

## CHAPTER 2025-136

### House Bill No. 211

An act relating to farm products; amending s. 163.3162, F.S.; revising the definition of the term “farm product”; providing that the collection, storage, processing, and distribution of a farm product is an activity of a bona fide farm operation which a governmental entity may not prohibit, restrict, regulate, or otherwise limit; reenacting s. 163.3177(7)(b), F.S., relating to the definition of the term “rural agricultural industrial center,” to incorporate the amendment made to s. 163.3162, F.S., in a reference thereto; providing an effective date.

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

Section 1. Paragraph (c) of subsection (2) and paragraph (a) of subsection (3) of section 163.3162, Florida Statutes, are amended to read:

163.3162 Agricultural lands and practices.—

(2) DEFINITIONS.—As used in this section, the term:

(c) “Farm product” means plants and plant products ~~any plant~~, as defined in s. 581.011, regardless of whether such plants and plant products are edible or nonedible, or any animal useful to humans and includes, but is not limited to, any product derived therefrom.

(3) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter:

(a) A governmental entity may not exercise any of its powers to adopt or enforce any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation, including, but not limited to, the collection, storage, processing, and distribution of a farm product, on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

Section 2. For the purpose of incorporating the amendment made by this act to section 163.3162, Florida Statutes, in a reference thereto, paragraph (b) of subsection (7) of section 163.3177, Florida Statutes, is reenacted to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(7)

(b) As used in this subsection, the term “rural agricultural industrial center” means a developed parcel of land in an unincorporated area on which there exists an operating agricultural industrial facility or facilities that employ at least 200 full-time employees in the aggregate and process and prepare for transport a farm product, as defined in s. 163.3162, or any biomass material that could be used, directly or indirectly, for the production of fuel, renewable energy, bioenergy, or alternative fuel as defined by law. The center may also include land contiguous to the facility site which is not used for the cultivation of crops, but on which other existing activities essential to the operation of such facility or facilities are located or conducted. The parcel of land must be located within, or within 10 miles of, a rural area of opportunity.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 13, 2025.

Filed in Office Secretary of State June 13, 2025.