

CHAPTER 2004-52

Senate Bill No. 2484

An act relating to citrus canker; amending s. 120.80, F.S.; excluding certain statements and actions by the Department of Agriculture and Consumer Services from application of certain rules; creating s. 933.40, F.S.; providing definitions; providing for issuance of agriculture warrants for certain purposes under certain circumstances; requiring probable cause; providing criteria procedures for issuing such warrants; providing certain guidelines and limitations on required notice; providing for ex parte hearing for certain warrant applications; providing a time limit on the effectiveness of certain warrants; providing a criminal penalty for refusal to permit execution of a warrant; prohibiting certain persons from giving certain information as a confidential informant under certain circumstances; providing construction; amending s. 581.184, F.S.; authorizing the destruction of certain trees; providing a notice requirement to certain property owners; preempting regulation of tree removal and destruction to the state; providing an effective date.

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

Section 1. Paragraph (c) is added to subsection (2) of section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.—

(2) DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. —

(c) The provisions of ss. 120.54 and 120.56 shall not apply to any statement or action by the department in furtherance of its duties pursuant to s. 581.184(2).