

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; specifying
8 that the prohibition does not apply to local
9 regulation of substantial offsite impacts relating to
10 such activities; amending s. 570.86, F.S.; revising
11 the definition of the term "agritourism activity" to
12 include civic and ceremonial activities; amending s.
13 570.87, F.S.; providing conditions under which
14 agritourism activities on farms or on lands classified
15 as agricultural lands do not limit, restrict, or
16 divest the land of such classification; providing an
17 effective date.

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19 Be It Enacted by the Legislature of the State of Florida:
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21 Section 1. Subsection (1) of section 570.85, Florida
22 Statutes, is amended to read:

23 570.85 Agritourism.—

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

27 educating the general public about the agricultural industry. It
 28 is also the intent of the Legislature to eliminate duplication
 29 of regulatory authority over agritourism as expressed in this
 30 section. Except as otherwise provided for in this section, and
 31 notwithstanding any other provision of law, a local government
 32 may not adopt or enforce a local ~~an~~ ordinance, regulation, rule,
 33 or policy that prohibits, restricts, regulates, or otherwise
 34 limits an agritourism activity on land classified as
 35 agricultural land under s. 193.461. This subsection does not
 36 limit the powers and duties of a local government to address
 37 substantial offsite impacts of agritourism activities or an
 38 emergency as provided in chapter 252.

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

41 570.86 Definitions.—As used in ss. 570.85–570.89, the
 42 term:

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

53 agritourism activity regardless of whether the participant paid
54 to participate in the activity.

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

57 570.87 Agritourism participation impact on land
58 classification.—

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

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