$\mathbf{B}\mathbf{y}$ the Committees on Community Affairs; Agriculture; and Senator Haridopolos

578-2548-07

1	A bill to be entitled
2	An act relating to agriculture; creating ss.
3	570.96-570.962, F.S., relating to agritourism;
4	directing the Department of Agriculture and
5	Consumer Services to assist specified entities
6	in agritourism promotion and marketing
7	initiatives; providing definitions; specifying
8	the impact of agritourism participation on
9	certain classifications; requiring local
10	governments and agricultural representatives to
11	meet and discuss specific issues related to
12	agritourism; prescribing duties of the
13	department with respect to the purchase and
14	sale of horses; authorizing rules; providing an
15	effective date.
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17	Be It Enacted by the Legislature of the State of Florida:
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19	Section 1. Sections 570.96, 570.961, and 570.962,
20	Florida Statutes, are created to read:
21	570.96 Agritourism The Department of Agriculture and
22	Consumer Services may provide marketing advice, technical
23	expertise, promotional support, and product development
24	related to agritourism to assist the following in their
25	agritourism initiatives: the Florida Commission on Tourism,
26	convention and visitor bureaus, tourist development councils,
27	economic development organizations, and local governments. In
28	carrying out this responsibility, the department shall focus
29	its agritourism efforts on fostering agritourism in rural and
30	urban communities.
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1	570.961 DefinitionsAs used in ss. 570.96-570.962,
2	the term:
3	(1) "Agritourism activity" means any activity carried
4	out on a farm or ranch or in a forest that allows members of
5	the general public, for recreational, entertainment, or
6	educational purposes, to view or enjoy rural activities,
7	including farming, ranching, historical, cultural,
8	harvest-your-own, or nature-based activities and attractions.
9	An activity is an agritourism activity whether or not the
10	participant paid to participate in the activity.
11	(2) "Agritourism professional" means any person who is
12	engaged in the business of providing one or more agritourism
13	activities, whether or not for compensation.
14	(3) "Farm" means the land, buildings, support
15	facilities, machinery, and other appurtenances used in the
16	production of farm or aquaculture products, including land
17	used to display plants, animals, farm products, or farm
18	equipment to the public.
19	(4) "Farm operation" has the same meaning as in s.
20	823.14.
21	570.962 Agritourism participation impact on land
22	classification
23	(1) In order to promote and perpetuate agriculture
24	throughout the state, farm operations are encouraged to engage
25	in agritourism. The conduct of agritourism activity on a bona
26	fide farm or on agricultural lands classified as such pursuant
27	to s. 193.461 shall not limit, restrict, or divest the land of
28	that classification.
29	(2) Local governments and agricultural representatives
30	shall meet for the purpose of discussing the benefits of
31	agritourism to local economies and opportunities for

1	cooperation, conflict resolution, regulatory streamlining, and
2	incentives.
3	Section 2. The Department of Agriculture and Consumer
4	Services shall examine the conditions surrounding the sale and
5	purchase of horses and shall adopt rules to prevent unfair or
6	deceptive trade practices. The department's examination shall
7	include, but need not be limited to, the disclosure of the
8	legal owner and buyer of the horse and any dual agency to the
9	buyer and the seller; the disclosure of relevant medical
10	conditions, defects, or surgeries; the need for a written bill
11	of sale or similar documentation; and disclosure of
12	alterations to the appearance or performance of a horse prior
13	to sale.
14	Section 3. This act shall take effect upon becoming a
15	law.
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17	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18	COMMITTEE SUBSTITUTE FOR <u>CS/SB 2754</u>
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20	The committee substitute for committee substitute (CS)
21	requires local governments and agricultural representatives to meet for the purposes of discussing specific issues related to
22	agritourism. It also requires the Department of Agriculture and Consumer Services to examine the conditions surrounding
23	the sale and purchase of horses and do adopt rules to prevent unfair or deceptive trade practices.
24	The CS deletes language preempting local government permitting
25	with respect to agritourism. It also deletes language relating to Florida Farm Winery certifications.
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