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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.