

A BILL TO BE ENTITLED

AN ACT relating to agricultural preservation, groundwater protection, and government integrity; creating the Statewide Agricultural Preservation and Government Integrity Act (SAPGIA); providing legislative findings; providing definitions; prohibiting rezoning of agricultural land; establishing enforcement; regulating injection wells; providing for concurrent oversight authority; providing for severability; providing an effective date.

ARTICLE I — AGRICULTURAL PRESERVATION AND GOVERNMENT INTEGRITY

Statewide Agricultural Preservation and Government Integrity Act

Preamble

Recognizing the vital importance of agriculture to the State's heritage, economy, food security, environmental stability, and public welfare, this Act is enacted to permanently protect agricultural lands from conversion to residential or commercial development, to preserve such lands for present and future generations, and to ensure that land-use decisions are made transparently and solely in the public interest.

Legislative Findings

The Legislature hereby finds and declares that:

1. Agriculture has been a foundational industry of this State for more than one hundred years and remains essential to economic stability, food security, and rural livelihoods.
2. Citrus groves, cattle ranches, and working farmland provide direct employment to hundreds of thousands of residents and support numerous secondary industries, including processing, transportation, equipment supply, and distribution.
3. The citrus industry in particular sustains major processing facilities and businesses that rely on the continued availability of locally grown agricultural products, and the loss of such land threatens widespread job loss and economic harm.
4. The conversion of agricultural land to residential or commercial development results in permanent and irreversible loss of productive farmland.
5. Preserving agricultural land protects water resources, reduces infrastructure strain on local governments, mitigates flooding, and maintains open green space essential to environmental and public health.
6. Rezoning decisions affecting agricultural land are often permanent in nature and may conflict with the long-term economic, environmental, and food-supply interests of the State as a whole.

7. It is therefore a legitimate, necessary, and compelling public purpose of the State to establish uniform protections to ensure agricultural lands remain available for farming and ranching for future generations.

Additional Legislative Findings — Transparency and Anti-Corruption

8. The integrity of land-use and zoning decisions is essential to maintaining public trust in government.

9. Agricultural land is uniquely vulnerable to undue influence due to the significant financial incentives associated with residential and commercial development.

10. Campaign contributions, gifts, promises of future employment, or other things of value—whether direct or indirect—can improperly influence land-use decisions and undermine impartial governance.

11. Private communications between developers and public officials outside of publicly noticed meetings, commonly referred to as *ex parte* communications, erode transparency and deny the public meaningful participation in land-use decisions.

12. The absence of uniform statewide safeguards governing agricultural land rezoning increases the risk of favoritism, conflicts of interest, and abuse of public office.

13. Protecting agricultural land from improper rezoning serves not only economic and environmental interests, but also the compelling state interest of preventing corruption and preserving the integrity of governmental decision-making.

14. It is therefore necessary for the State to establish clear, uniform, and enforceable standards to ensure that decisions affecting agricultural land are made transparently, lawfully, and solely in the public interest.

Section 1. Purpose

The purpose of this Act is to preserve all agricultural land for continued agricultural use, protect rural economies, safeguard food production, maintain employment tied to agriculture, prevent irreversible loss of farmland, and ensure integrity and transparency in land-use governance.

Section 2. Definitions

(a) Agricultural Land

Land used for the cultivation of crops, including but not limited to citrus, vegetables, and row crops, or for the raising of livestock, including cattle and other farm animals.

(b) Protected Agricultural Land

Agricultural land that is legally restricted under this Act from rezoning or conversion to non-agricultural use.

(c) Developer

Any individual, corporation, partnership, or entity seeking approval to rezone, develop, or otherwise convert agricultural land for non-agricultural use.

Section 3. Permitted Uses

The following uses are permitted on protected agricultural land:

Crop cultivation and harvesting

Livestock and ranching operations

Agricultural processing incidental to farming

Conservation practices

Infrastructure necessary to support agricultural operations

Section 3A. Family Agricultural Homestead Provision

Notwithstanding any other provision of this Act, the owner of protected agricultural land may construct residential dwellings on such land under the following conditions:

The dwelling is for:

The landowner,

Immediate family members,

Lineal descendants,

Or individuals directly engaged in the agricultural operation.

The residential use shall:

Not exceed a density of one dwelling unit per twenty (20) acres unless otherwise determined necessary for bona fide agricultural operations.

Not exceed five (5) total residential structures per legal parcel without special review by the Department of Agriculture.

Any residential construction under this section shall:

Remain accessory to agricultural use.

Not serve as a basis for subdivision into non-agricultural residential lots.

Not alter the agricultural zoning classification.

