



1 A bill to be entitled
2 An act relating to agriculture; amending 193.461,
3 F.S.; revising the period during which certain
4 agricultural lands in eradication or quarantine
5 programs continue to be classified as such; providing
6 for the classification of such lands replanted in
7 citrus; amending s. 320.51, F.S.; exempting certain
8 farm vehicles from registration requirements under
9 certain circumstances; creating s. 580.0365, F.S.;
10 preempting regulatory authority over commercial feed
11 and feedstuff to the Department of Agriculture and
12 Consumer Services; amending s. 581.211, F.S.;
13 providing penalties for certain handling of plant
14 pests without a special permit from the Division of
15 Plant Industry within the department; amending s.
16 704.06, F.S.; providing for conservation easement
17 agreements to include provisions which allow
18 agricultural activities under certain conditions;
19 providing applicability; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraph (a) of subsection (7) of section
24 193.461, Florida Statutes, is amended to read:

25 193.461 Agricultural lands; classification and assessment;
26 mandated eradication or quarantine program.—



27 (7) (a) Lands classified for assessment purposes as
28 agricultural lands which are taken out of production by a state
29 or federal eradication or quarantine program, including the
30 Citrus Health Response Program, shall continue to be classified
31 as agricultural lands for 5 years after the date of execution of
32 a compliance agreement between the landowner and the Department
33 of Agriculture and Consumer Services or a federal agency, as
34 applicable, pursuant to the duration of such program or
35 successor programs. Lands under these programs which are
36 converted to fallow or otherwise nonincome-producing uses shall
37 continue to be classified as agricultural lands and shall be
38 assessed at a de minimis value of up to \$50 per acre on a
39 single-year assessment methodology while fallow or otherwise
40 used for nonincome-producing purposes. Lands under these
41 programs which are replanted in citrus pursuant to the
42 requirements of the compliance agreement shall continue to be
43 classified as agricultural lands and shall be assessed at a de
44 minimis value of up to \$50 per acre, on a single-year assessment
45 methodology, during the 5-year term of agreement. However,
46 lands converted to other income-producing agricultural uses
47 permissible under such programs shall be assessed pursuant to
48 this section. Land under a mandated eradication or quarantine
49 program which is diverted from an agricultural to a
50 nonagricultural use shall be assessed under s. 193.011.

51 Section 2. Section 320.51, Florida Statutes, is amended to
52 read:



53 320.51 Farm tractors and farm trailers exempt.—The
54 following are exempt from the provisions of this chapter which
55 require the registration of motor vehicles, the payment of
56 license taxes, and the display of license plates:

57 (1) A motor vehicle which is operated principally on a
58 farm, grove, or orchard in agricultural or horticultural
59 pursuits and which is operated on the roads of this state only
60 incidentally in going from the owner's or operator's
61 headquarters to such farm, grove, or orchard and returning
62 therefrom or in going from one farm, grove, or orchard to
63 another. ~~;~~ ~~and~~

64 (2) A vehicle without motive power which is used
65 principally for the purpose of transporting plows, harrows,
66 fertilizer distributors, spray machines, and other farm or grove
67 equipment and which uses the roads of this state only
68 incidentally.

69 (3) A vehicle as described in subsection (1) or subsection
70 (2) that is operated on the roads of this state for up to 3 days
71 while moving from an auction site or other place of purchase to
72 the purchaser's property if the operator has in his or her
73 possession a bill of sale.

74
75 ~~Nothing in~~ This section does not exempt ~~shall be construed as~~
76 ~~exempting~~ such farm tractors and farm trailers from laws
77 relating to the tires to be used when operating on the roads of
78 this state.



79 Section 3. Section 580.0365, Florida Statutes, is created
80 to read:

81 580.0365 Preemption of regulatory authority over
82 commercial feed and feedstuff.—It is the intent of the
83 Legislature to eliminate duplication of regulation over
84 commercial feed and feedstuff. Notwithstanding any other
85 provision of law, the authority to regulate, inspect, sample,
86 and analyze any commercial feed or feedstuff distributed in this
87 state or to exercise the powers and duties under this chapter,
88 including the assessment of any penalties for violations of this
89 chapter, is preempted to the department.

90 Section 4. Subsections (4) and (5) are added to section
91 581.211, Florida Statutes, to read:

92 581.211 Penalties for violations.—

93 (4) A person who knowingly acquires, imports, possesses,
94 sells or offers to sell, trades or offers to trade, barter or
95 offers to barter, moves or causes to be moved, introduces, or
96 releases a plant pest without a special permit from the
97 division:

98 (a) Commits a misdemeanor of the first degree, punishable
99 as provided in s. 775.082 or s. 775.083;

100 (b) Is subject to an administrative fine pursuant to s.
101 570.971 in the Class II category for each violation of this
102 chapter;

103 (c) May have a certificate of registration or certificate
104 of inspection suspended or revoked; and



105 (d) Is liable for the payment of all reasonable costs and
106 expenses incurred by the department in a pest control or
107 eradication program. Moneys collected pursuant to this section
108 shall be deposited into the Plant Industry Trust Fund.

109 (5) A person who knowingly acquires, imports, possesses,
110 sells or offers to sell, trades or offers to trade, barter or
111 offers to barter, moves or causes to be moved, introduces, or
112 releases a plant pest without a special permit from the division
113 that results in the issuance of a declaration of an agricultural
114 emergency by the Commissioner of Agriculture or the
115 implementation of a control or eradication program by the
116 department or the United States Department of Agriculture:

117 (a) Commits a felony of the second degree, punishable as
118 provided in s. 775.082 or s. 775.083;

119 (b) Is subject to an administrative fine pursuant to s.
120 570.971 in the Class IV category for each violation of this
121 chapter;

122 (c) May have a certificate of registration or certificate
123 of inspection suspended or revoked; and

124 (d) Is liable for the payment of all reasonable costs and
125 expenses incurred by the department in a plant pest control or
126 eradication program. Moneys collected pursuant to this section
127 shall be deposited into the Plant Industry Trust Fund.

128 Section 5. Subsection (13) is added to section 704.06,
129 Florida Statutes, to read:

130 704.06 Conservation easements; creation; acquisition;



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131 enforcement.—

132 (13) A conservation easement agreement may include
133 provisions which allow agricultural activities, including, but
134 not limited to, silviculture, forestry management, and livestock
135 grazing, if such activity is a current or historic use of the
136 land placed under easement. If such agricultural activities are
137 allowed under the terms of the agreement, such activities must
138 be conducted in accordance with applicable best management
139 practices adopted by the Department of Agriculture and Consumer
140 Services. This subsection does not restrict or diminish the
141 authority granted in a previous conservation easement agreement
142 for forest management and livestock grazing as a compatible use
143 on lands subject to a conservation easement.

144 Section 6. This act shall take effect July 1, 2016.