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27 revising powers and duties of the Division of Food  
 28 Safety to include analyzing milk, milk products, and  
 29 frozen desserts offered for sale in the state;  
 30 amending s. 570.53, F.S.; revising duties of the  
 31 Division of Marketing and Development to remove  
 32 enforcement of provisions relating to dealers in  
 33 agricultural products; amending s. 570.544, F.S.;  
 34 revising duties of the director of the Division of  
 35 Consumer Services to include enforcement of provisions  
 36 relating to dealers in agricultural products and grain  
 37 dealers; creating s. 570.68, F.S.; authorizing the  
 38 Commissioner of Agriculture to create an Office of  
 39 Agriculture Technology Services; providing duties of  
 40 the office; amending s. 570.681, F.S.; clarifying  
 41 legislative findings with regard to the Florida  
 42 Agriculture Center and Horse Park; amending s.  
 43 570.685, F.S.; authorizing rather than requiring the  
 44 department to provide administrative and staff support  
 45 services, meeting space, and record storage for the  
 46 Florida Agriculture Center and Horse Park Authority;  
 47 amending s. 571.24, F.S.; clarifying the intent of the  
 48 Florida Agricultural Promotional Campaign as a  
 49 marketing program; removing an obsolete provision  
 50 relating to the designation of a division employee as  
 51 a member of the Advertising Interagency Coordinating  
 52 Council; amending s. 571.27, F.S.; removing obsolete

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53 provisions relating to the authority of the department  
 54 to adopts rules for entering into contracts with  
 55 advertising agencies for services which are directly  
 56 related to the Florida Agricultural Promotional  
 57 Campaign; amending s. 571.28, F.S.; revising  
 58 provisions specifying membership criteria of the  
 59 Florida Agricultural Promotional Campaign Advisory  
 60 Council; amending s. 581.181, F.S.; providing  
 61 applicability of provisions requiring treatment or  
 62 destruction of infested or infected plants and plant  
 63 products; repealing s. 589.26, F.S., relating to the  
 64 authority of the Florida Forest Service to dedicate  
 65 and reserve state park lands for public use; amending  
 66 s. 595.402, F.S.; defining terms relating to the  
 67 school food and nutrition service program; amending s.  
 68 595.404, F.S.; revising duties of the department with  
 69 regard to the school food and nutrition service  
 70 program; directing the department to collect and  
 71 publish data on food purchased by sponsors through the  
 72 Florida Farm to School Program and other school food  
 73 and nutrition service programs; amending s. 595.405,  
 74 F.S.; clarifying requirements for the School Nutrition  
 75 Program; providing for breakfast meals to be available  
 76 to all students in schools that serve any combination  
 77 of grades kindergarten through 5; amending s. 595.406,  
 78 F.S.; renaming the "Florida Farm Fresh Schools

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79 Program" as the "Florida Farm to School Program";  
 80 authorizing the department to establish by rule a  
 81 recognition program for certain sponsors; amending s.  
 82 595.407, F.S.; revising provisions of the children's  
 83 summer nutrition program to include certain schools  
 84 that serve any combination of grades kindergarten  
 85 through 5; revising provisions relating to the  
 86 duration of the program; authorizing school districts  
 87 to exclude holidays and weekends; amending s. 595.408,  
 88 F.S.; conforming references to changes made by the  
 89 act; amending s. 595.501, F.S.; requiring entities to  
 90 complete corrective action plans required by the  
 91 department or a federal agency to be in compliance  
 92 with school food and nutrition service programs;  
 93 amending s. 595.601, F.S.; correcting a cross-  
 94 reference; amending s. 604.20, F.S.; removing a  
 95 provision requiring an applicant for license as a  
 96 dealer in agricultural products to submit a letter  
 97 acknowledging assignment of a certificate of deposit  
 98 from the issuing institution; amending s. 604.33,  
 99 F.S.; removing provisions requiring grain dealers to  
 100 submit monthly reports; authorizing rather than  
 101 requiring the department to make at least one spot  
 102 check annually of each grain dealer; providing an  
 103 effective date.

