

By Senator Collins

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1 A bill to be entitled
2 An act relating to housing for legally verified
3 agricultural workers; amending s. 163.3162, F.S.;
4 defining the terms "housing site" and "legally
5 verified agricultural worker"; prohibiting
6 governmental entities from adopting or enforcing any
7 legislation that inhibits the construction of housing
8 for legally verified agricultural workers on
9 agricultural land operated as a bona fide farm;
10 requiring that the construction or installation of
11 such housing units on agricultural lands satisfies
12 certain criteria; requiring that local ordinances
13 comply with certain regulations; authorizing
14 governmental entities to adopt local land use
15 regulations that are less restrictive; requiring
16 property owners to maintain certain records for a
17 specified timeframe; requiring the suspension of the
18 use of certain housing units and authorizing their
19 removal under certain circumstances; specifying
20 applicability of permit allocation systems in certain
21 areas of critical state concern; authorizing the
22 continued use of housing sites constructed before the
23 effective date of the act if certain conditions are
24 met; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Paragraphs (e) and (f) are added to subsection
29 (2) of section 163.3162, Florida Statutes, and subsection (5) is

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30 added to that section, to read:

31 163.3162 Agricultural lands and practices.—

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

33 (e) "Housing site" means the totality of development
34 supporting authorized housing, including buildings, mobile
35 homes, barracks, dormitories used as living quarters, parking
36 areas, common areas such as athletic fields or playgrounds,
37 storage structures, and other related structures.

38 (f) "Legally verified agricultural worker" means a person
39 who:

40 1. Is lawfully present in the United States;

41 2. Has been verified through the process provided in s.
42 448.095 and is authorized to work at the time of employment;

43 3. Is seasonally or annually employed in bona fide
44 agricultural production; and

45 4. Remains lawfully present and authorized to work
46 throughout the duration of that employment.

47 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

48 (a) A governmental entity may not adopt or enforce any
49 legislation to inhibit the construction or installation of
50 housing for legally verified agricultural workers on land
51 classified as agricultural land pursuant to s. 193.461 which is
52 operated as a bona fide farm except as provided in this
53 subsection.

54 (b) Construction or installation of housing units for
55 legally verified agricultural workers on parcels of land
56 classified as agricultural land under s. 193.461 must satisfy
57 all of the following criteria:

58 1. The dwelling units must meet federal, state, and local

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59 building standards, including standards of the Department of
60 Health adopted pursuant to ss. 381.008-381.00897 and federal
61 standards for H-2A visa housing. If written notice of intent is
62 required to be submitted to the Department of Health pursuant to
63 s. 381.0083, the appropriate governmental entity with
64 jurisdiction over the agricultural lands may also require
65 submittal of a copy of the written notice.

66 2. The housing site must be maintained in a neat, orderly,
67 and safe manner.

68 3. All structures containing dwelling units must be located
69 a minimum of 10 feet apart.

70 4. The square footage of the housing site's climate-
71 controlled facilities may not exceed 1.5 percent of the
72 property's area or 35,000 square feet, whichever is less.

73 5. A housing site must provide front, side, and rear yard
74 setbacks of at least 50 feet. However, an internal project
75 driveway may be located in the required yard space if the yard
76 is adjacent to a public roadway or to property that is under
77 common ownership with the housing site.

78 6. A housing site may not be located less than 250 feet
79 from a property line adjacent to property zoned for residential
80 use. If the housing site is located less than 500 feet from any
81 property line, screening must be provided between the housing
82 site and any residentially developed adjacent parcels that are
83 under different ownership. The screening may be designed in any
84 of the following ways:

85 a. Evergreen plants that, at the time of planting, are at
86 least 6 feet in height and provide an overall screening opacity
87 of 75 percent;

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88 b. A masonry wall that is at least 6 feet in height and
89 finished on all sides with brick, stone, or painted or pigmented
90 stucco;

91 c. A solid wood or PVC fence that is at least 6 feet in
92 height with the finished side of the fence facing out;

93 d. A row of evergreen shade trees that, at the time of
94 planting, are at least 10 feet in height, a minimum of 2-inch
95 caliper, and spaced no more than 20 feet apart; or

96 e. A berm made with a combination of the materials listed
97 in sub-subparagraphs a.-d. which is at least 6 feet in height
98 and provides an overall screening opacity of 75 percent at the
99 time of installation.

100 7. All access drives that serve the housing site must be
101 made of packed shell, gravel, or a similar material that will
102 provide a relatively dust-free surface.

103 (c) Any local ordinance adopted pursuant to this subsection
104 must comply with all state and federal regulations for migrant
105 farmworker housing, as applicable, including rules adopted by
106 the Department of Health pursuant to ss. 381.008-381.00897 and
107 federal regulations under the Migrant and Seasonal Agricultural
108 Worker Protection Act or the H-2A visa program. A governmental
109 entity may adopt local government land use regulations that are
110 less restrictive than this subsection but which still meet
111 regulations established by the Department of Health pursuant to
112 ss. 381.008-381.00897 and federal regulations under the Migrant
113 and Seasonal Agricultural Worker Protection Act or the H-2A visa
114 program.

115 (d) Beginning July 1, 2025, a property owner must maintain
116 records of all approved permits, including successor permits,

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117 for migrant labor camps or residential migrant housing as
118 required under s. 381.0081. A property owner must maintain such
119 records for at least 3 years and make the records available for
120 inspection within 14 days after receipt of a request for records
121 by a governmental entity.

122 (e) A housing site may not continue to be used and may be
123 required to be removed under the following circumstances:

124 1. If, for any reason, a housing site is not being used for
125 legally verified agricultural workers for more than 365 days,
126 any structures used as living quarters must be removed from the
127 housing site within 180 days after receipt of written
128 notification from the county unless the property owner can
129 demonstrate that use of the site for housing legally verified
130 agricultural workers will occur within 90 days after the written
131 notification.

132 2. If the property on which the housing site is located
133 ceases to be classified as agricultural land, housing authorized
134 under this section ceases to be eligible for residential uses
135 unless it is approved under the zoning and land use regulations
136 of the governmental entity.

137 3. If the permit authorized by the Department of Health for
138 the housing site is revoked, any structures must be removed from
139 the housing site within 180 days after receipt of written
140 notification from the county unless the permit is reinstated by
141 the Department of Health.

142 (f) Notwithstanding this subsection, the construction or
143 installation of housing for legally verified agricultural
144 workers in the Florida Keys Area of Critical State Concern and
145 the City of Key West Area of Critical State Concern is subject

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146 to the permit allocation systems of the Florida Keys Area of
147 Critical State Concern and City of Key West Area of Critical
148 State Concern, respectively.

149 (g) A housing site that was constructed and in use before
150 July 1, 2025, may continue to be used, and the property owner
151 may not be required by a governmental entity to make changes to
152 meet the requirements of this subsection, unless the housing
153 site will be enlarged, remodeled, renovated, or rehabilitated.
154 The property owner of a housing site authorized under this
155 paragraph must provide regular maintenance and repair, including
156 compliance with health and safety regulations and maintenance
157 standards, for such housing site to ensure the health, safety,
158 and habitability of the housing site.

159 Section 2. This act shall take effect July 1, 2025.