

By Senator Rodriguez

40-01535A-23

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1 A bill to be entitled
2 An act relating to retail fresh market farm stand
3 signage; creating s. 570.851, F.S.; defining the term
4 "retail fresh market farm stand"; establishing the
5 Fresh From Florida Retail Fresh Market Farm Stand
6 Signage Program within the Department of Agriculture
7 and Consumer Services to provide directional signage
8 for certified retail fresh market farm stands;
9 providing qualification and certification
10 requirements; providing an exception; authorizing the
11 Commissioner of Agriculture to designate certified
12 retail fresh market farm stands as state tourist
13 attractions; requiring the department, in consultation
14 with the Fresh From Florida Retail Fresh Market Farm
15 Stand Advisory Council, to develop uniform directional
16 signage; requiring the Department of Transportation,
17 upon request, to place signage at specified locations;
18 requiring owners and operators of certified retail
19 fresh market farm stands to pay specified fees;
20 requiring the department to adopt rules; providing
21 construction; creating s. 570.8511, F.S.; establishing
22 the Fresh From Florida Retail Fresh Market Farm Stand
23 Advisory Council within the department; providing for
24 council membership, meetings, powers, duties, and
25 procedures; providing an effective date.

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

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29 Section 1. Section 570.851, Florida Statutes, is created to

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30 read:

31 570.851 Fresh From Florida Retail Fresh Market Farm Stand
32 Signage Program.—

33 (1) As used in this section, the term "retail fresh market
34 farm stand" means any facility located on a farm and used to
35 market farm products as those terms are defined in s. 823.14(3).

36 (2) The Fresh From Florida Retail Fresh Market Farm Stand
37 Signage Program is established within the department to provide
38 directional signage for certified retail fresh market farm
39 stands.

40 (3) (a) To qualify as a certified retail fresh market farm
41 stand, a stand must:

42 1. Offer farm products for sale that are produced on the
43 premises.

44 2. Be open for business at least 4 days a week, 10 months
45 of the year.

46 3. Have an actual growing area of at least 87,120 square
47 feet.

48 4. Offer tours of the growing area located on the premises.

49 5. Display permanent signage on the premises specifying the
50 times for the tours and hours of operation of the agricultural
51 facility.

52 (b) To participate in the program, the owner or operator of
53 a qualified retail fresh market farm stand must apply to the
54 department to register as a certified retail fresh market farm
55 stand and pay application and registration fees.

56 (c) To maintain designation as a certified retail fresh
57 market farm stand, a stand must annually meet the requirements
58 under paragraphs (a) and (b).

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59 (d) An agricultural facility that produces wine or other
60 agricultural products but does not have a growing area on the
61 property does not qualify for the program.

62 (e) The commissioner may officially recognize a certified
63 retail fresh market farm stand as a state tourist attraction.

64 (4) (a) The department, in consultation with the Fresh From
65 Florida Retail Fresh Market Farm Stand Advisory Council, shall
66 develop uniform directional signage bearing a uniform Fresh From
67 Florida retail fresh market farm stand logo and emblem.

68 (b) Upon request of a certified retail fresh market farm
69 stand, the Department of Transportation shall place directional
70 signage bearing the uniform Fresh From Florida retail fresh
71 market farm stand logo and emblem on the rights-of-way of
72 interstate highways and primary and secondary roads. The owner
73 or operator of the certified retail fresh market farm stand must
74 pay a fee for the signage placement.

75 (5) The department shall adopt rules to implement this
76 section.

77 (6) This section does not prevent retail fresh market farm
78 stands from qualifying as an agritourism activity as defined in
79 s. 570.86.

80 Section 2. Section 570.8511, Florida Statutes, is created
81 to read:

82 570.8511 Fresh From Florida Retail Fresh Market Farm Stand
83 Advisory Council.—

84 (1) The Fresh From Florida Retail Fresh Market Farm Stand
85 Advisory Council, an advisory council as defined in s. 20.03(7),
86 is established within the department. The council shall consist
87 of 12 members to be appointed by the commissioner. Initially, 6

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88 members shall be appointed by the commissioner for a 1-year term
89 and 6 members for a 2-year term. Thereafter, members shall be
90 appointed for 2-year terms.

91 (2) The meetings, powers, duties, procedures, and
92 recordkeeping of the advisory council shall be pursuant to s.
93 570.232.

94 (3) The council may annually submit to the commissioner
95 recommendations relating to the Fresh From Florida Retail Fresh
96 Market Farm Stand Signage Program.

97 Section 3. This act shall take effect July 1, 2023.