

AMENDMENTS TO SENATE BILL NO. 478

Sponsor: REPRESENTATIVE SAYLOR

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1 Amend Bill, page 1, line 20, by striking out "and" and
2 inserting

3 who sell or rent agricultural assets

4 Amend Bill, page 2, lines 7 through 30; page 3, lines 1
5 through 29; by striking out all of said lines on said pages and
6 inserting

7 "Agricultural production." As defined in section 3 of the
8 act of June 30, 1981 (P.L.128, No.43), known as the Agricultural
9 Area Security Law.

10 "Beginning farmer." A person who:

11 (1) Has demonstrated experience in the agriculture
12 industry or related field or has transferable skills as
13 determined by the department.

14 (2) Has not received Federal gross income from
15 agricultural production for more than the 10 most recent
16 taxable years.

17 (3) Intends to engage in agricultural production within
18 the borders of this Commonwealth and to provide the majority
19 of the labor and management involved in that agricultural
20 production.

21 (4) Has obtained written certification from the
22 department confirming beginning farmer status.

23 (5) Is not, and whose spouse is not, a partner, member,
24 shareholder or trustee of the owner of agricultural assets
25 from whom the person seeks to purchase or rent agricultural
26 assets.

27 Amend Bill, page 4, lines 2 through 5, by striking out all of
28 said lines

29 Amend Bill, page 4, lines 12 and 13, by striking out "the
30 production of a farm product AN AGRICULTURAL COMMODITY" and
31 inserting

agricultural production

Amend Bill, page 5, line 6, by striking out all of said line
and inserting

(b) Application.--

(1) The tax credit may be claimed only after

Amend Bill, page 5, lines 8 and 9, by striking out "1804-" in
line 8 and all of line 9 and inserting

1804-H.

(2) An owner of agricultural assets must apply to the
department

Amend Bill, page 5, line 11, by inserting after "department."

The application shall:

(i) identify the beginning farmer who has been
certified by the department under paragraph (3) and to
whom the agricultural assets are sold or rented; and

(ii) specify whether the beginning farmer is a
brother, sister, ancestor or lineal descendant of the
applicant.

(3) A person may apply to the department for
certification that the person is a beginning farmer for
purposes of this article. The application shall be in a form
and manner prescribed by the department and shall require
that the applicant provide:

(i) Projected earnings statements to demonstrate the
profit potential for the farming conducted by the
applicant.

(ii) Verification that the farming conducted by the
applicant will be a significant source of income for the
applicant.

(iii) Verification that the applicant will, if
certified as a beginning farmer by the department, notify
the department if the farmer no longer meets the
certification and eligibility requirements within the
three-year certification period, in which case
eligibility for tax credits ends.

(iv) Verification that the applicant is not engaged
in farming by means of a joint business venture.

(v) Verification and documentation as necessary to
meet other eligibility requirements as may be established
by the department.

Amend Bill, page 5, lines 27 through 29, by striking out "
or" in line 27, all of line 28 and "whichever is later" in line

29

1 Amend Bill, page 6, line 2, by striking out "carried over or
2 assigned." and inserting
3 sold, passed through, carried forward or refunded. No
4 credits granted under this section shall be applied against any
5 tax withheld by an employer from an employee under Article III.

6 Amend Bill, page 6, line 27, by striking out "section" and
7 inserting
8 article

9 Amend Bill, page 8, lines 14 through 20, by striking out all
10 of said lines