



ENROLLED

CS/CS/HB 59, Engrossed 1

2016 Legislature

1  
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 term "agritourism activity"; amending s. 570.87,  
12 F.S.; providing conditions under which agritourism  
13 activities on farms or on lands classified as  
14 agricultural lands do not limit, restrict, or divest  
15 the land of such classification; providing an  
16 effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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

22 570.85 Agritourism.—

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



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

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

40 | 570.86 Definitions.—As used in ss. 570.85-570.89, the  
 41 | term:

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



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