

HB 1359

2024

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

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;

50 2. Derives at least 30 percent of its gross receipts from

HB 1359

2024

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 contains all
54 of the major food departments found in a large retail grocery
55 store.

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

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

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

66 Section 2. This act shall take effect July 1, 2024.