

By Senator Farmer

34-01127-22

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1                   A bill to be entitled  
2       An act relating to farming operations; amending s.  
3       823.14, F.S.; revising the definitions of the terms  
4       "farm operation" and "nuisance" for purposes of the  
5       Florida Right to Farm Act; providing an effective  
6       date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

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10       Section 1. Paragraphs (c) and (f) of subsection (3) of  
11       section 823.14, Florida Statutes, are amended to read:

12       823.14 Florida Right to Farm Act.—

13       (3) DEFINITIONS.—As used in this section:

14       (c) "Farm operation" means all conditions or activities by  
15       the owner, lessee, agent, independent contractor, or supplier  
16       which occur on a farm in connection with the production of farm,  
17       honeybee, or apiculture products or in connection with  
18       complementary agritourism activities. These conditions and  
19       activities include, but are not limited to, the marketing of  
20       farm products at roadside stands or farm markets; the operation  
21       of machinery and irrigation pumps; the generation of noise,  
22       odors, dust, and fumes, ~~and particle emissions~~; ground or aerial  
23       seeding and spraying; the placement and operation of an apiary;  
24       the application of chemical fertilizers, conditioners,  
25       insecticides, pesticides, and herbicides; agritourism  
26       activities; and the employment and use of labor.

27       (f) "Nuisance" means any interference with reasonable use  
28       and enjoyment of land, including, but not limited to, noise,  
29       smoke, odors, dust, fumes, ~~particle emissions~~, or vibration. The

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30 term also includes all claims that meet the requirements of this  
31 definition, regardless of whether the plaintiff designates those  
32 claims as brought in nuisance, negligence, trespass, personal  
33 injury, strict liability, or other tort.

34 Section 2. This act shall take effect July 1, 2022.