

By Senator Jones

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A bill to be entitled  
An act relating to food insecure areas; creating s.  
163.31791, F.S.; providing legislative findings;  
providing definitions; authorizing a local government  
to enact land development regulations to permit land  
use for a small-footprint grocery store located in a  
food insecure area; authorizing a local government to  
include in its comprehensive plan a provision  
permitting land use for a small-footprint grocery  
store located in a food insecure area; authorizing a  
local government to require mandatory reporting of  
certain information from a small-footprint grocery  
store; providing an effective date.

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

Section 1. Section 163.31791, Florida Statutes, is created  
to read:

163.31791 Food insecure areas.—

(1) The Legislature finds that access to affordable,  
healthy food options, especially fresh fruits and vegetables, is  
restricted due, in part, to the absence of supermarkets located  
within a convenient traveling distance. This restriction  
constitutes a threat to the health, safety, and welfare of the  
residents of this state. Therefore, the Legislature finds that  
it serves an important public purpose to encourage local  
governments to grant or approve development permits for land  
designated as a food insecure area in order to increase the  
availability of nutrient-dense food options.

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(2) As used in this section, the term:

(a) "Food insecure area" is synonymous with "food desert" and means a parcel of land that has been identified by the Office of Economic and Demographic Research as being located in an area:

1. Having a poverty rate of at least 20 percent or having a median family income at or below 80 percent of the median family income for this state; and

2. Having at least 500 persons, or at least 33 percent of the population, who, in urban communities, live more than 1 mile from a supermarket or who, in rural communities, live more than 10 miles from a supermarket.

(b) "Nutrient-dense food" means a food that has a high level of nutrients in relationship to the number of calories it contains. The term includes fresh fruits and vegetables, whole grains, nuts, seeds, beans and legumes, and low-fat dairy products.

(c) "Small-footprint grocery store" means a grocery store that:

1. Sells products at wholesale or retail;

2. Derives at least 30 percent of its gross receipts from the retail sale of nutrient-dense foods; and

3. Operates in a food insecure area.

(d) "Supermarket" means a grocery store that contains all of the major food departments found in a large retail grocery store.

(3) Notwithstanding any other restrictions, a local government may enact land development regulations authorizing land use for a small-footprint grocery store located in a food

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59 insecure area.

60 (4) Notwithstanding any other restrictions, a local  
61 government may include in its comprehensive plan a provision  
62 authorizing land use for a small-footprint grocery store located  
63 in a food insecure area.

64 (5) A local government may require mandatory reporting of  
65 certain information from small-footprint grocery stores.

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