

ENROLLED

CS/CS/HB 425

2026 Legislature

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An act relating to the Historic Cemeteries Program;
amending s. 267.21, F.S.; requiring local governments
to approve applications from historic African-American
cemeteries to change the land use category and zoning
district of excess vacant land under certain
conditions to allow development consistent and
compatible with adjacent land uses; providing an
effective date.

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

Section 1. Subsection (3) of section 267.21, Florida
Statutes, is renumbered as subsection (4), and a new subsection
(3) is added to that section, to read:

267.21 Historic Cemeteries Program.—

(3) Notwithstanding any other provision of law, if a
historic African-American cemetery recorded in the Florida
Master Site File pursuant to this section with excess vacant
land sells or enters into a contract to sell such land for the
express purpose of funding the cemetery's long-term maintenance
and upkeep, the county or municipality where such cemetery is
located must administratively approve an application to rezone
or change the land use designation of such land to allow
development consistent and compatible with adjacent land uses. A

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26 | county or municipality may use reasonable discretion in
27 | determining the new zoning or land use designation, provided
28 | that the zoning or land use designation is consistent and
29 | compatible with the surrounding area.

30 | Section 2. This act shall take effect July 1, 2026.