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

106

107 Section 1. Subsection (5) of section 288.1175, Florida  
 108 Statutes, is amended to read:

109 288.1175 Agriculture education and promotion facility.—

110 (5) The Department of Agriculture and Consumer Services  
 111 shall ~~competitively~~ evaluate applications for funding of an  
 112 agriculture education and promotion facility based on the  
 113 following criteria and list the applications alphabetically by  
 114 applicant name. ~~if the number of applicants exceeds three, the~~  
 115 ~~Department of Agriculture and Consumer Services shall rank the~~  
 116 ~~applications based upon criteria developed by the Department of~~  
 117 ~~Agriculture and Consumer Services, with priority given in~~  
 118 ~~descending order to the following items:~~

119 (a) The intended use of the funds by the applicant, ~~with~~  
 120 ~~priority given to the construction of a new facility.~~

121 (b) The amount of local match, ~~with priority given to the~~  
 122 ~~largest percentage of local match proposed.~~

123 (c) The location of the facility in a brownfield site as  
 124 defined in s. 376.79(3), a rural enterprise zone as defined in  
 125 s. 290.004, an agriculturally depressed area as defined in s.  
 126 570.74, or a county that has lost its agricultural land to  
 127 environmental restoration projects.

128 (d) The net increase, as a result of the facility, of  
 129 total available exhibition, arena, or civic center space within  
 130 the jurisdictional limits of the local government in which the

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131 facility is to be located, ~~with priority given to the largest~~  
 132 ~~percentage increase of total exhibition, arena, or civic center~~  
 133 ~~space.~~

134 (e) The historic record of the applicant in promoting  
 135 agriculture and educating the public about agriculture,  
 136 including, without limitation, awards, premiums, scholarships,  
 137 auctions, and other such activities.

138 (f) The highest projection on paid attendance attracted by  
 139 the agriculture education and promotion facility and the  
 140 proposed economic impact on the local community.

141 (g) The location of the facility with respect to an  
 142 Institute of Food and Agricultural Sciences (IFAS) facility,  
 143 ~~with priority given to facilities closer in proximity to an IFAS~~  
 144 ~~facility.~~

145 Section 2. Subsections (5) and (6) of section 482.1562,  
 146 Florida Statutes, are amended to read:

147 482.1562 Limited certification for urban landscape  
 148 commercial fertilizer application.—

149 (5) An application for recertification must be made 4  
 150 years after the date of issuance ~~at least 90 days before the~~  
 151 ~~expiration~~ of the current certificate and be accompanied by:

152 (a) Proof of having completed the 4 classroom hours of  
 153 acceptable continuing education required under subsection (4).

154 (b) A recertification fee set by the department in an  
 155 amount of at least \$25 but not more than \$75. Until the fee is  
 156 set by rule, the fee for certification is \$25.

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157           (6) ~~A late renewal charge of \$50 per month shall be~~  
 158 ~~assessed 30 days after the date the application for~~  
 159 ~~recertification is due and must be paid in addition to the~~  
 160 ~~renewal fee. Unless timely recertified, a certificate~~  
 161 ~~automatically expires 90 days after the recertification date.~~  
 162 Upon expiration, or after a grace period which does not exceed  
 163 30 days after expiration, a certificate may be issued only upon  
 164 reapplying in accordance with subsection (3).

165           Section 3. Paragraph (bb) of subsection (1) of section  
 166 500.03, Florida Statutes, is redesignated as paragraph (cc), and  
 167 a new paragraph (bb) and paragraphs (dd) and (ee) are added to  
 168 that subsection, to read:

169           500.03 Definitions; construction; applicability.—

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

171           (bb) "Retail" means the offering of food directly to the  
 172 consumer.

173           (dd) "Vehicle" means a mode of transportation or mobile  
 174 carrier used to transport food from one location to another,  
 175 including, but not limited to, carts, vans, trucks, cars, trains  
 176 and railway transport, and aircraft and watercraft type  
 177 transport.

178           (ee) "Wholesale" means the offering of food to businesses  
 179 for resale.

180           Section 4. Paragraph (c) of subsection (20) of section  
 181 570.07, Florida Statutes, is amended, and subsection (44) is  
 182 added to that section, to read:

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183 570.07 Department of Agriculture and Consumer Services;  
 184 functions, powers, and duties.—The department shall have and  
 185 exercise the following functions, powers, and duties:

186 (20)

187 (c) To sponsor events, trade breakfasts, luncheons, and  
 188 dinners and distribute promotional materials and favors in  
 189 connection with meetings, conferences, and conventions of  
 190 dealers, buyers, food editors, and merchandising executives that  
 191 will assist in the promotion and marketing of Florida's  
 192 agricultural and agricultural business products to the consuming  
 193 public.

194

195 The department is authorized to receive and expend donations  
 196 contributed by private persons for the purpose of covering costs  
 197 associated with the above described activities.

