

CHAPTER 2019-120

Committee Substitute for Senate Bill No. 82

An act relating to vegetable gardens; creating s. 604.71, F.S.; providing legislative intent; prohibiting local governments from regulating vegetable gardens on residential properties except as otherwise provided by law; specifying that such regulations are void and unenforceable; specifying exceptions; providing applicability; defining the term “vegetable garden”; providing an effective date.

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

Section 1. Section 604.71, Florida Statutes, is created to read:

604.71 Local regulation of vegetable gardens.—

(1) The Legislature intends to encourage the development of sustainable cultivation of vegetables and fruits at all levels of production, including for personal consumption, as an important interest of the state.

(2) Except as otherwise provided by law, a county, municipality, or other political subdivision of this state may not regulate vegetable gardens on residential properties. Any such local ordinance or regulation regulating vegetable gardens on residential properties is void and unenforceable.

(3) This section does not preclude the adoption of a local ordinance or regulation of a general nature that does not specifically regulate vegetable gardens, including, but not limited to, regulations and ordinances relating to water use during drought conditions, fertilizer use, or control of invasive species.

(4) As used in this section, the term “vegetable garden” means a plot of ground where herbs, fruits, flowers, or vegetables are cultivated for human ingestion.

Section 2. This act shall take effect July 1, 2019.

Approved by the Governor June 24, 2019.

Filed in Office Secretary of State June 24, 2019.