No dwelling constructed under this provision may be sold separately from the agricultural parcel unless the land remains subject to the agricultural preservation requirements of this Act.

Section 4. Prohibited Uses

Residential, commercial, industrial, or mixed-use development that would remove land from agricultural production is prohibited, except as expressly authorized by state law.

Section 5. Zoning and Land Use

All agricultural land within the State shall remain zoned for agricultural use.

No county or municipality may rezone protected agricultural land for non-agricultural purposes unless expressly authorized by statewide vote or constitutional amendment.

Section 5A. Transfer and Continuity of Agricultural Use

If a landowner ceases agricultural operations due to retirement, financial hardship, business failure, or any other reason, protected agricultural land must:

Remain zoned agricultural.

Be offered for sale only as agricultural land.

Any purchaser of protected agricultural land shall:

Agree by recorded covenant that the land will continue in agricultural use.

Be subject to all restrictions of this Act.

No financial institution may condition mortgage approval upon rezoning of protected agricultural land for non-agricultural development.

Any attempt to intentionally cease farming operations for the primary purpose of facilitating rezoning shall be considered a violation of this Act.

Section 6. Enforcement and Penalties

The Department of Agriculture shall oversee enforcement of this Act.

Violations may result in fines, permit revocation, injunctive relief, and any other remedies available under state law.

Section 7. Conflict of Interest and Transparency Safeguards

(a) No elected or appointed official shall participate in, influence, or vote on any decision affecting protected agricultural land if that official has received campaign contributions, gifts, or anything of value from a developer or affiliated entity seeking rezoning or development approval within the preceding twenty-four (24) months.

(b) All communications between developers and public officials regarding protected agricultural land shall occur during publicly noticed meetings and shall be entered into the public record.

(c) Any rezoning, permit, or development approval granted in violation of this section shall be null and void.

(d) This section shall be construed broadly to promote transparency, prevent conflicts of interest, and preserve public confidence in governmental decision-making.

ARTICLE II — GROUNDWATER AND AQUIFER PROTECTION

Section 8. Purpose

The purpose of this Article is to protect the Floridan Aquifer and groundwater resources essential to agriculture, drinking water, and public health, and to prevent land use practices that enable subsurface waste injection that may pose risks to groundwater and agricultural sustainability.

Section 9. Legislative Findings — Groundwater

The Legislature finds that:

(a) The Floridan Aquifer is directly tied to the viability of agricultural production throughout the State;

(b) Injection wells bypass natural soil filtration processes;

(c) The subsurface injection of wastewater, including landfill leachate and industrial waste, presents long-term risks to groundwater quality;

(d) Groundwater protection is inseparable from agricultural preservation and food security;

(e) It is a compelling public interest of the State to regulate activities that may impact groundwater resources.

Section 10. Definitions

(a) Injection Well: Any excavation, borehole, or system designed to discharge fluids into subsurface geologic formations.

(b) Wastewater: Includes blackwater, graywater, reclaimed water, treated effluent, industrial wastewater, and landfill leachate.

(c) Leachate: Liquid that has percolated through solid waste and contains contaminants.

(d) Expansion: Any increase in capacity, volume, or operational scope.

(e) Reclassification: Any change in regulatory classification of an injection well.

Section 11. Statewide Prohibition

No new injection wells for the purpose of wastewater disposal shall be permitted within the State.

Section 12. Prohibition on Expansion and Reclassification

No existing injection well shall be expanded, modified, or reclassified, including but not limited to conversion from Class V to Class I.

Section 13. Existing Facilities

Existing permitted injection wells may continue to operate only within the scope of their current permits and shall not be expanded, upgraded, or modified.

Section 14. Concurrent Oversight Authority

The Florida Department of Environmental Protection shall not issue, renew, or modify any permit for an injection well without formal review by the Florida Department of Agriculture and Consumer Services.

A written determination by the Commissioner of Agriculture identifying a risk to groundwater, agricultural production, or food systems shall constitute sufficient grounds for denial of the permit.

Section 15. Public Interest Standard

All applications related to injection wells shall be evaluated for consistency with:

(a) Long-term groundwater protection;

(b) Agricultural sustainability;

(c) Preservation of rural economies;

(d) Protection of public health and drinking water resources.

Section 16. Enforcement

Any permit issued in violation of this Article shall be deemed null and void.

Violations may result in civil penalties, injunctive relief, and any other remedies available under state law.

Section 17. Local Authority Preserved

Counties and municipalities may adopt more restrictive regulations regarding injection wells and groundwater protection.

Section 18. Severability

If any provision of this Article is held invalid, such invalidity shall not affect other provisions.

Section 19. Effective Date

This Article shall take effect upon becoming law.