198 (44) The department may, in its own name:

199 (a) Perform all things necessary to secure letters of  
 200 patent, copyrights, and trademarks on any work products of the  
 201 department and enforce its rights therein.

202 (b) License, lease, assign, or otherwise give written  
 203 consent to any person, firm, or corporation for the manufacture  
 204 or use of such department work products on a royalty basis or  
 205 for such other consideration as the department shall deem  
 206 proper.

207 (c) Take any action necessary, including legal action, to  
 208 protect such department work products against improper or



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209 unlawful use or infringement.

210 (d) Enforce the collection of any sums due to the  
 211 department for the manufacture or use of such department work  
 212 products by another party.

213 (e) Sell any of such department work products and execute  
 214 all instruments necessary to consummate any such sale.

215 (f) Do all other acts necessary and proper for the  
 216 execution of powers and duties conferred upon the department by  
 217 this section, including adopting rules, as necessary, in order  
 218 to administer this section.

219 Section 5. Subsection (5) of section 570.30, Florida  
 220 Statutes, is amended, and subsection (6) of that section is  
 221 renumbered as subsection (5), to read:

222 570.30 Division of Administration; powers and duties.—The  
 223 Division of Administration shall render services required by the  
 224 department and its other divisions, or by the commissioner in  
 225 the exercise of constitutional and cabinet responsibilities,  
 226 that can advantageously and effectively be centralized and  
 227 administered and any other function of the department that is  
 228 not specifically assigned by law to some other division. The  
 229 duties of this division include, but are not limited to:

230 ~~(5) Providing electronic data processing and management~~  
 231 ~~information systems support for the department.~~

232 Section 6. Subsection (4) is added to section 570.441,  
 233 Florida Statutes, to read:

234 570.441 Pest Control Trust Fund.—

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235 (4) In addition to the uses authorized under subsection  
 236 (2), moneys collected or received by the department under  
 237 chapter 482 may be used to carry out the provisions of s.  
 238 570.44. This subsection expires June 30, 2018.

239 Section 7. Subsection (5) of section 570.50, Florida  
 240 Statutes, is amended to read:

241 570.50 Division of Food Safety; powers and duties.—The  
 242 duties of the Division of Food Safety include, but are not  
 243 limited to:

244 (5) Analyzing food and feed samples offered for sale in  
 245 the state ~~for chemical residues~~ as required under the  
 246 adulteration sections of chapters 500, 502, and 580.

247 Section 8. Subsection (2) of section 570.53, Florida  
 248 Statutes, is amended to read:

249 570.53 Division of Marketing and Development; powers and  
 250 duties.—The powers and duties of the Division of Marketing and  
 251 Development include, but are not limited to:

252 ~~(2) Enforcing the provisions of ss. 604.15-604.34, the~~  
 253 ~~dealers in agricultural products law, and ss. 534.47-534.53.~~

254 Section 9. Subsection (2) of section 570.544, Florida  
 255 Statutes, is amended to read:

256 570.544 Division of Consumer Services; director; powers;  
 257 processing of complaints; records.—

258 (2) The director shall supervise, direct, and coordinate  
 259 the activities of the division and shall, under the direction of  
 260 the department, enforce the provisions of ss. 604.15-604.34, and

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261 chapters 472, 496, 501, 507, 525, 526, 527, 531, 539, 559, 616,  
262 and 849.

263 Section 10. Section 570.68, Florida Statutes, is created  
264 to read:

265 570.68 Office of Agriculture Technology Services.—The  
266 commissioner may create an Office of Agriculture Technology  
267 Services under the supervision of a senior manager exempt under  
268 s. 110.205 in the Senior Management Service. The office shall  
269 provide electronic data processing and agency information  
270 technology services to support and facilitate the functions,  
271 powers, and duties of the department.

272 Section 11. Section 570.681, Florida Statutes, is amended  
273 to read:

274 570.681 Florida Agriculture Center and Horse Park;  
275 legislative findings.—It is the finding of the Legislature that:

276 ~~(1) Agriculture is an important industry to the State of~~  
277 ~~Florida, producing over \$6 billion per year while supporting~~  
278 ~~over 230,000 jobs.~~

279 (1)(2) Equine and other agriculture-related industries  
280 ~~will~~ strengthen and benefit each other with the establishment of  
281 a statewide agriculture and horse facility.

