

1 A bill to be entitled
 2 An act relating to cottage food operations; providing
 3 a short title; amending s. 500.03, F.S.; revising the
 4 definition of "cottage food operation"; amending s.
 5 500.80, F.S.; increasing the annual gross sales
 6 limitation for exempting cottage food operations from
 7 certain food and building permitting requirements;
 8 authorizing the sale, offer for sale, and delivery of
 9 cottage food products by mail; preempting the
 10 regulation of cottage food operations to the state;
 11 prohibiting local governments from prohibiting or
 12 regulating cottage food operations; providing an
 13 effective date.

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

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 17 Section 1. This act may be cited as the "Home Sweet Home
 18 Act."

19 Section 2. Paragraph (j) of subsection (1) of section
 20 500.03, Florida Statutes, is amended to read:

21 500.03 Definitions; construction; applicability.—

22 (1) For the purpose of this chapter, the term:

23 (j) "Cottage food operation" means a natural person or an
 24 entity that ~~who~~ produces or packages cottage food products at
 25 the ~~his or her~~ residence of the natural person or at the

26 | residence of a natural person who has an ownership interest in
 27 | the entity, and sells such products in accordance with s.
 28 | 500.80.

29 | Section 3. Paragraph (a) of subsection (1) and subsections
 30 | (2) and (6) of section 500.80, Florida Statutes, are amended to
 31 | read:

32 | 500.80 Cottage food operations.—

33 | (1) (a) A cottage food operation must comply with the
 34 | applicable requirements of this chapter but is exempt from the
 35 | permitting requirements of s. 500.12 if the cottage food
 36 | operation complies with this section and has annual gross sales
 37 | of cottage food products that do not exceed \$250,000 ~~\$50,000~~.

38 | (2) A cottage food operation may sell, offer for sale, and
 39 | accept payment for cottage food products over the Internet or by
 40 | mail order. ~~Such, but such~~ products may ~~must~~ be delivered in
 41 | person directly to the consumer, ~~or~~ to a specific event venue,
 42 | or by United States Postal Service or commercial mail delivery
 43 | service. A cottage food operation may not sell, offer for sale,
 44 | or deliver cottage food products ~~by mail order or~~ at wholesale.

45 | (6) The regulation of cottage food operations is preempted
 46 | to the state. A local law, ordinance, or regulation may not
 47 | prohibit a cottage food operation or regulate ~~must comply with~~
 48 | ~~all applicable county and municipal laws and ordinances~~
 49 | ~~regulating~~ the preparation, processing, storage, or ~~and~~ sale of
 50 | cottage food products by a cottage food operation or from a

51 | person's residence.

52 | Section 4. This act shall take effect July 1, 2021.