

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1984 Session of 2021

INTRODUCED BY FEE, SCHLEGEL CULVER, GILLEN, GREINER, JAMES, MENTZER, MILLARD, NEILSON, SMITH AND ZIMMERMAN, OCTOBER 19, 2021

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 8, 2022

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

10 Section 14.1. Purchase of agricultural conservation easements.

11 * * *

12 (i) Subdivision of land after easement purchase.--

13 * * *

14 (3) (i) Notwithstanding the provisions of PARAGRAPH (1) <--
15 AND subsection (d)(1)(v), a county program shall provide
16 for land subject to an agricultural conservation easement
17 to be subdivided under the following conditions:

18 (A) The tract TO BE CREATED BY SUBDIVISION is <--

1 less than ten acres.

2 (B) The tract ~~is subdivided and~~ CREATED UNDER <--
3 CLAUSE (A) IS conveyed or transferred to the owner of
4 a contiguous tract of land subject to an agricultural
5 conservation easement under this act.

6 (C) Deeds of merger are prepared and filed with
7 the recorder of deeds as follows:

8 (I) To add the tract CREATED UNDER CLAUSE <--
9 (A) as a fee simple interest to the parcel OF THE <--
10 NEW OWNER.

11 (II) To add the tract CREATED UNDER CLAUSE <--
12 (A) to the deed of easement of the new owner.

13 (D) THE TRACT REMAINING AFTER SUBDIVISION UNDER <--
14 CLAUSE (A) MEETS THE PROVISIONS OF PARAGRAPH (1) AND
15 SUBSECTION (D) (1) (V).

16 (ii) A subdivision under this paragraph shall not be
17 subject to a roll-back tax under the act of December 19,
18 1974 (P.L.973, No.319), known as the Pennsylvania
19 Farmland and Forest Land Assessment Act of 1974.

20 * * *

21 Section 2. This act shall take effect in 30 days.