282 (2)(3) ~~The~~ A Florida Agriculture Center and Horse Park  
283 provides ~~will provide~~ Florida with a unique tourist experience  
284 for visitors and residents, thus generating taxes and additional  
285 dollars for the state.

286 (3)(4) Promoting the Florida Agriculture Center and Horse

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287 Park as a joint effort between the state and the private sector  
 288 allows ~~will allow~~ this facility to use ~~utilize~~ experts and  
 289 generate revenue from many areas to ensure the success of this  
 290 facility.

291 Section 12. Paragraphs (b) and (c) of subsection (4) of  
 292 section 570.685, Florida Statutes, are amended to read:

293 570.685 Florida Agriculture Center and Horse Park  
 294 Authority.—

295 (4) The authority shall meet at least semiannually and  
 296 elect a chair, a vice chair, and a secretary for 1-year terms.

297 (b) The department may provide ~~shall be responsible for~~  
 298 ~~providing~~ administrative and staff support services relating to  
 299 the meetings of the authority and may ~~shall~~ provide suitable  
 300 space in the offices of the department for the meetings and the  
 301 storage of records of the authority.

302 (c) In conducting its meetings, the authority shall use  
 303 accepted rules of procedure. The secretary shall keep a complete  
 304 record of the proceedings of each meeting, which shows ~~record~~  
 305 ~~shall show~~ the names of the members present and the actions  
 306 taken. These records shall be kept on file with the department,  
 307 and such records and other documents regarding matters within  
 308 the jurisdiction of the authority shall be subject to inspection  
 309 by members of the authority.

310 Section 13. Section 571.24, Florida Statutes, is amended  
 311 to read:

312 571.24 Purpose; duties of the department.—The purpose of

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313 | this part is to authorize the department to establish and  
 314 | coordinate the Florida Agricultural Promotional Campaign, which  
 315 | is intended to serve as a marketing program to promote Florida  
 316 | agricultural commodities, value-added products, and agricultural  
 317 | related businesses and not a food safety or traceability  
 318 | program. The duties of the department shall include, but are not  
 319 | limited to:

- 320 |       (1) Developing logos and authorizing the use of logos as
- 321 | provided by rule.
- 322 |       (2) Registering participants.
- 323 |       (3) Assessing and collecting fees.
- 324 |       (4) Collecting rental receipts for industry promotions.
- 325 |       (5) Developing in-kind advertising programs.
- 326 |       (6) Contracting with media representatives for the purpose
- 327 | of dispersing promotional materials.
- 328 |       (7) Assisting the representative of the department who
- 329 | serves on the Florida Agricultural Promotional Campaign Advisory
- 330 | Council.

331 |       ~~(8) Designating a division employee to be a member of the~~  
 332 | ~~Advertising Interagency Coordinating Council.~~

333 |       (8)~~(9)~~ Adopting rules pursuant to ss. 120.536(1) and  
 334 | 120.54 to implement the provisions of this part.

335 |       (9)~~(10)~~ Enforcing and administering the provisions of this  
 336 | part, including measures ensuring that only Florida agricultural  
 337 | or agricultural based products are marketed under the "Fresh  
 338 | From Florida" or "From Florida" logos or other logos of the

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339 Florida Agricultural Promotional Campaign.

340 Section 14. Section 571.27, Florida Statutes, is amended  
341 to read:

342 571.27 Rules.—The department is authorized to adopt rules  
343 that implement, make specific, and interpret the provisions of  
344 this part, ~~including rules for entering into contracts with~~  
345 ~~advertising agencies for services which are directly related to~~  
346 ~~the Florida Agricultural Promotional Campaign. Such rules shall~~  
347 ~~establish the procedures for negotiating costs with the offerors~~  
348 ~~of such advertising services who have been determined by the~~  
349 ~~department to be qualified on the basis of technical merit,~~  
350 ~~creative ability, and professional competency. Such~~  
351 ~~determination of qualifications shall also include consideration~~  
352 ~~of the provisions in s. 287.055(3), (4), and (5).~~ The department  
353 is further authorized to determine, by rule, the logos or  
354 product identifiers to be depicted for use in advertising,  
355 publicizing, and promoting the sale of Florida agricultural  
356 products or agricultural-based products in the Florida  
357 Agricultural Promotional Campaign. The department may also adopt  
358 rules consistent ~~not inconsistent~~ with the provisions of this  
359 part as in its judgment may be necessary for participant  
360 registration, renewal of registration, classes of membership,  
361 application forms, and ~~as well as~~ other forms and enforcement  
362 measures ensuring compliance with this part.

