# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 84 PRINTER'S NO. 62

AMOUNT

No Fiscal Impact General Fund

DATE INTRODUCED PRIME SPONSOR

January 10, 2013 Representative Miller

### **HISTORY OF BILL**

Referred to AGRICULTURE AND RURAL AFFAIRS, Jan. 10, 2013

Reported as committed, Jan. 15, 2013

First consideration, Jan. 15, 2013

Laid on the table, Jan. 15, 2013

Removed from table, Jan. 15, 2013

Second consideration, Jan. 16, 2013

Re-committed to APPROPRIATIONS, Jan. 16, 2013

Re-reported as committed, Jan. 22, 2013

Third consideration and final passage, Jan. 22, 2013 (194-0)

In the Senate

Referred to AGRICULTURE AND RURAL AFFAIRS, Jan. 25, 2013

Reported as committed, Feb. 6, 2013

First consideration, Feb. 6, 2013

Re-referred to APPROPRIATIONS, March 18, 2013

Re-reported as committed, June 10, 2013

### DESCRIPTION AND PURPOSE OF BILL

House Bill 84 amends the Agricultural Area Security Law to require the following with regard to the inspection of agricultural conservation easements for compliance with deeds of easement:

- Requires a county agricultural land preservation board to inspect all agricultural conservation easements on a biennial basis to determine compliance.
- Requires the first inspection to be completed within one year of the date of the easement sale.
- Requires the landowner to be notified of an inspection and the inspection to be conducted on a date and time agreeable to the county and the landowner.

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- Requires the county board to prepare a written report of the inspection within ten days and provide it to the landowner. If a violation is discovered, it requires the report to be sent to the landowner by certified mail.
- Allows the county board and the State Agricultural Land Preservation Board to inspect restricted land, without prior notice, if there is reasonable course to believe that any provision of the deed of easement has been or is being violated.

The legislation abrogates regulations and is scheduled to take effect immediately.

Presently, under the regulations, county boards are required to make inspections on an annual basis and mail inspection notices and inspection reports by certified mail.

#### **FISCAL IMPACT:**

The enactment of House Bill 84 will have no adverse fiscal impact on Commonwealth funds. Allowing inspections on a biennial basis and eliminating some of the certified mail requirements will result in savings for county boards.