

By the Committee on Agriculture; and Senator Rodriguez

575-02928-22

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1 A bill to be entitled
2 An act relating to aquaculture; creating s. 193.4611,
3 F.S.; defining the terms "aquaculture" and
4 "aquaculture products"; providing for the assessment
5 of land used in the production of aquaculture based
6 solely on its use; requiring a property appraiser to
7 use a specified assessment methodology; providing
8 construction; requiring property to be assessed for a
9 certain period of time using a certain assessment
10 methodology; authorizing the property appraiser to
11 require property owners to annually submit audited
12 financial statements; requiring land to be assessed
13 using a specified methodology under certain
14 circumstances; providing applicability; amending s.
15 597.003, F.S.; revising the authority of the
16 Department of Agriculture and Consumer Services to
17 revoke aquaculture certificates of registration to
18 apply to facilities, rather than entities; providing
19 an effective date.

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

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23 Section 1. Section 193.4611, Florida Statutes, is created
24 to read:

25 193.4611 Agricultural lands; aquaculture assessment.—

26 (1) For purposes of this section, the terms "aquaculture"
27 and "aquaculture products" have the same meanings as in s.
28 597.0015.

29 (2) (a) When proper application for agricultural assessment

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30 has been made and granted pursuant to s. 193.461, and the
31 property owner requests assessment pursuant to this section, the
32 assessment of land used in the production of aquaculture
33 products shall be based solely on its agricultural use,
34 consistent with the use factors specified in s. 193.461(6) (a),
35 and assessed pursuant to paragraph (c).

36 (b) Notwithstanding any provision relating to annual
37 assessment found in s. 192.042, the property appraiser shall
38 rely on 5-year moving average data when using the income
39 methodology approach in an assessment of property pursuant to
40 this section.

41 (c) For purposes of the income methodology approach to the
42 assessment of land used in the production of aquaculture
43 products, structures and equipment located on the property used
44 for producing aquaculture products are considered a part of the
45 average yield per acre and have no separately assessable
46 contributory value.

47 (d) Once a request for assessment under this section is
48 granted, the property must be assessed as provided in this
49 section for 10 years unless the ownership or use of the property
50 changes. The property appraiser may not require annual
51 application. The property appraiser may require the property
52 owner to annually submit audited financial statements.

53 (e) When proper application for agricultural assessment has
54 not been made, the land shall be assessed as provided in s.
55 193.011.

56 Section 2. Section 193.4611, Florida Statutes, as created
57 by this act, applies to assessments made on or after January 1,
58 2023.

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59 Section 3. Paragraph (a) of subsection (1) of section
60 597.003, Florida Statutes, is amended to read:

61 597.003 Powers and duties of Department of Agriculture and
62 Consumer Services.—

63 (1) The department is hereby designated as the lead agency
64 in encouraging the development of aquaculture in the state and
65 shall have and exercise the following functions, powers, and
66 duties with regard to aquaculture:

67 (a) Issue or deny aquaculture certificates that identify
68 aquaculture producers and aquaculture products, and collect all
69 related fees. The department may revoke an aquaculture
70 certificate of registration issued pursuant to s. 597.004 upon a
71 finding that aquaculture is not the primary purpose of the
72 certified facility's ~~entity's~~ operation.

73 Section 4. This act shall take effect January 1, 2023.