

1 A bill to be entitled
 2 An act relating to agricultural lands; amending s.
 3 163.3162, F.S.; revising a definition; prohibiting a
 4 governmental entity from adopting or enforcing any
 5 prohibition, restriction, regulation, or other
 6 limitation or from charging an assessment or fee on
 7 the activity of a bona fide farm operation on land
 8 classified as agricultural land under certain
 9 circumstances; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraphs (b) through (j) of subsection (3) of
 14 section 163.3162, Florida Statutes, are redesignated as
 15 paragraphs (c) through (k), respectively, paragraph (d) of
 16 subsection (2) and paragraph (a) of subsection (3) are amended,
 17 and a new paragraph (b) is added to subsection (3) of that
 18 section, to read:

19 163.3162 Agricultural Lands and Practices.—

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

21 (d) "Governmental entity" has the same meaning as provided
 22 in s. 164.1031. The term does not include a water management
 23 district, a water control district established under chapter
 24 298, or a special district created by special act for water
 25 management purposes.

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 ~~county~~ may not exercise any of
 31 | its 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 on
 34 | land classified as agricultural land pursuant to s. 193.461, if
 35 | such activity is regulated through implemented best management
 36 | practices, interim measures, or regulations adopted as rules
 37 | under chapter 120 by the Department of Environmental Protection,
 38 | the Department of Agriculture and Consumer Services, or a water
 39 | management district as part of a statewide or regional program;
 40 | or if such activity is expressly regulated by the United States
 41 | Department of Agriculture, the United States Army Corps of
 42 | Engineers, or the United States Environmental Protection Agency.

43 | (b) A governmental entity may not charge an assessment or
 44 | fee upon an activity of a bona fide farm operation on land
 45 | classified as agricultural land pursuant to s. 193.461, if such
 46 | activity is regulated through implemented best management
 47 | practices, interim measures, or regulations adopted as rules
 48 | under chapter 120 by the Department of Environmental Protection,
 49 | the Department of Agriculture and Consumer Services, or a water
 50 | management district as part of a statewide or regional program;
 51 | or if such activity is expressly regulated by the United States
 52 | Department of Agriculture, the United States Army Corps of
 53 | Engineers, or the United States Environmental Protection Agency.

54 | Section 2. This act shall take effect July 1, 2013.