

By Senator Truenow

13-00648-25

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1                   A bill to be entitled  
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:

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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.

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

29       (a) A governmental entity may not exercise any of its

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

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

48 163.3177 Required and optional elements of comprehensive  
49 plan; studies and surveys.—

50 (7)

51 (b) As used in this subsection, the term "rural  
52 agricultural industrial center" means a developed parcel of land  
53 in an unincorporated area on which there exists an operating  
54 agricultural industrial facility or facilities that employ at  
55 least 200 full-time employees in the aggregate and process and  
56 prepare for transport a farm product, as defined in s. 163.3162,  
57 or any biomass material that could be used, directly or  
58 indirectly, for the production of fuel, renewable energy,

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59 bioenergy, or alternative fuel as defined by law. The center may  
60 also include land contiguous to the facility site which is not  
61 used for the cultivation of crops, but on which other existing  
62 activities essential to the operation of such facility or  
63 facilities are located or conducted. The parcel of land must be  
64 located within, or within 10 miles of, a rural area of  
65 opportunity.

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