction; applicability.—

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

(k) "Cultivated meat" means any meat or food product produced from cultured animal cells.

(n) ~~(m)~~ "Food" includes:

1. Articles used for food or drink for human consumption;
2. Chewing gum;
3. Articles used for components of any such article;
4. Articles for which health claims are made, which claims are approved by the Secretary of the United States Department of Health and Human Services and which claims are made in accordance with s. 343(r) of the federal act, and which are not considered drugs solely because their labels or labeling contain health claims;



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5. Dietary supplements as defined in 21 U.S.C. s.  
321(ff)(1) and (2); and

6. Hemp extract as defined in s. 581.217.

The term includes any raw, cooked, or processed edible  
substance; ice; any beverage; or any ingredient used, intended  
for use, or sold for human consumption.

Section 25. Effective upon this act becoming a law, section  
500.452, Florida Statutes, is created to read:

500.452 Cultivated meat; prohibition; penalties.—

(1) It is unlawful for any person to manufacture for sale,  
sell, hold or offer for sale, or distribute cultivated meat in  
this state.

(2) A person who knowingly violates this section commits a  
misdemeanor of the second degree, punishable as provided in s.  
775.082 or s. 775.083.

(3) A food establishment that manufactures, distributes, or  
sells cultivated meat in violation of this section is subject to  
disciplinary action pursuant to s. 500.121.

(4) In addition to the penalties provided in this section,  
the license of any restaurant, store, or other business may be  
suspended as provided in the applicable licensing law upon the  
conviction of an owner or employee of that business for a  
violation of this section in connection with that business.

(5) A product found to be in violation of this section is  
subject to s. 500.172 and an immediate stop-sale order.

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

Section 26. Subsection (10) is added to section 507.07,

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Florida Statutes, to read:

507.07 Violations.—It is a violation of this chapter:

(10) For a mover to place a shipper's goods in a self-service storage unit or self-contained storage unit owned by anyone other than the mover unless those goods are stored in the name of the shipper and the shipper contracts directly with the owner of the self-service storage unit or self-contained storage unit.

Section 27. Section 531.67, Florida Statutes, is repealed.

Section 28. Paragraphs (d) and (e) of subsection (1) and paragraph (a) of subsection (3) of section 559.904, Florida Statutes, are amended to read:

559.904 Motor vehicle repair shop registration; application; exemption.—

(1) Each motor vehicle repair shop engaged or attempting to engage in the business of motor vehicle repair work must register with the department prior to doing business in this state. The application for registration must be on a form provided by the department and must include at least the following information:

~~(d) Copies of all licenses, permits, and certifications obtained by the applicant or employees of the applicant.~~

~~(e) Number of employees who perform repairs at each location or whom which the applicant intends to employ or which are currently employed.~~

(3) (a) Each application for registration must be accompanied by a registration fee for each location calculated on a per-year basis as follows:

1. If the place of business has 1 to 5 employees who

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perform repairs: \$50.

2. If the place of business has 6 to 10 employees who  
perform repairs: \$150.

3. If the place of business has 11 or more employees who  
perform repairs: \$300.

Section 29. Subsections (1) and (2) of section 559.905,  
Florida Statutes, are amended to read:

559.905 Written motor vehicle repair estimate and  
disclosure statement required.—

(1) When any customer requests a motor vehicle repair shop  
to perform repair work on a motor vehicle, the cost of which  
repair work will exceed \$150 ~~\$100~~ to the customer, the shop  
shall prepare a written repair estimate, which is a form setting  
forth the estimated cost of repair work, including diagnostic  
work, before effecting any diagnostic work or repair. The  
written repair estimate must ~~shall~~ also include all of the  
following items:

(a) The name, address, and telephone number of the motor  
vehicle repair shop.

(b) The name, address, and telephone number of the  
customer.

(c) The date and time of the written repair estimate.

(d) The year, make, model, odometer reading, and license  
tag number of the motor vehicle.

(e) The proposed work completion date.

(f) A general description of the customer's problem or  
request for repair work or service relating to the motor  
vehicle.