363 Section 15. Subsection (1) of section 571.28, Florida  
364 Statutes, is amended to read:

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365 571.28 Florida Agricultural Promotional Campaign Advisory  
366 Council.—

367 (1) ORGANIZATION.—There is ~~hereby~~ created within the  
368 department the Florida Agricultural Promotional Campaign  
369 Advisory Council, to consist of 15 members appointed by the  
370 Commissioner of Agriculture for 4-year staggered terms. The  
371 membership shall include: 13 ~~six~~ members representing  
372 agricultural producers, shippers, ~~or~~ packers, ~~three members~~  
373 ~~representing agricultural~~ retailers, ~~two members representing~~  
374 agricultural associations, and wholesalers ~~one member~~  
375 ~~representing a wholesaler~~ of agricultural products, one member  
376 representing consumers, and one member representing the  
377 department. Initial appointment of the council members shall be  
378 four members to a term of 4 years, four members to a term of 3  
379 years, four members to a term of 2 years, and three members to a  
380 term of 1 year.

381 Section 16. Subsection (3) is added to section 581.181,  
382 Florida Statutes, to read:

383 581.181 Notice of infection of plants; destruction.—

384 (3) This section does not apply to plants or plant  
385 products infested with pests or noxious weeds that are  
386 determined to be widely established within the state and are not  
387 specifically regulated under other sections of statutes or rules  
388 adopted by the department.

389 Section 17. Section 589.26, Florida Statutes, is repealed.

390 Section 18. Subsections (4) and (5) of section 595.402,

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391 Florida Statutes, are renumbered as subsections (5) and (6),  
 392 respectively, and a new subsection (4) and subsections (7) and  
 393 (8) are added to that section, to read:

394 595.402 Definitions.—As used in this chapter, the term:

395 (4) "School breakfast program" means a program authorized  
 396 by section 4 of the Child Nutrition Act of 1966 and administered  
 397 by the department.

398 (7) "Summer nutrition program" means one or more of the  
 399 programs authorized under 42 U.S.C. s. 1761.

400 (8) "Universal school breakfast program" means a program  
 401 that makes breakfast available at no cost to all students  
 402 regardless of their household income.

403 Section 19. Subsections (5) and (12) of section 595.404,  
 404 Florida Statutes, are amended, and subsection (13) is added to  
 405 that section, to read:

406 595.404 School food and nutrition service program; powers  
 407 and duties of the department.—The department has the following  
 408 powers and duties:

409 (5) To provide ~~make a reasonable effort to ensure that any~~  
 410 ~~school designated as a "severe need school" receives~~ the highest  
 411 rate of reimbursement to which it is entitled under 42 U.S.C. s.  
 412 1773 for each breakfast meal served.

413 (12) To advance funds from the program's annual  
 414 appropriation to a summer nutrition program sponsors, when  
 415 requested, in order to implement the provisions of this chapter  
 416 and in accordance with federal regulations.



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417 (13) To collect data on food purchased through the  
 418 programs defined in s. 595.402(3) and s. 595.406 and to publish  
 419 that data annually.

420 Section 20. Section 595.405, Florida Statutes, is amended  
 421 to read:

422 595.405 School Nutrition Program requirements ~~for school~~  
 423 ~~districts and sponsors.~~

424 (1) Each ~~school~~ district school board shall consider the  
 425 recommendations of the district school superintendent and adopt  
 426 policies to provide for an appropriate food and nutrition  
 427 service program for students consistent with federal law and  
 428 department rules.

429 (2) Each ~~school~~ district school board shall implement  
 430 school breakfast programs that make breakfast meals available to  
 431 all students in each ~~elementary~~ school that serves any  
 432 combination of grades kindergarten through 5. Universal school  
 433 ~~breakfast programs shall be offered in schools in which 80~~  
 434 ~~percent or more of the students are eligible for free or~~  
 435 ~~reduced-price meals. Each school shall, to the maximum extent~~  
 436 ~~practicable, make breakfast meals available to students at an~~  
 437 ~~alternative site location, which may include, but need not be~~  
 438 ~~limited to, alternative breakfast options as described in~~  
 439 ~~publications of the Food and Nutrition Service of the United~~  
 440 ~~States Department of Agriculture for the federal School~~  
 441 ~~Breakfast Program.~~

442 (3) Each ~~school~~ district school board must annually set

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443 | prices for breakfast meals at rates that, combined with federal  
 444 | reimbursements and state allocations, are sufficient to defray  
 445 | costs of school breakfast programs without requiring allocations  
 446 | from the district's operating funds, except if the district  
 447 | school board approves lower rates.

