

Bill No. CS for SB 2066

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Thomas moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 24, lines 9-15, delete those lines		
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16	and insert:		
17	Section 25. Subsection (2) of section 823.14, Florida		
18	Statutes, is amended. Paragraph (c) of subsection (3) of		
19	section 823.14, Florida Statutes is amended. Paragraphs (c)		
20	and (d) are added to subsection (4) of said section, to read:		
21	823.14 Florida Right to Farm Act.--		
22	(2) LEGISLATIVE FINDINGS AND PURPOSE.--		
23	<u>(a)</u> The Legislature finds that agricultural production		
24	is a major contributor to the economy of the state; that		
25	agricultural lands constitute unique and irreplaceable		
26	resources of statewide importance; that the continuation of		
27	agricultural activities preserves the landscape and		
28	environmental resources of the state, contributes to the		
29	increase of tourism, and furthers the economic		
30	self-sufficiency of the people of the state; and that the		
31	encouragement, development, improvement, and preservation of		

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1 agriculture will result in a general benefit to the health and
2 welfare of the people of the state. The Legislature further
3 finds that agricultural activities conducted on farm land in
4 urbanizing areas are potentially subject to lawsuits based on
5 the theory of nuisance and that these suits encourage and even
6 force the premature removal of the farm land from agricultural
7 use. It is the purpose of this act to protect reasonable
8 agricultural activities conducted on farm land from nuisance
9 suits.

10 (b) The Legislature finds that animal husbandry
11 contributes no less than twenty percent to the agriculture
12 industry. The Legislature also finds that exposure of
13 livestock to continuous sound, particularly that of music, is
14 beneficial to agriculture. It allows livestock to become
15 accustomed to people and a variety of sounds. In turn, this
16 makes the animals less inclined to negative stress reactions
17 at the time of being moved or otherwise handled by people.
18 The Legislature further finds that providing music to
19 livestock is a common practice among farmers that results in
20 healthier animals, producing a finer product.

21 (3) DEFINITIONS.--As used in this section:

22 (c) "Farm product" means any plant, as defined in s.
23 581.011, or animal useful to humans and includes, but is not
24 limited to, any product derived therefrom.

25 (4) FARM OPERATION NOT TO BE OR BECOME A NUISANCE.--

26 (c) Except as expressly provided by general law, the
27 Legislature hereby declares that it is occupying the whole
28 field of regulation of nuisances resulting from the noise of
29 commercial raising of livestock, to the exclusion of all
30 existing and future county, city, town, or municipal
31 ordinances or regulations relating thereto. Any such existing

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1 ordinances are hereby declared null and void. This paragraph
2 shall not affect zoning ordinances which encompass commercial
3 agriculture. Zoning ordinances which are designed for the
4 purpose of restricting the noise from commercial raising of
5 livestock are in conflict with this paragraph and are
6 prohibited.

7 (d) No commercial farm operation in this state
8 involving the raising of livestock shall be limited in any way
9 from using amplified sounds designed to enhance animal
10 husbandry, including music intended to make animals less
11 inclined to negative stress reactions; provided, however, that
12 no person shall be required to be subjected to amplified
13 sounds of 85 decibels or louder for a continuous 8-hour
14 period.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 3, line 24, after the semicolon

20
21 and insert:

22 providing legislative findings regarding the
23 effect of music on animal husbandry; preempting
24 nuisance from noise from raising livestock to
25 the state; providing findings; establishing
26 certain sound limits;

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