

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Tuck offered the following:

**Amendment (with title amendment)**

Remove lines 57-91 and insert:

Section 2. Subsection (5) is added to section 163.3162, Florida Statutes, to read:

163.3162 Agricultural Lands and Practices.—

(5) HOUSING FOR SEASONAL AGRICULTURAL EMPLOYEES.—

(a) The construction or installation of housing for seasonal agricultural employees working in this State pursuant to 8 U.S.C. s. 1188 is authorized on lands zoned for agricultural use that is operated as a bona fide farm.

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13        (b) Construction or installation of housing under this  
14 subsection must meet the following minimum criteria unless the  
15 local government has a less restrictive ordinance that is not in  
16 conflict with any federal law or requirements in which case the  
17 local ordinance applies:

18        1. Must be located on a parcel of land no less than 10  
19 acres in size;

20        2. Must meet, at a minimum, the criteria set forth in 29  
21 C.F.R. 1910.142 and 64E-14, Florida Administrative Code;

22        3. May not be located within 150 feet of the property  
23 line. If the adjoining parcel is zoned for residential use, the  
24 minimum distance for housing under this section from the  
25 property line adjacent to residential zoning is 750 feet or,  
26 alternatively, requires installation a buffer not less than 25  
27 feet in width, consisting of a wall, a berm, or a wall and berm  
28 combination of not less than 6 feet in height from finished  
29 grade together with landscaping on the residential side of the  
30 wall consisting of at least 5 trees and 30 shrubs per linear  
31 foot;

32        4. May not exceed 2,500 heated and cooled square feet per  
33 building on an eligible parcel of land;

34        5. May not be more than 3 structures per 10 acre parcel of  
35 land; and

36        6. Must meet all local and state building standards for  
37 securing a residential certificate of occupancy.

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38 (c) The improvements authorized under this subsection do  
39 not require approval by ordinance or resolution of the  
40 governmental entity where the land is located.

41 (d) If agricultural operations are discontinued on the  
42 property for a minimum of 3 years and the agricultural land  
43 classification of the property is no longer valid, the  
44 agricultural employee housing is no longer eligible for the  
45 residential uses as provided in this section unless and until  
46 approved by the local jurisdiction under its zoning and land use  
47 regulations for the intended nonagricultural use.

48 (e) Notwithstanding this subsection, the construction or  
49 installation of housing for seasonal agricultural employees in  
50 the Florida Keys Area of Critical State Concern and the City of  
51 Key West Area of Critical State Concern is subject to the permit  
52 allocation systems of the Florida Keys Area of Critical State  
53 Concern and City of Key West Area of Critical State Concern.

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

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Remove lines 6-11 and insert:

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applicability; amending s. 163.3162, F.S.; authorizing

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construction or installation of housing for seasonal

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agricultural employees on certain lands; providing

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requirements for such housing; exempting such housing

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63 | from certain local government approval; providing  
64 | conditions under which such housing is subject to  
65 | specified zoning, land use, and permit provisions;  
66 | amending s. 193.461, F.S.; prohibiting a

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