

1                                   A bill to be entitled  
 2           An act relating to food insecure areas; creating s.  
 3           163.31791, F.S.; providing legislative findings;  
 4           providing definitions; authorizing a local government  
 5           to enact land development regulations to permit land  
 6           use for a small-footprint grocery store located in a  
 7           food insecure area; authorizing a local government to  
 8           include in its comprehensive plan a provision  
 9           permitting land use for a small-footprint grocery  
 10          store located in a food insecure area; authorizing a  
 11          local government to require mandatory reporting of  
 12          certain information from a small-footprint grocery  
 13          store; providing an effective date.

14  
 15   Be It Enacted by the Legislature of the State of Florida:

16  
 17           Section 1.   Section 163.31791, Florida Statutes, is created  
 18   to read:

19           163.31791   Food insecure areas.—

20           (1)   The Legislature finds that access to affordable,  
 21   healthy food options, especially fresh fruits and vegetables, is  
 22   restricted due, in part, to the absence of supermarkets located  
 23   within a convenient traveling distance. This restriction  
 24   constitutes a threat to the health, safety, and welfare of the  
 25   residents of this state. Therefore, the Legislature finds that

HB 727

2023

26 it serves an important public purpose to encourage local  
27 governments to grant or approve development permits for land  
28 designated as a food insecure area in order to increase the  
29 availability of nutrient-dense food options.

30 (2) As used in this section, the term:

31 (a) "Food insecure area" is synonymous with "food desert"  
32 and means a parcel of land that has been identified by the  
33 Office of Economic and Demographic Research as being located in  
34 an area:

35 1. Having a poverty rate of at least 20 percent or having  
36 a median family income at or below 80 percent of the median  
37 family income for this state; and

38 2. Having at least 500 persons, or at least 33 percent of  
39 the population, who, in urban communities, live more than 1 mile  
40 from a supermarket or who, in rural communities, live more than  
41 10 miles from a supermarket.

42 (b) "Nutrient-dense food" means a food that has a high  
43 level of nutrients in relationship to the number of calories it  
44 contains. The term includes fresh fruits and vegetables, whole  
45 grains, nuts, seeds, beans and legumes, and low-fat dairy  
46 products.

47 (c) "Small-footprint grocery store" means a grocery store  
48 that:

49 1. Sells products at wholesale or retail and has less than  
50 \$1 million in annual gross sales;

51 2. Derives at least 20 percent of its gross receipts from  
52 the retail sale of nutrient-dense foods; and

53 3. Operates in a food insecure area.

54 (d) "Supermarket" means a grocery store that has a least  
55 \$1 million in annual gross sales, has no more than 12,000 square  
56 feet of retail space, and contains all of the major food  
57 departments found in a large retail grocery store.

58 (3) Notwithstanding any other restrictions, a local  
59 government may enact land development regulations authorizing  
60 land use for a small-footprint grocery store located in a food  
61 insecure area.

62 (4) Notwithstanding any other restrictions, a local  
63 government may include in its comprehensive plan a provision  
64 authorizing land use for a small-footprint grocery store located  
65 in a food insecure area.

66 (5) A local government may require mandatory reporting of  
67 certain information from small-footprint grocery stores.

68 Section 2. This act shall take effect July 1, 2023.