

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 819 Session of 2017

INTRODUCED BY AUMENT, MARTIN, EICHELBERGER, YAW, FOLMER,  
RAFFERTY, WARD, BARTOLOTTA, STEFANO, REGAN, VOGEL, YUDICHAK,  
RESCHENTHALER, WHITE, MENSCH, VULAKOVICH AND McILHINNEY,  
SEPTEMBER 8, 2017

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, SEPTEMBER 8, 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 definitions and for purchase of agricultural  
4 conservation easements.

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

7 Section 1. Section 3 of the act of June 30, 1981 (P.L.128,  
8 No.43), known as the Agricultural Area Security Law, is amended  
9 by adding a definition to read:

10 Section 3. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section, unless the  
13 context clearly indicates otherwise:

14 \* \* \*

15 "Agritourism." Activity carried out on land subject to a  
16 conservation easement under this act that provides entertainment  
17 or education to the general public for the purpose of promoting  
18 agricultural products or farming or rural lifestyles, regardless

1 of whether or not the general public pays to participate in the  
2 activity including:

3 (1) interaction with farm or rural animals;

4 (2) farming or harvesting activities;

5 (3) tours, exhibitions or taste tests that promote the  
6 farm or on-farm produced products;

7 (4) bed and breakfast operations or similar lodging  
8 accommodations that encourage engagement with farming or  
9 harvesting activities or the farm's agricultural character or  
10 aesthetic nature;

11 (5) equine training, teaching or recreational riding;

12 (6) games, rides and other entertainment activities  
13 normally engaged in by farm families or rural communities;  
14 and

15 (7) activities carried out in conjunction with seasonal  
16 festivals to promote local agricultural products.

17 The term does not include rodeos, hunting, water skiing or  
18 tubing, paintball and nonmotorized freestyle, mountain or off-  
19 road bicycling.

20 \* \* \*

21 Section 2. Section 14.1(c)(6)(v) of the act is amended and  
22 paragraph (6) is amended by adding a subparagraph to read:

23 Section 14.1. Purchase of agricultural conservation easements.

24 \* \* \*

25 (c) Restrictions and limitations.--An agricultural  
26 conservation easement shall be subject to the following terms,  
27 conditions, restrictions and limitations:

28 \* \* \*

29 (6) An agricultural conservation easement shall not  
30 prevent:

1                   \* \* \*

2                   (v) Customary part-time or off-season minor or rural  
3 enterprises and activities, other than agritourism  
4 activities, which are provided for in the county  
5 Agricultural Conservation Easement Purchase Program  
6 approved by the State board under subsection (d).

7                   (vi) Agritourism activities that are incidental to a  
8 farm's agricultural use and that do not render a portion  
9 of the restricted land incapable of being immediately  
10 converted to agricultural use.

11                   \* \* \*

12                   Section 3. The amendment of section 14.1(c)(6) of the act  
13 shall apply to agricultural conservation easements executed  
14 after June 29, 1981.

15                   Section 4. This act shall take effect in 60 days.