

CS/HB 7103 — Agriculture

by General Government Policy Council; Agriculture and Natural Resources Policy; and Rep. Williams and others (CS/CS/SB 2074 by General Government Appropriations Committee; Agriculture Committee and Senator Peaden)

This bill prohibits counties from enforcing any regulation on land classified as agricultural if the activity is regulated by best management practices, interim measures, or regulations adopted as rules under chapter 120, Florida Statutes. It also prohibits counties from imposing an assessment or fee for stormwater management on land classified as agricultural if the operation has a National Pollutant Discharge Elimination System permit, an environmental resource permit, a works-of-the-district permit, or implements best management practices. The bill provides an exception under specified circumstances for counties that adopted a stormwater ordinance before March 1, 2009, provided credits are given. It allows a county to enforce its wetland protection acts adopted before July 1, 2003.

The bill creates the Agricultural Land Acknowledgement Act to ensure that agricultural practices will not be subject to interference by residential use of land contiguous to agricultural land. It requires an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits.

Eligibility for exemption from a local business tax is expanded for persons who sell farm, aquacultural, grove, horticultural, floricultural, or tropical fish farm products. The definition of “farm tractor” is expanded to include any motor vehicle that is operated principally on a farm, grove, or orchard in agricultural or horticultural pursuits and that is operated on the roads of this state only incidentally for transportation between the owner’s or operator’s headquarters and the farm, grove, or orchard or between one farm, grove, or orchard and another.

The bill reverses legislation enacted in 2005 to return tropical foliage to exempt status from the provisions of the License and Bond law. It exempts farm fences from the Florida Building Code and expands the definition of nonresidential farm buildings that are exempt from county or municipal codes and fees. It allows additional fiscally sound multi-peril crop insurers to sell crop insurance in Florida. The bill also revises the agricultural materials that are allowed to be openly burned.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 37-0; House 115-0