448 | ~~(4) Each school district is encouraged to provide~~  
 449 | ~~universal, free school breakfast meals to all students in each~~  
 450 | ~~elementary, middle, and high school. Each school district shall~~  
 451 | ~~approve or disapprove a policy, after receiving public testimony~~  
 452 | ~~concerning the proposed policy at two or more regular meetings,~~  
 453 | ~~which makes universal, free school breakfast meals available to~~  
 454 | ~~all students in each elementary, middle, and high school in~~  
 455 | ~~which 80 percent or more of the students are eligible for free~~  
 456 | ~~or reduced-price meals.~~

457 | (4)-(5) Each elementary, middle, and high school operating  
 458 | a breakfast program shall make a breakfast meal available if a  
 459 | student arrives at school on the school bus less than 15 minutes  
 460 | before the first bell rings and shall allow the student at least  
 461 | 15 minutes to eat the breakfast.

462 | (5) Each school district is encouraged to provide  
 463 | universal, free school breakfast meals to all students in each  
 464 | elementary, middle, and high school. A universal school  
 465 | breakfast program shall be implemented in each school in which  
 466 | 80 percent or more of the students are eligible for free or  
 467 | reduced-price meals, unless the district school board, after  
 468 | considering public testimony at two or more regularly scheduled

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469 board meetings, decides to not implement such a program in such  
 470 schools.

471 (6) To increase school breakfast and universal school  
 472 breakfast program participation, each school district must, to  
 473 the maximum extent practicable, make breakfast meals available  
 474 to students through alternative service models as described in  
 475 publications of the Food and Nutrition Service of the United  
 476 States Department of Agriculture for the federal School  
 477 Breakfast Program.

478 (7)~~(6)~~ Each ~~school~~ district school board shall annually  
 479 provide ~~to all students in each elementary, middle, and high~~  
 480 ~~school~~ information prepared by the district's food service  
 481 administration regarding available ~~its~~ school breakfast  
 482 programs. The information shall be communicated through school  
 483 announcements and ~~written~~ notices sent to all parents.

484 (8)~~(7)~~ A ~~school~~ district school board may operate a  
 485 breakfast program providing for food preparation at the school  
 486 site or in central locations with distribution to designated  
 487 satellite schools or any combination thereof.

488 ~~(8) Each sponsor shall complete all corrective action~~  
 489 ~~plans required by the department or a federal agency to be in~~  
 490 ~~compliance with the program.~~

491 Section 21. Section 595.406, Florida Statutes, is amended  
 492 to read:

493 595.406 Florida Farm to School ~~Fresh Schools~~ Program.—

494 (1) In order to implement the Florida Farm to School ~~Fresh~~

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495 ~~Schools~~ Program, the department shall develop policies  
 496 pertaining to school food services which encourage:  
 497 (a) Sponsors to buy fresh and high-quality foods grown in  
 498 this state when feasible.  
 499 (b) Farmers in this state to sell their products to  
 500 sponsors, school districts, and schools.  
 501 (c) Sponsors to demonstrate a preference for competitively  
 502 priced organic food products.  
 503 (d) Sponsors to make reasonable efforts to select foods  
 504 based on a preference for those that have maximum nutritional  
 505 content.  
 506 (2) The department shall provide outreach, guidance, and  
 507 training to sponsors, schools, school food service directors,  
 508 parent and teacher organizations, and students about the benefit  
 509 of fresh food products from farms in this state.  
 510 (3) The department may recognize sponsors who purchase at  
 511 least 10 percent of the food they serve from the Florida Farm to  
 512 School Program.  
 513 Section 22. Subsection (2) of section 595.407, Florida  
 514 Statutes, is amended to read:  
 515 595.407 Children's summer nutrition program.—  
 516 (2) Each school district shall develop a plan to sponsor  
 517 or operate a summer nutrition program to operate sites in the  
 518 school district as follows:  
 519 (a) Within 5 miles of at least one ~~elementary~~ school that  
 520 serves any combination of grades kindergarten through 5 at which

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521 50 percent or more of the students are eligible for free or  
 522 reduced-price school meals and for the duration of 35  
 523 ~~consecutive~~ days between the end of the school year and the  
 524 beginning of the next school year. School districts may exclude  
 525 holidays and weekends.

