

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [HB 211](#)

TITLE: Farm Products

SPONSOR(S): Cobb

COMPANION BILL: [SB 374](#) (Truenow)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Housing, Agriculture & Tourism](#)



[Intergovernmental Affairs](#)



[Commerce](#)

SUMMARY

Effect of the Bill:

The bill amends the definition of “farm product” to include plants and plant products, regardless of whether the plants and plant products are edible or nonedible.

The bill prohibits a governmental entity from prohibiting, restricting, or regulating a bona fide farm operation that involves the collection, storage, processing, and distribution of a farm product on agricultural land.

Fiscal or Economic Impact:

None.

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ANALYSIS

EFFECT OF THE BILL:

The bill amends the definition of “[farm product](#)” to mean plants and plant products,¹ regardless of whether the plants and plant products are edible or nonedible, or any animal use to humans and includes, but is not limited to, any product derived therefrom. (Section [1](#).)

The bill prohibits a governmental entity² from adopting or enforcing any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a [bona fide farm operation](#) that involves the collection, storage, processing, and distribution of a farm product on agricultural land. (Section [1](#).)

The bill has an effective date of July 1, 2025. (Section [3](#).)

¹ For purposes of these provisions, “plants and plant products” mean tress, shrubs, vines, forage and cereal plants, and all other plants and plant parts, including cuttings, grafts, scions, buds, fruit, vegetables, roots, bulbs, seeds, wood, lumber, and all products made from them, unless specifically excluded by the rules of the Department of Agriculture and Consumer Services. S. [581.011\(27\), F.S.](#)

² For purposes of these provisions, “governmental entity” means local and regional government entities but does not include a water management district, a water control district established under ch. 298, F.S., or a special district created by special act for water management purposes. Ss. [164.1031\(3\)](#) and [163.3162\(d\), F.S.](#)

STORAGE NAME: h0211.HAT

DATE: 3/28/2025

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Agriculture in Florida

As of 2024, Florida has 44,400 farm operations³ covering 9.7 million acres of farmland.⁴ In 2023, Florida ranked first in the United States in the value of production for floriculture, Valencia oranges, sugarcane, watermelons and sweet corn. The state ranked second in value of production for bell peppers, all oranges, strawberries, tomatoes grown in the open, and non-Valencia oranges; ranked third nationally in cabbage and grapefruit; and ranked fourth nationally in peanuts.⁵

Regulation of Bona Fide Farm Operations

To prevent duplication of regulation, a Florida governmental entity⁶ is prohibited from exercising any of its powers to adopt or enforce any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a [bona fide farm operation](#) on land classified as agriculture land,⁷ if such activity is:

- Regulated through implemented best management practices, interim measures, or regulations adopted as rules under ch. 120, F.S.,⁸ by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or
- Regulated by the U.S. Department of Agriculture, the U.S. Army Corps of Engineers, or the U.S. Environmental Protection Agency.⁹

Classification of Agricultural Land

Under Florida law, a property appraiser must, on an annual basis, classify all lands within a county for tax assessment purposes as either agricultural or nonagricultural.¹⁰ Subject to certain restrictions, only lands that are used primarily for bona fide agricultural purposes may be classified as agricultural.¹¹ For purposes of this classification, the term “bona fide agricultural purposes” means good faith commercial agricultural use of the land, which includes horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, pisciculture, aquaculture, algaculture, sod farming, and all forms of farm products and farm production.¹²

Currently, Florida law defines “[farm product](#)” as any plant¹³ or animal useful to humans and includes, but is not limited to, any product derived therefrom.¹⁴

³ “Farm operations” means all conditions or activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products or in connection with complementary agritourism activities. These conditions and activities include, but are not limited to, the marketing of farm products at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, fumes, and particle emissions; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; agritourism activities; and the employment and use of labor. S. [823.14\(3\)\(d\), F.S.](#)

⁴ USDA’s National Agricultural Statistics Service Florida Field Office, *2024 State Agricultural Overview*, https://www.nass.usda.gov/Quick_Stats/Ag_Overview/stateOverview.php?state=FLORIDA (last visited Mar. 27, 2025).

⁵ Department of Agriculture and Consumer Services, *Florida Agriculture Overview and Statistics*, <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics> (last visited Mar. 27, 2025).

⁶ *Supra* note 2.

⁷ See [s. 193.461, F.S.](#)

⁸ Ch. 120, F.S., is the Administrative Procedure Act. See [s. 210.51, F.S.](#)

⁹ S. [163.3162\(3\)\(a\), F.S.](#)

¹⁰ S. [193.461\(1\), F.S.](#)

¹¹ S. [193.461\(3\)\(b\), F.S.](#)

¹² Ss. [193.461\(3\)\(b\)](#) and [193.461\(5\), F.S.](#)

¹³ *Supra* note 1.

¹⁴ S. [163.3162\(2\)\(c\), F.S.](#)

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	CS/CS/HB 1051	Tuck, Alvarez, D.	Collins	It prohibited governmental entities from restricting housing construction for legally verified agricultural workers on certain agricultural land, among other things. The Senate companion was vetoed.
2023	CS/CS/CS/HB 1343	Tuck, Truenow	Collins	It prohibited counties from imposing special assessments on agricultural lands, among other things. It died in House returning messages, but a related Senate bill passed.
2023	CS/HB 1361	Truenow	Bradley	It prohibited local governments from regulating the collection, storage, processing, or distribution of organic material products. It died on the House Second Reading calendar.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Housing, Agriculture & Tourism Subcommittee			Curtin	Fletcher
Intergovernmental Affairs Subcommittee				
Commerce Committee				