(g) A statement as to whether the customer is being charged

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according to a flat rate or an hourly rate, or both.

(h) The estimated cost of repair which must ~~shall~~ include any charge for shop supplies or for hazardous or other waste removal and, if a charge is included, the estimate must ~~shall~~ include the following statement:

"This charge represents costs and profits to the motor vehicle repair facility for miscellaneous shop supplies or waste disposal."

If a charge is mandated by state or federal law, the estimate must ~~shall~~ contain a statement identifying the law and the specific amount charged under the law.

(i) The charge for making a repair price estimate or, if the charge cannot be predetermined, the basis on which the charge will be calculated.

(j) The customer's intended method of payment.

(k) The name and telephone number of another person who may authorize repair work, if the customer desires to designate such person.

(l) A statement indicating what, if anything, is guaranteed in connection with the repair work and the time and mileage period for which the guarantee is effective.

(m) A statement allowing the customer to indicate whether replaced parts should be saved for inspection or return.

(n) A statement indicating the daily charge for storing the customer's motor vehicle after the customer has been notified that the repair work has been completed. However, ~~no~~ storage charges may not ~~shall~~ accrue or be due and payable for a period

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of 3 working days from the date after ~~of~~ such notification.

(2) If the cost of repair work will exceed \$150 ~~\$100~~, the shop must ~~shall~~ present to the customer a written notice conspicuously disclosing, in a separate, blocked section, only the following statement, in capital letters of at least 12-point type:

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND SIGN:

I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$150 ~~\$100~~.

.... I REQUEST A WRITTEN ESTIMATE.

.... I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE REPAIR COSTS DO NOT EXCEED \$..... THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

.... I DO NOT REQUEST A WRITTEN ESTIMATE.

SIGNED .....

DATE ....

Section 30. Subsection (38), of section 570.07, Florida Statutes, is amended 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:

(38) To repair or build structures, from existing appropriations authority, notwithstanding chapters 216 and 255,

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not to exceed a cost of \$500,000 ~~\$250,000~~ per structure. These structures must meet all applicable building codes.

Section 31. Section 570.69, Florida Statutes, is amended to read:

570.69 Definitions; ss. 570.69 and 570.691.—For the purpose of this section and s. 570.691:

(1) "Center" means the Florida Agricultural Legacy Learning Center.

(2) "Designated program" means the departmental program that ~~which~~ a direct-support organization has been created to support.

(3) ~~(2)~~ "Direct-support organization" or "organization" means an organization that ~~which~~ is a Florida corporation not for profit incorporated under chapter 617 and approved by the department to operate for the benefit of a museum or a designated program.

~~(3) "Museum" means the Florida Agricultural Museum, which is designated as the museum for agriculture and rural history of the State of Florida.~~

Section 32. Subsections (1), (2), (4), (5), and (7) of section 570.691, Florida Statutes, are amended to read:

570.691 Direct-support organization.—

(1) The department may authorize the establishment of direct-support organizations to provide assistance, funding, and promotional support for ~~the museums and other~~ programs of the department. The following provisions ~~shall~~ govern the creation, use, powers, and duties of the direct-support organizations:

(a) The department shall enter into a memorandum or letter of agreement with the direct-support organization, which must

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~~shall~~ specify the approval of the department, the powers and duties of the direct-support organization, and rules with which the direct-support organization must comply.

(b) The department may authorize, without charge, appropriate use of property, facilities, and personnel of the department by the direct-support organization. The use must ~~shall~~ be for the approved purposes of the direct-support organization and may not be made at times or places that would unreasonably interfere with opportunities for the general public to use department facilities.

(c) The department shall prescribe by agreement conditions with which the direct-support organization must comply in order to use property, facilities, or personnel of the department. Such conditions must ~~shall~~ provide for budget and audit review and oversight by the department.

(d) The department may not authorize the use of property, facilities, or personnel of the center ~~museum~~, department, or designated program by the direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(2) (a) The direct-support organization may conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the center ~~museum~~ or designated program.

(b) Notwithstanding ~~the provisions of~~ s. 287.025(1)(e), the

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direct-support organization may enter into contracts to insure property of the center ~~museum~~ or designated programs and may insure objects or collections on loan from others in satisfying security terms of the lender.

