

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Albritton offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 44 and 45, insert:

5 Section 1. Subsection (2) and paragraphs (b), (c), and (i)  
6 of subsection (3) of section 163.3162, Florida Statutes, are  
7 amended to read:

8 163.3162 Agricultural Lands and Practices.—

9 (2) DEFINITIONS.—As used in this section, the term:

10 (a) "Farm" has the same meaning ~~is~~ as provided ~~defined~~ in  
11 s. 823.14.

12 (b) "Farm operation" has the same meaning ~~is~~ as provided  
13 ~~defined~~ in s. 823.14.

14 (c) "Farm product" means any plant, as defined in s.  
15 581.011, or animal useful to humans and includes, but is not  
16 limited to, any product derived therefrom.

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17        (d) "Governmental entity" has the same meaning as provided  
18 in s. 164.1031. The term does not include a water control  
19 district established under chapter 298 or a special district  
20 created by special act for water management purposes.

21        (3) DUPLICATION OF REGULATION.—Except as otherwise  
22 provided in this section and s. 487.051(2), and notwithstanding  
23 any other law, including any provision of chapter 125 or this  
24 chapter:

25        (b) A governmental entity ~~county~~ may not charge an  
26 assessment or fee for stormwater management on a bona fide farm  
27 operation on land classified as agricultural land pursuant to s.  
28 193.461, if the farm operation has a National Pollutant  
29 Discharge Elimination System permit, environmental resource  
30 permit, or works-of-the-district permit or implements best  
31 management practices adopted as rules under chapter 120 by the  
32 Department of Environmental Protection, the Department of  
33 Agriculture and Consumer Services, or a water management  
34 district as part of a statewide or regional program.

35        (c) For each governmental entity ~~county~~ that, before March  
36 1, 2009, adopted a stormwater utility ordinance or resolution,  
37 adopted an ordinance or resolution establishing a municipal  
38 services benefit unit, or adopted a resolution stating the  
39 governmental entity's ~~county's~~ intent to use the uniform method  
40 of collection pursuant to s. 197.3632 for such stormwater  
41 ordinances, the governmental entity ~~county~~ may continue to  
42 charge an assessment or fee for stormwater management on a bona  
43 fide farm operation on land classified as agricultural pursuant  
44 to s. 193.461, if the ordinance or resolution provides credits  
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45 against the assessment or fee on a bona fide farm operation for  
46 the water quality or flood control benefit of:

47 1. The implementation of best management practices adopted  
48 as rules under chapter 120 by the Department of Environmental  
49 Protection, the Department of Agriculture and Consumer Services,  
50 or a water management district as part of a statewide or  
51 regional program;

52 2. The stormwater quality and quantity measures required  
53 as part of a National Pollutant Discharge Elimination System  
54 permit, environmental resource permit, or works-of-the-district  
55 permit; or

56 3. The implementation of best management practices or  
57 alternative measures which the landowner demonstrates to the  
58 governmental entity ~~county~~ to be of equivalent or greater  
59 stormwater benefit than those provided by implementation of best  
60 management practices adopted as rules under chapter 120 by the  
61 Department of Environmental Protection, the Department of  
62 Agriculture and Consumer Services, or a water management  
63 district as part of a statewide or regional program, or  
64 stormwater quality and quantity measures required as part of a  
65 National Pollutant Discharge Elimination System permit,  
66 environmental resource permit, or works-of-the-district permit.

67 (i) The provisions of this subsection that limit a  
68 governmental entity's ~~county's~~ authority to adopt or enforce any  
69 ordinance, regulation, rule, or policy, or to charge any  
70 assessment or fee for stormwater management, apply only to a  
71 bona fide farm operation as described in this subsection.  
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73  
74 Remove lines 232-238  
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78 **T I T L E A M E N D M E N T**

79 Remove lines 2-29 and insert:

80 An act relating to agriculture; amending s. 163.3162,  
81 F.S.; defining the term "governmental entity";  
82 prohibiting certain governmental entities from  
83 charging stormwater management assessments or fees on  
84 certain bona fide farm operations except under certain  
85 circumstances; providing for applicability; conforming  
86 provisions; amending s. 479.11, F.S.; conforming  
87 provisions; amending s. 586.02, F.S.; defining the  
88 term "apiculture" for purposes of the Florida Honey  
89 Certification and Honeybee Law; conforming provisions;  
90 creating s. 586.055, F.S.; authorizing apiaries to be  
91 located on certain lands; amending s. 586.10, F.S.;  
92 providing for preemption to the state of authority to  
93 regulate, inspect, and permit managed honeybee  
94 colonies; providing that certain local government  
95 ordinances are superseded; revising the powers and  
96 duties of the Department of Agriculture and Consumer  
97 Services relating to honey certification and  
98 honeybees; requiring the department to adopt rules  
99 and, before adopting certain rules, consult with local  
100 governments and other affected stakeholders; amending

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101 s. 604.50, F.S.; defining the term "farm sign";  
102 providing an exemption from the Florida Building Code  
103 for farm signs; prohibiting farm signs located on  
104 public roads from violating certain standards;  
105 limiting the authority of local governments to enforce  
106 certain requirements with respect to farm signs;  
107 amending s. 823.14, F.S.; revising definitions  
108 relating to the Florida Right to Farm Act; limiting  
109 the conditions under which apiculture or the placement  
110 of apiaries may be deemed public or private nuisances;  
111 limiting the authority of local governments to  
112 regulate apiculture and the placement of apiaries on  
113 agricultural land; reenacting ss.