

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Local Government Affairs  
 2 Subcommittee  
 3 Representative Raburn offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Section 570.85, Florida Statutes, is amended to  
 8 read:

9 570.85 Agritourism.—

10 (1) It is the intent of the Legislature to promote  
 11 agritourism as a way to support bona fide agricultural  
 12 production by providing a secondary stream of revenue and by  
 13 education of the general public about the agricultural industry.

14 (2)~~(1)~~ It is the intent of the Legislature to eliminate  
 15 duplication of regulatory authority over agritourism as  
 16 expressed in this section. Except as otherwise provided for in  
 17 this section, and notwithstanding any other provision of law, a

Amendment No. 1

18 local government may not adopt or enforce a local ~~an~~ ordinance,  
19 regulation, rule, or policy that prohibits, restricts,  
20 regulates, or otherwise limits an agritourism activity on land  
21 classified as agricultural land under s. 193.461. This  
22 subsection does not limit the powers and duties of a local  
23 government to address an emergency as provided in chapter 252.

24 ~~(3)(2)~~ The Department of Agriculture and Consumer Services  
25 may provide marketing advice, technical expertise, promotional  
26 support, and product development related to agritourism to  
27 assist the following in their agritourism initiatives:  
28 Enterprise Florida, Inc.; convention and visitor bureaus;  
29 tourist development councils; economic development  
30 organizations; and local governments. In carrying out this  
31 responsibility, the department shall focus its agritourism  
32 efforts on rural and urban communities.

33 Section 2. Subsection (1) of section 570.86, Florida  
34 Statutes, is amended to read:

35 570.86 Definitions.—As used in ss. 570.85-570.89, the  
36 term:

37 (1) "Agritourism activity" means any agricultural related  
38 activity consistent with a bona fide farm or ranch or in a  
39 working forest which allows members of the general public, for  
40 recreational, entertainment, or educational purposes, to view or  
41 enjoy activities, including farming, ranching, historical,  
42 cultural, civic, ceremonial, or harvest-your-own activities and  
43 attractions. An agritourism activity does not include the

Amendment No. 1

44 construction of new or additional structures or facilities  
45 intended primarily to house, shelter, transport, or otherwise  
46 accommodate members of the general public. An activity is an  
47 agritourism activity regardless of whether the participant paid  
48 to participate in the activity.

49 Section 3. Subsection (1) of section 570.87, Florida  
50 Statutes, is amended to read:

51 570.87 Agritourism participation impact on land  
52 classification.—

53 (1) In order to promote and perpetuate agriculture  
54 throughout the state, farm operations are encouraged to engage  
55 in agritourism. The conduct of agritourism activity on a bona  
56 fide farm or on agricultural lands classified as such pursuant  
57 to s. 193.461 shall not limit, restrict, or divest the land of  
58 that classification as long as such lands classified as  
59 agricultural remain used primarily for bona fide agricultural  
60 purposes.

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62

63 **T I T L E A M E N D M E N T**

64 Remove everything before the enacting clause and insert:  
65 An act relating to agritourism; amending s. 570.85, F.S.;  
66 providing legislative intent; prohibiting a local government  
67 from enforcing a local ordinance, regulation, rule, or policy  
68 that prohibits, restricts, regulates, or otherwise limits an  
69 agritourism activity on land classified as agricultural land;

Amendment No. 1

70 amending s. 570.86, F.S.; amending the definition of agritourism  
71 activity; providing that agritourism activity includes civic and  
72 ceremonial activities; amending s. 570.87, F.S.; specifying that  
73 the conduct of agritourism activity on a bona fide farm or  
74 agricultural lands shall not limit, restrict, or divest the land  
75 of that classification provided that such lands remain used  
76 primarily for bona fide agricultural purposes; providing an  
77 effective date.