

By Senator Rouson

16-01144B-23

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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 defining terms; authorizing a local government to
5 enact land development regulations to permit land use
6 for a small-footprint grocery store located in a food
7 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.

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

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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
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.

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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 identified by the Office of Economic
33 and Demographic Research as being located in an area:

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

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

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

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

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

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

52 3. Operates in a food insecure area.

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

57 (3) Notwithstanding any other restrictions, a local
58 government may enact land development regulations authorizing

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59 land use for a small-footprint grocery store located in a food
60 insecure area.

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

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

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