(4) A department employee, direct-support organization or center ~~museum~~ employee, volunteer, or director, or designated program may not do either of the following:

(a) Receive a commission, fee, or financial benefit in connection with the sale or exchange of real or personal property or historical objects to the direct-support organization, the center ~~museum~~, or the designated program. ~~or~~

(b) Be a business associate of any individual, firm, or organization involved in the sale or exchange of real or personal property to the direct-support organization, the center ~~museum~~, or the designated program.

(5) All moneys received by the direct-support organization shall be deposited into an account of the direct-support organization and must ~~shall~~ be used by the organization in a manner consistent with the goals of the center ~~museum~~ or designated program.

(7) The Commissioner of Agriculture, or the commissioner's designee, may serve on the board of trustees and the executive committee of any direct-support organization established to benefit the center ~~museum~~ or any designated program.

Section 33. Section 570.692, Florida Statutes, is amended to read:

570.692 Florida Agricultural Legacy Learning Center ~~Museum~~.—The Florida Agricultural Legacy Learning Center ~~Museum~~ is designated as the legacy learning center for ~~museum of~~



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agriculture and rural history of this ~~the~~ state of ~~Florida~~ and  
is ~~hereby~~ established within the department.

Section 34. Section 581.189, Florida Statutes, is created  
to read:

581.189 Dealing in, buying, transporting, and processing  
saw palmetto berries.—

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

(a) "Harvest" or "harvesting" means to dig up, remove, or  
cut and remove saw palmetto berries from the place where they  
are grown.

(b) "Harvester" means a person, firm, or corporation that  
takes, harvests, or attempts to take or harvest saw palmetto  
berries.

(c) "Landowner" means:

1. The public agency administering any public lands; or  
2. The person who holds legal title to the real property  
from which saw palmetto berries are harvested or the person  
having possession, control, or use of that land which has lawful  
authority to grant permission to harvest saw palmetto berries  
from the land.

(d) "Person" means an individual, a partnership, a  
corporation, an association, or any other legal entity.

(e) "Saw palmetto berries" means the fruit of the plant  
*Serenoa repens*, commonly known as the saw palmetto.

(f) "Saw palmetto berry dealer" means a person that  
purchases or otherwise obtains saw palmetto berries from a  
seller for the purpose of selling the saw palmetto berries at  
retail or for the purpose of selling the saw palmetto berries to  
another saw palmetto berry dealer or for both such purposes.

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This term also includes a person who purchases saw palmetto berries directly from a landowner for the purpose of selling the saw palmetto berries at retail.

(g) "Seller" means a person that exchanges or offers to exchange saw palmetto berries for money or for any other valuable consideration.

(2) It is unlawful for any person to willfully destroy, harvest, or sell saw palmetto berries on the private land of another or on any public land without first obtaining written permission from the landowner or legal representative of the landowner and a permit from the department as provided in s. 581.185. The landowner's written permission must include all of the following information:

(a) The name, address, and telephone number of the landowner.

(b) The start date, end date, and location, including county, of the harvest.

(c) The landowner's actual or electronic signature.

(3) (a) A saw palmetto berry dealer that purchases saw palmetto berries from a landowner or a person harvesting saw palmetto berries from another's property shall:

1. Maintain a bill of lading, a copy of the harvester's entire permit, as provided in s. 581.185, a copy of the landowner's written permission to harvest, and all of the following:

a. The name, address, and telephone number of the seller.

b. The date or dates of harvesting.

c. The weight, quantity, or volume and a description of the type of saw palmetto berries harvested.

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d. A scan or photocopy of a valid government-issued photo identification card of such person.

(b) A person required to maintain the information under paragraph (a) shall retain such records for at least 2 years from the date the harvest ends.

(4) (a) When any law enforcement officer or any authorized employee of the department finds that any saw palmetto berries are being harvested, offered for sale, or exposed for sale in violation of this section, the law enforcement officer or authorized department employee may seize or order such saw palmetto berries be held at a designated location until the individual:

1. Provides the officer or employee with the required permit and landowner's written permission to harvest, within 7 calendar days following the seizure; or

2. Legally disposes of the saw palmetto berries in accordance with this section.

(b) A law enforcement officer or authorized department employee shall release the saw palmetto berries when the requirements of this section are met.

