



CS/CS/HB 59, Engrossed 1

2016

1 A bill to be entitled
2 An act relating to agritourism; amending s. 570.85,
3 F.S.; providing legislative intent; prohibiting a
4 local government from enforcing a local ordinance,
5 regulation, rule, or policy that prohibits, restricts,
6 regulates, or otherwise limits an agritourism activity
7 on land classified as agricultural land; specifying
8 that the prohibition does not apply to local
9 regulation of substantial offsite impacts relating to
10 such activities; amending s. 570.86, F.S.; revising
11 the term "agritourism activity"; amending s. 570.87,
12 F.S.; providing conditions under which agritourism
13 activities on farms or on lands classified as
14 agricultural lands do not limit, restrict, or divest
15 the land of such classification; providing an
16 effective date.

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

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20 Section 1. Subsection (1) of section 570.85, Florida
21 Statutes, is amended to read:

22 570.85 Agritourism.—

23 (1) It is the intent of the Legislature to promote
24 agritourism as a way to support bona fide agricultural
25 production by providing a secondary stream of revenue and by
26 educating the general public about the agricultural industry. It



27 | is also the intent of the Legislature to eliminate duplication
28 | of regulatory authority over agritourism as expressed in this
29 | section. Except as otherwise provided for in this section, and
30 | notwithstanding any other provision of law, a local government
31 | may not adopt or enforce a local ~~an~~ ordinance, regulation, rule,
32 | or policy that prohibits, restricts, regulates, or otherwise
33 | limits an agritourism activity on land classified as
34 | agricultural land under s. 193.461. This subsection does not
35 | limit the powers and duties of a local government to address
36 | substantial offsite impacts of agritourism activities or an
37 | emergency as provided in chapter 252.

38 | Section 2. Subsection (1) of section 570.86, Florida
39 | Statutes, is amended to read:

40 | 570.86 Definitions.—As used in ss. 570.85-570.89, the
41 | term:

42 | (1) "Agritourism activity" means any agricultural related
43 | activity consistent with a bona fide farm, livestock operation,
44 | or ranch or in a working forest which allows members of the
45 | general public, for recreational, entertainment, or educational
46 | purposes, to view or enjoy activities, including farming,
47 | ranching, historical, cultural, civic, ceremonial, training and
48 | exhibition, or harvest-your-own activities and attractions. An
49 | agritourism activity does not include the construction of new or
50 | additional structures or facilities intended primarily to house,
51 | shelter, transport, or otherwise accommodate members of the
52 | general public. An activity is an agritourism activity



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53 | regardless of whether the participant paid to participate in the
54 | activity.

55 | Section 3. Subsection (1) of section 570.87, Florida
56 | Statutes, is amended to read:

57 | 570.87 Agritourism participation impact on land
58 | classification.—

59 | (1) In order to promote and perpetuate agriculture
60 | throughout the state, farm operations are encouraged to engage
61 | in agritourism. The conduct of agritourism activity on a bona
62 | fide farm or on agricultural lands classified as such pursuant
63 | to s. 193.461 does ~~shall~~ not limit, restrict, or divest the land
64 | of that classification as long as such lands classified as
65 | agricultural remain used primarily for bona fide agricultural
66 | purposes.

67 | Section 4. This act shall take effect July 1, 2016.