

By Senator Albritton

26-01016-22

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1                                   A bill to be entitled  
2       An act relating to agritourism; amending s. 570.85,  
3       F.S.; revising legislative intent regarding the  
4       promotion of agritourism; amending s. 570.87, F.S.;  
5       prohibiting the denial or revocation of a property's  
6       agricultural classification under certain  
7       circumstances; requiring certain farm buildings,  
8       structures, facilities, or other improvements to be  
9       assessed according to specified provisions; providing  
10      an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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

16       570.85 Agritourism.—

17       (1) It is the intent of the Legislature to promote  
18 agritourism as a way to support bona fide agricultural  
19 production by providing a ~~secondary~~ stream of revenue and by  
20 educating the general public about the agricultural industry. It  
21 is also the intent of the Legislature to eliminate duplication  
22 of regulatory authority over agritourism as expressed in this  
23 section. Except as otherwise provided for in this section, and  
24 notwithstanding any other ~~provision of~~ law, a local government  
25 may not adopt or enforce a local ordinance, regulation, rule, or  
26 policy that prohibits, restricts, regulates, or otherwise limits  
27 an agritourism activity on land classified as agricultural land  
28 under s. 193.461. This subsection does not limit the powers and  
29 duties of a local government to address substantial offsite

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30 impacts of agritourism activities or an emergency as provided in  
31 chapter 252.

32 Section 2. Subsection (1) of section 570.87, Florida  
33 Statutes, is amended to read:

34 570.87 Agritourism participation impact on land  
35 classification.—

36 (1) In order to promote and perpetuate agriculture  
37 throughout this ~~the~~ state, farm operations are encouraged to  
38 engage in agritourism. An agricultural classification pursuant  
39 to s. 193.461 may not be denied or revoked solely due to the  
40 conduct of agritourism activity on a bona fide farm or ~~the~~  
41 construction, alteration, or maintenance of a nonresidential  
42 farm building, structure, or facility on a bona fide farm which  
43 is used to conduct agritourism activities. So long as the  
44 building, structure, or facility is an integral part of the  
45 agricultural operation, the land it occupies shall be considered  
46 agricultural in nature. However, such buildings, structures, and  
47 facilities, and other improvements on the land, must be assessed  
48 under s. 193.011 at their just value and added to the  
49 agriculturally assessed value of the land ~~on agricultural lands~~  
50 ~~classified as such pursuant to s. 193.461 does not limit,~~  
51 ~~restrict, or divest the land of that classification as long as~~  
52 ~~such lands classified as agricultural remain used primarily for~~  
53 ~~bona fide agricultural purposes.~~

54 Section 3. This act shall take effect July 1, 2022.