(5) Unlawfully harvested saw palmetto berries constitute contraband and are subject to seizure and disposal by the seizing law enforcement agency or the department.

(a) Notwithstanding any other provision of law, a law enforcement agency that seizes saw palmetto berries harvested or possessed in violation of this section or unlawfully harvested in violation of s. 581.185, or in violation of any other state or federal law, may sell such saw palmetto berries and retain the proceeds of the sale for the enforcement of this section.

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Law enforcement agencies selling contraband saw palmetto berries are exempt from s. 581.185.

(b) Law enforcement agencies that seize unlawfully harvested saw palmetto berries shall submit annually to the department, in the manner prescribed by department rule:

1. The quantity and a description of the saw palmetto berries seized; and

2. The location from which the saw palmetto berries were harvested, if known.

(6) (a) A harvester that exchanges or offers to exchange saw palmetto berries with a saw palmetto dealer, seller, or processor for money or any other valuable consideration without first presenting to the saw palmetto berry dealer, seller, processor the person's entire permit, as provided in s. 581.185, or the landowner's written permission commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person required to maintain records as required in this section that fails to maintain such record for the time period specified in paragraph (3) (b) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) A person that willfully destroys or harvests saw palmetto berries without first obtaining the landowner's written permission to harvest as required by subsection (2) or a permit as required by s. 581.185 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A saw palmetto berry dealer, buyer, processor, harvester, or seller that presents a false, forged, or altered

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document purporting to be a landowner's written permission or  
the permit required by s. 581.185 commits a felony of the third  
degree, punishable as provided in s. 775.082, s. 775.083, or s.  
775.084.

(e) A saw palmetto berry dealer, transporter, or processor  
that exchanges, offers to exchange for money or any other  
valuable consideration, or possesses unlawfully harvested saw  
palmetto berries commits a felony of the third degree,  
punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) (a) A person convicted of a violation of this section is  
responsible for:

1. All reasonable costs incurred by the responding law  
enforcement agencies and the department, including, but not  
limited to, investigative costs; and

2. Restitution to the landowner in an amount equal to the  
fair market value of the saw palmetto berries unlawfully  
harvested.

(b) For the purposes of this subsection, the term  
"convicted" means that there has been a determination of guilt  
as a result of trial or the entry of a plea of guilty or nolo  
contendere, regardless of whether adjudication is withheld.

(8) This section does not affect any other person that  
legally harvests or handles saw palmetto berries from up to two  
plants for home or personal use.

(9) The department shall adopt rules to administer this  
section.

Section 35. Subsection (13) of section 585.01, Florida  
Statutes, is amended to read:

585.01 Definitions.—In construing this part, where the

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context permits, the word, phrase, or term:

(13) "Livestock" means grazing animals, such as cattle, horses, sheep, swine, goats, other hoofed animals, poultry, ostriches, emus, and rheas, which are raised for private use or commercial purposes.

Section 36. Subsections (5) and (8) of section 790.0625, Florida Statutes, are amended, and subsections (9) and (10) are added to that section, to read:

790.0625 Appointment of tax collectors to accept applications for a concealed weapon or firearm license; fees; penalties.—

(5) A tax collector appointed under this section may collect and retain a convenience fee of \$22 for each new application, ~~and~~ \$12 for each renewal application, \$12 for each replacement license, \$9 for fingerprinting services associated with the completion of an application submitted online or by mail, and \$9 for photographing services associated with the completion of an application submitted online or by mail, and shall remit weekly to the department the license fees pursuant to s. 790.06 for deposit in the Division of Licensing Trust Fund.

(8) Upon receipt of a completed renewal application, a new color photograph, and ~~appropriate~~ payment of required fees, a tax collector authorized to accept renewal applications for concealed weapon or firearm licenses under this section may, upon approval and confirmation of license issuance by the department, print and deliver a concealed weapon or firearm license to a licensee renewing his or her license at the tax collector's office.

