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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/17/2015	.	
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The Committee on Community Affairs (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 570.85, Florida
Statutes, is amended to read:

570.85 Agritourism.—

(1) It is the intent of the Legislature to promote
agritourism as a way to support bona fide agricultural
production by providing a secondary stream of revenue for and by



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11 educating the general public about the agricultural industry. It
12 is also the intent of the Legislature to eliminate duplication
13 of regulatory authority over agritourism as expressed in this
14 section. Except as otherwise provided for in this section, and
15 notwithstanding any other provision of law, a local government
16 may not adopt or enforce a local ~~an~~ ordinance, regulation, rule,
17 or policy that prohibits, restricts, regulates, or otherwise
18 limits an agritourism activity on land classified as
19 agricultural land under s. 193.461. This subsection does not
20 limit the powers and duties of a local government to address an
21 emergency as provided in chapter 252.

22 Section 2. Subsection (1) of section 570.86, Florida
23 Statutes, is amended to read:

24 570.86 Definitions.—As used in ss. 570.85-570.89, the term:

25 (1) "Agritourism activity" means any agricultural related
26 activity consistent with a bona fide farm or ranch or in a
27 working forest which allows members of the general public, for
28 recreational, entertainment, or educational purposes, to view or
29 enjoy activities, including farming, ranching, historical,
30 cultural, civic, ceremonial, or harvest-your-own activities and
31 attractions. An agritourism activity does not include the
32 construction of new or additional structures or facilities
33 intended primarily to house, shelter, transport, or otherwise
34 accommodate members of the general public. An activity is an
35 agritourism activity regardless of whether the participant paid
36 to participate in the activity.

37 Section 3. Subsection (1) of section 570.87, Florida
38 Statutes, is amended to read:

39 570.87 Agritourism participation impact on land



40 classification.-

41 (1) In order to promote and perpetuate agriculture
42 throughout the state, farm operations are encouraged to engage
43 in agritourism. The conduct of agritourism activity on a bona
44 fide farm or on agricultural lands classified as such pursuant
45 to s. 193.461 may ~~shall~~ not limit, restrict, or divest the land
46 of that classification as long as such lands classified as
47 agricultural remain used primarily for bona fide agricultural
48 purposes.

49 Section 4. This act shall take effect July 1, 2016.

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51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete everything before the enacting clause
54 and insert:

55 A bill to be entitled
56 An act relating to agritourism; amending s. 570.85,
57 F.S.; providing additional legislative intent;
58 prohibiting a local government from enforcing a local
59 ordinance, regulation, rule, or policy that prohibits,
60 restricts, regulates, or otherwise limits an
61 agritourism activity on lands classified as
62 agricultural; amending s. 570.86, F.S.; revising the
63 definition of the term "agritourism activity" to
64 include civic and ceremonial activities; amending s.
65 570.87, F.S.; specifying that the conduct of
66 agritourism activity on a bona fide farm or on
67 agricultural lands may not limit, restrict, or divest
68 the land of that classification, provided that such



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lands remain used primarily for bona fide agricultural
purposes; providing an effective date.