

1 A bill to be entitled
2 An act relating to agricultural lands; amending s.
3 163.3162, F.S.; revising a definition; prohibiting a
4 governmental entity from adopting or enforcing any
5 prohibition, restriction, regulation, or other
6 limitation or from charging a fee on a specific
7 activity of a bona fide farm operation on land
8 classified as agricultural land under certain
9 circumstances; providing an effective date.

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

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13 Section 1. Paragraphs (b) through (j) of subsection (3) of
14 section 163.3162, Florida Statutes, are redesignated as
15 paragraphs (c) through (k), respectively, paragraph (d) of
16 subsection (2) and paragraph (a) of subsection (3) are amended,
17 and a new paragraph (b) is added to subsection (3) of that
18 section, to read:

19 163.3162 Agricultural Lands and Practices.—

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

21 (d) "Governmental entity" has the same meaning as provided
22 in s. 164.1031. The term does not include a water management
23 district, a water control district established under chapter
24 298, or a special district created by special act for water
25 management purposes.

26 (3) DUPLICATION OF REGULATION.—Except as otherwise
27 provided in this section and s. 487.051(2), and notwithstanding
28 any other law, including any provision of chapter 125 or this

29 chapter:

30 (a) A governmental entity ~~county~~ may not exercise any of
 31 its powers to adopt or enforce any ordinance, resolution,
 32 regulation, rule, or policy to prohibit, restrict, regulate, or
 33 otherwise limit an activity of a bona fide farm operation on
 34 land classified as agricultural land pursuant to s. 193.461, if
 35 such activity is regulated through implemented best management
 36 practices, interim measures, or regulations adopted as rules
 37 under chapter 120 by the Department of Environmental Protection,
 38 the Department of Agriculture and Consumer Services, or a water
 39 management district as part of a statewide or regional program;
 40 or if such activity is expressly regulated by the United States
 41 Department of Agriculture, the United States Army Corps of
 42 Engineers, or the United States Environmental Protection Agency.

43 (b) A governmental entity may not charge a fee on a
 44 specific agricultural activity of a bona fide farm operation on
 45 land classified as agricultural land pursuant to s. 193.461, if
 46 such agricultural activity is regulated through implemented best
 47 management practices, interim measures, or regulations 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; or if such agricultural activity is expressly
 52 regulated by the United States Department of Agriculture, the
 53 United States Army Corps of Engineers, or the United States
 54 Environmental Protection Agency.

55 Section 2. This act shall take effect July 1, 2013.