



CHAMBER ACTION

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The Committee on Agriculture recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the use of farm lands; creating s. 163.3162, F.S.; providing a popular name; providing legislative findings and purpose with respect to agricultural activities conducted on land in urban areas; defining the terms "farm," "farm operation," and "farm product" for purposes of the act; prohibiting a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a bona fide farm or farm operation on certain land that is an integral part of a farm operation or that is classified as agricultural land; prohibiting a county from changing the land use classification or zoning designation or lowering the current residential density designation of agricultural land unless the property owner is compensated by the county; providing an effective date.

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



HB 1075

2003
CS

29 Section 1. Section 163.3162, Florida Statutes, is created
30 to read:

31 163.3162 Agricultural Lands and Practices Act.--

32 (1) POPULAR NAME.--This section shall be known by the
33 popular name the "Agricultural Lands and Practices Act."

34 (2) LEGISLATIVE FINDINGS AND PURPOSE.--The Legislature
35 finds that agricultural production is a major contributor to the
36 economy of the state; that agricultural lands constitute unique
37 and irreplaceable resources of statewide importance; that the
38 continuation of agricultural activities preserves the landscape
39 and environmental resources of the state, contributes to the
40 increase of tourism, and furthers the economic self-sufficiency
41 of the people of the state; and that the encouragement,
42 development, and improvement of agriculture will result in a
43 general benefit to the health, safety, and welfare of the people
44 of the state. The Legislature further finds that agricultural
45 activities conducted on farm land in urban areas are potentially
46 subject to restrictions imposed by counties which are
47 duplicative, overbearing, and unnecessary to protect the public
48 from perceived harm. It is the purpose of this act to protect
49 reasonable agricultural activities conducted on farm lands from
50 duplicative regulation.

51 (3) DEFINITIONS.--As used in this section, the term:

52 (a) "Farm" is as defined in s. 823.14.

53 (b) "Farm operation" is as defined in s. 823.14.

54 (c) "Farm product" means any plant, as defined in s.
55 581.011, or animal useful to humans and includes, but is not
56 limited to, any product derived therefrom.



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57 | (4) DUPLICATION OF REGULATION.--Except as otherwise
58 | provided in this section and s. 487.051(2), and notwithstanding
59 | any other law, including any provision of chapter 125 or this
60 | chapter, a county may not exercise any of its powers to adopt
61 | any ordinance, resolution, regulation, rule, or policy to
62 | prohibit, restrict, regulate, or otherwise limit an activity of
63 | a bona fide farm or farm operation, or deprive any owner or
64 | operator of a full and complete use of lands and farm practices
65 | for production of any farm product on land that is an integral
66 | part of a farm operation or that is classified as agricultural
67 | land pursuant to s. 193.461, if such activity is regulated
68 | through best-management practices or by an existing state,
69 | regional, or federal regulatory program.

70 | (5) COMPENSATION REQUIRED.--A county may not change an
71 | existing agricultural land use classification or zoning
72 | designation or lower the current residential density designation
73 | of land that is classified as agricultural land pursuant to s.
74 | 193.461 unless the property owner is compensated for the
75 | subsequent loss of value by the county.

76 | Section 2. This act shall take effect July 1, 2003.