

## CHAPTER 2022-77

### Senate Bill No. 1186

An act relating to agritourism; amending s. 570.85, F.S.; revising legislative intent regarding the promotion of agritourism; amending s. 570.87, F.S.; prohibiting the denial or revocation of a property's agricultural classification under certain circumstances; requiring certain farm buildings, structures, facilities, or other improvements to be assessed according to specified provisions; providing an effective date.

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

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

570.85 Agritourism.—

(1) It is the intent of the Legislature to promote agritourism as a way to support bona fide agricultural production by providing a ~~secondary~~ stream of revenue and by educating the general public about the agricultural industry. It is also the intent of the Legislature to eliminate duplication of regulatory authority over agritourism as expressed in this section. Except as otherwise provided for in this section, and notwithstanding any other ~~provision of law~~, a local government may not adopt or enforce a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461. This subsection does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities or an emergency as provided in chapter 252.

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

570.87 Agritourism participation impact on land classification.—

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

~~lands classified as agricultural remain used primarily for bona fide agricultural purposes.~~

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

Approved by the Governor April 27, 2022.

Filed in Office Secretary of State April 27, 2022.