

ENROLLED

HB 211

2025 Legislature

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2 An act relating to farm products; amending s.
3 163.3162, F.S.; revising the definition of the term
4 "farm product"; providing that the collection,
5 storage, processing, and distribution of a farm
6 product is an activity of a bona fide farm operation
7 which a governmental entity may not prohibit,
8 restrict, regulate, or otherwise limit; reenacting s.
9 163.3177(7)(b), F.S., relating to the definition of
10 the term "rural agricultural industrial center," to
11 incorporate the amendment made to s. 163.3162, F.S.,
12 in a reference thereto; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (c) of subsection (2) and paragraph
17 (a) of subsection (3) of section 163.3162, Florida Statutes, are
18 amended to read:

19 163.3162 Agricultural lands and practices.—

20 (2) DEFINITIONS.—As used in this section, the term:

21 (c) "Farm product" means plants and plant products ~~any~~
22 ~~plant,~~ as defined in s. 581.011, regardless of whether such
23 plants and plant products are edible or nonedible, or any animal
24 useful to humans and includes, but is not limited to, any
25 product derived therefrom.

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26 (3) DUPLICATION OF REGULATION.—Except as otherwise
27 provided in this section and s. 487.051(2), and notwithstanding
28 any other law, including any provision of chapter 125 or this
29 chapter:

30 (a) A governmental entity may not exercise any of its
31 powers to adopt or enforce any ordinance, resolution,
32 regulation, rule, or policy to prohibit, restrict, regulate, or
33 otherwise limit an activity of a bona fide farm operation,
34 including, but not limited to, the collection, storage,
35 processing, and distribution of a farm product, on land
36 classified as agricultural land pursuant to s. 193.461, if such
37 activity is regulated through implemented best management
38 practices, interim measures, or regulations adopted as rules
39 under chapter 120 by the Department of Environmental Protection,
40 the Department of Agriculture and Consumer Services, or a water
41 management district as part of a statewide or regional program;
42 or if such activity is expressly regulated by the United States
43 Department of Agriculture, the United States Army Corps of
44 Engineers, or the United States Environmental Protection Agency.

45 Section 2. For the purpose of incorporating the amendment
46 made by this act to section 163.3162, Florida Statutes, in a
47 reference thereto, paragraph (b) of subsection (7) of section
48 163.3177, Florida Statutes, is reenacted to read:

49 163.3177 Required and optional elements of comprehensive
50 plan; studies and surveys.—

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51 (7)

52 (b) As used in this subsection, the term "rural
53 agricultural industrial center" means a developed parcel of land
54 in an unincorporated area on which there exists an operating
55 agricultural industrial facility or facilities that employ at
56 least 200 full-time employees in the aggregate and process and
57 prepare for transport a farm product, as defined in s. 163.3162,
58 or any biomass material that could be used, directly or
59 indirectly, for the production of fuel, renewable energy,
60 bioenergy, or alternative fuel as defined by law. The center may
61 also include land contiguous to the facility site which is not
62 used for the cultivation of crops, but on which other existing
63 activities essential to the operation of such facility or
64 facilities are located or conducted. The parcel of land must be
65 located within, or within 10 miles of, a rural area of
66 opportunity.

67 Section 3. This act shall take effect July 1, 2025.