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(9) Upon receipt of a statement under oath to the department and payment of required fees, a tax collector authorized to accept an application for a concealed weapon or firearm license under this section may, upon approval and confirmation from the department that a license is in good standing, print and deliver a concealed weapon or firearm license to a licensee whose license has been lost or destroyed.

(10) Tax collectors authorized to accept an application for a concealed weapon or firearm license under this section may provide fingerprinting and photographing services to aid concealed weapon and firearm applicants and licensees with initial and renewal applications submitted online or by mail.

Section 37. Paragraph (a) of subsection (5) of section 810.011, Florida Statutes, is amended to read:

810.011 Definitions.—As used in this chapter:

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

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

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position as to be clearly noticeable from outside the boundary line; or

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

(I) Painted in an international orange color and displaying the stenciled words "No Trespassing" in letters no less than 2 inches high and 1 inch wide either vertically or horizontally;

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

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

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

Section 38. Subsection (2) of section 810.09, Florida Statutes, is amended to read:

810.09 Trespass on property other than structure or conveyance.—

(2) ~~(a)~~ Except as provided in this subsection, trespass on property other than a structure or conveyance is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(a) ~~(b)~~ If the offender defies an order to leave, personally communicated to the offender by the owner of the premises or by an authorized person, or if the offender willfully opens any



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door, fence, or gate or does any act that exposes animals, crops, or other property to waste, destruction, or freedom; unlawfully dumps litter on property; or trespasses on property other than a structure or conveyance, the offender commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) ~~(e)~~ If the offender is armed with a firearm or other dangerous weapon during the commission of the offense of trespass on property other than a structure or conveyance, he or she commits ~~is guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Any owner or person authorized by the owner may, for prosecution purposes, take into custody and detain, in a reasonable manner, for a reasonable length of time, any person when he or she reasonably believes that a violation of this paragraph has been or is being committed, and that the person to be taken into custody and detained has committed or is committing the violation. If a person is taken into custody, a law enforcement officer must ~~shall~~ be called as soon as is practicable after the person has been taken into custody. The taking into custody and detention in compliance with the requirements of this paragraph does not result in criminal or civil liability for false arrest, false imprisonment, or unlawful detention.

(c) ~~(d)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed is a construction site that is:

1. Greater than 1 acre in area and is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON

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THIS PROPERTY COMMITS A FELONY."; or

2. One acre or less in area and is identified as such with a sign that appears prominently, in letters of not less than 2 inches in height, and reads in substantially the following manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY." The sign must ~~shall~~ be placed at the location on the property where the permits for construction are located. For construction sites of 1 acre or less as provided in this subparagraph, it may ~~shall~~ not be necessary to give notice by posting as defined in s. 810.011(5).

(d) ~~(e)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is commercial horticulture property and the property is legally posted and identified in substantially the following manner: "THIS AREA IS DESIGNATED COMMERCIAL PROPERTY FOR HORTICULTURE PRODUCTS, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

(e) ~~(f)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is an agricultural site for testing or research purposes that is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED AGRICULTURAL SITE FOR TESTING OR RESEARCH PURPOSES, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

(f) ~~(g)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is a domestic violence center certified under s. 39.905 which is legally posted and identified

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in substantially the following manner: "THIS AREA IS A DESIGNATED RESTRICTED SITE, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

(g) ~~(h)~~ Any person who in taking or attempting to take any animal described in s. 379.101(19) or (20), or in killing, attempting to kill, or endangering any animal described in s. 585.01(13) knowingly propels or causes to be propelled any potentially lethal projectile over or across private land without authorization commits trespass, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this paragraph, the term "potentially lethal projectile" includes any projectile launched from any firearm, bow, crossbow, or similar tensile device. This section does not apply to any governmental agent or employee acting within the scope of his or her official duties.

