

1 A bill to be entitled
 2 An act relating to agritourism; amending s. 570.85,
 3 F.S.; providing legislative intent; prohibiting a
 4 local government from enforcing a local ordinance,
 5 regulation, rule, or policy that prohibits, restricts,
 6 regulates, or otherwise limits an agritourism activity
 7 on land classified as agricultural land; amending s.
 8 570.86, F.S.; revising the definition of the term
 9 "agritourism activity" to include civic and ceremonial
 10 activities; amending s. 570.87, F.S.; providing
 11 conditions under which agritourism activities on farms
 12 or on lands classified as agricultural lands do not
 13 limit, restrict, or divest the land of such
 14 classification; providing an effective date.

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

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

20 570.85 Agritourism.—

21 (1) It is the intent of the Legislature to:

22 (a) Promote agritourism as a way to support bona fide
 23 agricultural production by providing a secondary stream of
 24 revenue and by educating the general public about the
 25 agricultural industry.

26 (b) Eliminate duplication of regulatory authority over

27 | agritourism as expressed in this section. Except as otherwise
28 | provided for in this section, and notwithstanding any other
29 | provision of law, a local government may not adopt or enforce a
30 | local ~~an~~ ordinance, regulation, rule, or policy that prohibits,
31 | restricts, regulates, or otherwise limits an agritourism
32 | activity on land classified as agricultural land under s.
33 | 193.461. This subsection does not limit the powers and duties of
34 | a local government to address an emergency as provided in
35 | chapter 252.

36 | Section 2. Subsection (1) of section 570.86, Florida
37 | Statutes, is amended to read:

38 | 570.86 Definitions.—As used in ss. 570.85-570.89, the
39 | term:

40 | (1) "Agritourism activity" means any agricultural related
41 | activity consistent with a bona fide farm or ranch or in a
42 | working forest which allows members of the general public, for
43 | recreational, entertainment, or educational purposes, to view or
44 | enjoy activities, including farming, ranching, historical,
45 | cultural, civic, ceremonial, or harvest-your-own activities and
46 | attractions. An agritourism activity does not include the
47 | construction of new or additional structures or facilities
48 | intended primarily to house, shelter, transport, or otherwise
49 | accommodate members of the general public. An activity is an
50 | agritourism activity regardless of whether the participant paid
51 | to participate in the activity.

52 | Section 3. Subsection (1) of section 570.87, Florida

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53 Statutes, is amended to read:

54 570.87 Agritourism participation impact on land
55 classification.—

56 (1) In order to promote and perpetuate agriculture
57 throughout the state, farm operations are encouraged to engage
58 in agritourism. The conduct of agritourism activity on a bona
59 fide farm or on agricultural lands classified as such pursuant
60 to s. 193.461 does ~~shall~~ not limit, restrict, or divest the land
61 of that classification as long as such lands classified as
62 agricultural remain used primarily for bona fide agricultural
63 purposes.

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