
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 885 Session of
2017

INTRODUCED BY MURT, BARRAR, GILLEN, LONGIETTI AND MILLARD,
MARCH 17, 2017

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MARCH 17, 2017

AN ACT

1 Amending the act of June 30, 1981 (P.L.128, No.43), entitled "An
2 act authorizing the creation of agricultural areas," further
3 providing for purchase of agricultural conservation
4 easements.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 14.1(c)(6)(ii) of the act of June 30,
8 1981 (P.L.128, No.43), known as the Agricultural Area Security
9 Law, is amended and the section is amended by adding paragraphs
10 to read:

11 Section 14.1. Purchase of agricultural conservation easements.

12 * * *

13 (c) Restrictions and limitations.--An agricultural
14 conservation easement shall be subject to the following terms,
15 conditions, restrictions and limitations:

16 * * *

17 (6) An agricultural conservation easement shall not
18 prevent:

1 * * *

2 (ii) The granting of rights-of-way by the owner of
3 the subject land in and through the land for trails for
4 nonmotorized use in accordance with paragraphs (9) and
5 (10) or for the installation of, transportation of, or
6 use of water, sewage, electric, telephone, coal or
7 noncoal minerals by underground mining methods, gas, oil
8 or oil products lines.

9 * * *

10 (9) The owner of the land subject to an agricultural
11 conservation easement may permit or authorize the use of a
12 portion of the subject land for a trail under the following
13 conditions:

14 (i) the portion of land does not exceed 20 feet in
15 width;

16 (ii) the portion of land is used as a trail for
17 nonmotorized passive recreational use;

18 (iii) the portion of land is available to the public
19 for use without charge; and

20 (iv) the use of the portion of land as a trail does
21 not convert land which is devoted primarily to
22 agricultural production or commercial equine activity.

23 (10) If the owner of land subject to an agricultural
24 conservation easement permits or authorizes the use of a
25 portion of the subject land for a trail under paragraph (9),
26 the owner may enter into an agreement with a local government
27 unit or an eligible nonprofit entity permitting or
28 authorizing its use of the portion of land as a trail. The
29 agreement shall be recorded with the country recorder of
30 deeds.

1 * * *

2 Section 2. This act shall take effect in 60 days.