(h) ~~(i)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is an agricultural chemicals manufacturing facility that is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED AGRICULTURAL CHEMICALS MANUFACTURING FACILITY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

(i) ~~1. (j) 1.~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offender trespasses with the intent to injure another person, damage property, or impede the operation or use of an aircraft, runway, taxiway, ramp, or apron area, and the property trespassed upon is the operational area of an airport that is legally posted and identified in substantially the

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following manner: "THIS AREA IS A DESIGNATED OPERATIONAL AREA OF AN AIRPORT, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

2. For purposes of this paragraph, the term "operational area of an airport" means any portion of an airport to which access by the public is prohibited by fences or appropriate signs and includes runways, taxiways, ramps, apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft.

(j) The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offender trespasses with the intent to commit a crime on commercial agricultural property that is legally posted and identified by signs in letters of at least 2 inches at each pedestrian and vehicle entrance in substantially the following manner: "THIS AREA IS A DESIGNATED COMMERCIAL AGRICULTURAL PROPERTY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

1. A first-time offender who is under 18 years of age at the time he or she commits the crime specified in this paragraph must be given the option of participating in a diversion program described in s. 958.12, s. 985.125, s. 985.155, or s. 985.16 or a program to which a referral is made by a state attorney under s. 985.15.

2. For the purpose of this paragraph, the term "commercial agricultural property" means property cleared of its natural vegetation or fenced for the purposes of planting, growing,

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1625 harvesting, processing, raising, producing, or storing plant or  
1626 animal commercial commodities.

1627 Section 39. Subsection (5) is added to section 1003.24,  
1628 Florida Statutes, to read:

1629 1003.24 Parents responsible for attendance of children;  
1630 attendance policy.—Each parent of a child within the compulsory  
1631 attendance age is responsible for the child's school attendance  
1632 as required by law. The absence of a student from school is  
1633 prima facie evidence of a violation of this section; however,  
1634 criminal prosecution under this chapter may not be brought  
1635 against a parent until the provisions of s. 1003.26 have been  
1636 complied with. A parent of a student is not responsible for the  
1637 student's nonattendance at school under any of the following  
1638 conditions:

1639 (5) AGRICULTURAL SCHOOL ACTIVITIES.—

1640 (a) A student who participates in an activity or program  
1641 sponsored by 4-H or Future Farmers of America (FFA) must be  
1642 credited with an excused absence by the school in which he or  
1643 she is enrolled in the same manner as any other excused absence  
1644 is credited. Any such participation in an activity or program  
1645 sponsored by 4-H or FFA may not be counted as an unexcused  
1646 absence, for any day, portion of a day, or days missed from  
1647 school.

1648 (b) Upon request from a school principal or the principal's  
1649 designee, a 4-H or FFA representative shall provide  
1650 documentation as proof of a student's participation in an  
1651 activity or program sponsored by 4-H or FFA.

1652 (c) As used in this subsection, the term "4-H  
1653 representative" means an individual officially recognized or

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designated by the Florida Cooperative Extension Service 4-H  
Program as a 4-H professional or a 4-H adult volunteer.

Each district school board shall establish an attendance policy that includes, but is not limited to, the required number of days each school year that a student must be in attendance and the number of absences and tardinesses after which a statement explaining such absences and tardinesses must be on file at the school. Each school in the district must determine if an absence or tardiness is excused or unexcused according to criteria established by the district school board.

Section 40. Paragraph (b) of subsection (2) of section 379.3004, Florida Statutes, is amended to read:

379.3004 Voluntary Authorized Hunter Identification Program.—

(2) Any person hunting on private land enrolled in the Voluntary Authorized Hunter Identification Program shall have readily available on the land at all times when hunting on the property written authorization from the owner or his or her authorized representative to be on the land for the purpose of hunting. The written authorization shall be presented on demand to any law enforcement officer, the owner, or the authorized agent of the owner.

(b) Failure by any person hunting on private land enrolled in the program to present written authorization to hunt on that ~~said~~ land to any law enforcement officer or the owner or representative thereof within 7 days after ~~of~~ demand shall be prima facie evidence of violation of s. 810.09(2)(b) ~~s.~~ ~~810.09(2)(c)~~, punishable as provided in s. 775.082, s. 775.083,

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or s. 775.084. However, such evidence may be contradicted or rebutted by other evidence.

