

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 371 Session of
1997

INTRODUCED BY SCHULER, CLARK, ALLEN, HERSHEY, HENNESSEY,
MAITLAND, TRUE, BARLEY, FARGO, HERMAN, SEMMEL, TRELLO,
E. Z. TAYLOR, EGOLF AND STERN, FEBRUARY 10, 1997

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
FEBRUARY 10, 1997

AN ACT

1 Amending the act of June 10, 1982 (P.L.454, No.133), entitled
2 "An act protecting agricultural operations from nuisance
3 suits and ordinances under certain circumstances," further
4 providing for definitions.

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

7 Section 1. Section 2 of the act of June 10, 1982 (P.L.454,
8 No.133), entitled "An act protecting agricultural operations
9 from nuisance suits and ordinances under certain circumstances,"
10 is amended to read:

11 Section 2. Definitions.

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

15 "Agricultural commodity." Agricultural, horticultural,
16 floricultural, viticultural and dairy products, livestock and
17 the products thereof, ranch raised fur bearing animals and the
18 products thereof, the products of poultry and bee raising,

1 forestry and forestry products, and any and all products raised
2 or produced on farms intended for human consumption and the
3 processed or manufactured products thereof intended for human
4 consumption, transported or intended to be transported in
5 commerce.

6 "Municipality." A county, city, borough, incorporated town,
7 township or a general purpose unit of government as established
8 by the act of April 13, 1972 (P.L.184, No.62), known as the
9 "Home Rule Charter and Optional Plans Law."

10 "Normal agricultural operation." The customary and generally
11 accepted activities, practices and procedures that farmers
12 adopt, use or engage in year after year in the production and
13 preparation for market of poultry, livestock and their products
14 and in the production [and], harvesting and preparation for
15 market or use of agricultural, agronomic, horticultural,
16 silvicultural and aquicultural crops and commodities and is:

- 17 (1) not less than ten contiguous acres in area; or
18 (2) less than ten contiguous acres in area but has an
19 anticipated yearly gross income of at least \$10,000.

20 Section 2. This act shall take effect immediately.