526 (b) Within 10 miles of each ~~elementary~~ school that serves  
 527 any combination of grades kindergarten through 5 at which 50  
 528 percent or more of the students are eligible for free or  
 529 reduced-price school meals, except as operated pursuant to  
 530 paragraph (a).

531 Section 23. Section 595.408, Florida Statutes, is amended  
 532 to read:

533 595.408 Food Commodity distribution services; department  
 534 responsibilities and functions.—

535 (1)(a) The department shall conduct, supervise, and  
 536 administer all food ~~commodity~~ distribution services that will be  
 537 carried on using federal or state funds, or funds from any other  
 538 source, or food ~~commodities~~ received and distributed from the  
 539 United States or any of its agencies.

540 (b) The department shall determine the benefits each  
 541 applicant or recipient of assistance is entitled to receive  
 542 under this chapter, provided that each applicant or recipient is  
 543 a resident of this state and a citizen of the United States or  
 544 is an alien lawfully admitted for permanent residence or  
 545 otherwise permanently residing in the United States under color  
 546 of law.

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547 (2) The department shall cooperate fully with the United  
 548 States Government and its agencies and instrumentalities so that  
 549 the department may receive the benefit of all federal financial  
 550 allotments and assistance possible to carry out the purposes of  
 551 this chapter.

552 (3) The department may:

553 (a) Accept any duties with respect to food ~~commodity~~  
 554 distribution services as are delegated to it by an agency of the  
 555 federal government or any state, county, or municipal  
 556 government.

557 (b) Act as agent of, or contract with, the federal  
 558 government, state government, or any county or municipal  
 559 government in the administration of food ~~commodity~~ distribution  
 560 services to secure the benefits of any public assistance that is  
 561 available from the federal government or any of its agencies,  
 562 and in the distribution of funds received from the federal  
 563 government, state government, or any county or municipal  
 564 government for food ~~commodity~~ distribution services within the  
 565 state.

566 (c) Accept from any person or organization all offers of  
 567 personal services, food ~~commodities~~, or other aid or assistance.

568 (4) This chapter does not limit, abrogate, or abridge the  
 569 powers and duties of any other state agency.

570 Section 24. Section 595.501, Florida Statutes, is amended  
 571 to read:

572 595.501 Penalties.—

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573 (1) When a corrective action plan is issued by the  
 574 department or a federal agency, each sponsor is required to  
 575 complete the corrective action plan to be in compliance with the  
 576 program.

577 (2) Any person ~~or, sponsor, or school district~~ that  
 578 violates any provision of this chapter or any rule adopted  
 579 thereunder or otherwise does not comply with the program is  
 580 subject to a suspension or revocation of their agreement, loss  
 581 of reimbursement, or a financial penalty in accordance with  
 582 federal or state law or both. This section does not restrict the  
 583 applicability of any other law.

584 Section 25. Section 595.601, Florida Statutes, is amended  
 585 to read:

586 595.601 Food and Nutrition Services Trust Fund.—Chapter  
 587 99-37, Laws of Florida, recreated the Food and Nutrition  
 588 Services Trust Fund to record revenue and disbursements of  
 589 Federal Food and Nutrition funds received by the department as  
 590 authorized in s. 595.404 ~~595.405~~.

591 Section 26. Subsection (1) of section 604.20, Florida  
 592 Statutes, is amended to read:

593 604.20 Bond or certificate of deposit prerequisite;  
 594 amount; form.—

595 (1) Before any license is issued, the applicant ~~therefor~~  
 596 shall make and deliver to the department a surety bond or  
 597 certificate of deposit in the amount of at least \$5,000 or in  
 598 such greater amount as the department may determine. No bond or