Section 41. Paragraph (c) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

(2)

(c) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm, except as provided in paragraph (f).
6. A motor vehicle, except as provided in paragraph (a).

7. Any commercially farmed animal, including any animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; and aquaculture species raised at a certified aquaculture facility. If the property stolen is a commercially farmed animal, including an animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; or an aquaculture species raised at a certified aquaculture facility, a \$10,000 fine shall be imposed.

8. Any fire extinguisher that, at the time of the taking, was installed in any building for the purpose of fire prevention and control. This subparagraph does not apply to a fire extinguisher taken from the inventory at a point-of-sale business.

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9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.

10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(c) ~~s. 810.09(2)(d)~~.

11. Any stop sign.

12. Anhydrous ammonia.

13. Any amount of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the



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terms "conditions arising from a riot" and "conditions arising from the emergency" have the same meanings as provided in paragraph (b). A person arrested for committing a theft during a riot or an aggravated riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 42. Paragraphs (b) and (c) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine

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			Turtle Protection Act.
1760	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
1761	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
1762	590.28 (1)	3rd	Intentional burning of lands.
1763	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
1764	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
1765	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state

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			limits.
1766	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
1767	806.13 (3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
1768	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
1769	<u>810.09 (2) (d)</u> <del>810.09 (2) (e)</del>	3rd	Trespassing on posted commercial horticulture property.
1770	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
1771	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$750, taken from

			20241084er
1772			unenclosed curtilage of dwelling.
	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
1773			
	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
1774			
	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
1775			
	817.52 (3)	3rd	Failure to redeliver hired vehicle.
1776			
	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
1777			
	817.60 (5)	3rd	Dealing in credit cards of another.

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1778	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
1779	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
1780	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
1781	831.01	3rd	Forgery.
1782	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
1783	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
1784	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
1785	831.09	3rd	Uttering forged notes,

				20241084er
				bills, checks, drafts, or promissory notes.
1786	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.	
1787	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.	
1788	843.01 (2)	3rd	Resist police canine or police horse with violence; under certain circumstances.	
1789	843.08	3rd	False personation.	
1790	843.19 (3)	3rd	Touch or strike police, fire, SAR canine or police horse.	
1791	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4)	

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			drugs other than cannabis.
1792	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
1793			
1794			
1795	(c) LEVEL 3		
1796			
	Florida	Felony	
	Statute	Degree	Description
1797			
	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
1798			
	316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
1799			
	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
1800			
	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
1801			
	319.30(4)	3rd	Possession by junkyard of

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			motor vehicle with identification number plate removed.
1802	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
1803	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
1804	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
1805	327.35 (2) (b)	3rd	Felony BUI.
1806	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
1807	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID



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1808

376.302(5)

3rd

number.

Fraud related to  
reimbursement for cleanup  
expenses under the Inland  
Protection Trust Fund.

1809

379.2431  
(1) (e) 5.

3rd

Taking, disturbing,  
mutilating, destroying,  
causing to be destroyed,  
transferring, selling,  
offering to sell,  
molesting, or harassing  
marine turtles, marine  
turtle eggs, or marine  
turtle nests in violation  
of the Marine Turtle  
Protection Act.

1810

379.2431  
(1) (e) 6.

3rd

Possessing any marine  
turtle species or  
hatchling, or parts  
thereof, or the nest of any  
marine turtle species  
described in the Marine  
Turtle Protection Act.

1811

379.2431  
(1) (e) 7.

3rd

Soliciting to commit or  
conspiring to commit a

			20241084er
1812			violation of the Marine Turtle Protection Act.
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
1813			
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
1814			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
1815			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
1816			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
1817			

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1818	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1819	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
1820	697.08	3rd	Equity skimming.
1821	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
1822	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
1823	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.

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1824	<u>810.09(2)(b)</u> <del>810.09(2)(c)</del>	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1825	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1826	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1827	812.015(8)(b)	3rd	Retail theft with intent to sell; conspires with others.
1828	812.081(2)	3rd	Theft of a trade secret.
1829	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
1830	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1831			