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599 certificate of deposit may be in an amount less than \$5,000. The  
 600 penal sum of the bond or certificate of deposit to be furnished  
 601 to the department by an applicant for license as a dealer in  
 602 agricultural products shall be in an amount equal to twice the  
 603 dollar amount of agricultural products handled for a Florida  
 604 producer or a producer's agent or representative, by purchase or  
 605 otherwise, during the month of maximum transaction in such  
 606 products during the preceding 12-month period. An applicant for  
 607 license who has not handled agricultural products for a Florida  
 608 producer or a producer's agent or representative, by purchase or  
 609 otherwise, during the preceding 12-month period shall furnish a  
 610 bond or certificate of deposit in an amount equal to twice the  
 611 estimated dollar amount of such agricultural products to be  
 612 handled, by purchase or otherwise, during the month of maximum  
 613 transaction during the next immediate 12 months. Such bond or  
 614 certificate of deposit shall be provided or assigned in the  
 615 exact name in which the dealer will conduct business subject to  
 616 ~~the provisions of~~ ss. 604.15-604.34. Such bond must be executed  
 617 by a surety company authorized to transact business in the  
 618 state. For the purposes of ss. 604.19-604.21, the term  
 619 "certificate of deposit" means a certificate of deposit at any  
 620 recognized financial institution doing business in the United  
 621 States. A ~~No~~ certificate of deposit may not be accepted in  
 622 connection with an application for a dealer's license unless the  
 623 issuing institution is properly insured by either the Federal  
 624 Deposit Insurance Corporation or the Federal Savings and Loan



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625 Insurance Corporation. Such bond or any certificate of deposit  
 626 assignment or agreement shall be upon a form prescribed or  
 627 approved by the department and shall be conditioned to secure  
 628 the faithful accounting for and payment, in the manner  
 629 prescribed by s. 604.21(9), to producers or their agents or  
 630 representatives of the proceeds of all agricultural products  
 631 handled or purchased by such dealer and to secure payment to  
 632 dealers who sell agricultural products to such dealer. Such bond  
 633 or certificate of deposit assignment or agreement shall include  
 634 terms binding the instrument to the Commissioner of Agriculture.  
 635 A certificate of deposit shall be presented with an assignment  
 636 of applicant's rights in the certificate in favor of the  
 637 Commissioner of Agriculture on a form prescribed by the  
 638 department ~~and with a letter from the issuing institution~~  
 639 acknowledging that the assignment has been properly recorded on  
 640 the books of the issuing institution and will be honored by the  
 641 issuing institution. Such assignment shall be irrevocable while  
 642 the dealer's license is in effect and for an additional period  
 643 of 6 months after the termination or expiration of the dealer's  
 644 license, if a ~~provided~~ ~~no~~ complaint is not pending against the  
 645 licensee. If a complaint is pending, the assignment shall remain  
 646 in effect until all actions on the complaint have been  
 647 finalized. The certificate of deposit may be released by the  
 648 assignee of the financial institution to the licensee or the  
 649 licensee's successors, assignee, or heirs if ~~no~~ claims are not  
 650 pending against the licensee before the department at the

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651 conclusion of 6 months after the last effective date of the  
 652 license. A ~~No~~ certificate of deposit which shall be accepted  
 653 ~~that~~ contains any provision that would give the issuing  
 654 institution any prior rights or claim on the proceeds or  
 655 principal of such certificate of deposit may not be accepted.

656 The department shall determine by rule the maximum amount of  
 657 bond or certificate of deposit required of a dealer and whether  
 658 an annual bond or certificate of deposit will be required.

659 Section 27. Section 604.33, Florida Statutes, is amended  
 660 to read:

661 604.33 Security requirements for grain dealers.—Each grain  
 662 dealer doing business in the state shall maintain liquid  
 663 security, in the form of grain on hand, cash, certificates of  
 664 deposit, or other nonvolatile security that can be liquidated in  
 665 10 days or less, or cash bonds, surety bonds, or letters of  
 666 credit, that have been assigned to the department and that are  
 667 conditioned to secure the faithful accounting for and payment to  
 668 the producers for grain stored or purchased, in an amount equal  
 669 to the value of grain which the grain dealer has received from  
 670 grain producers for which the producers have not received  
 671 payment. The bonds must be executed by the applicant as  
 672 principal and by a surety corporation authorized to transact  
 673 business in the state. The certificates of deposit and letters  
 674 of credit must be from a recognized financial institution doing  
 675 business in the United States. ~~Each grain dealer shall report to~~  
 676 ~~the department monthly, on or before a date established by rule~~

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677 ~~of the department, the value of grain she or he has received~~  
 678 ~~from producers for which the producers have not received payment~~  
 679 ~~and the types of transaction involved, showing the value of each~~  
 680 ~~type of transaction. The report shall also include a statement~~  
 681 ~~showing the type and amount of security maintained to cover the~~  
 682 ~~grain dealer's liability to producers. The department may shall~~  
 683 make at least one spot check annually of each grain dealer to  
 684 determine compliance with the requirements of this section.

685 Section 28. This act shall take effect July 1, 2015.