

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2219 Session of
2003

INTRODUCED BY MAITLAND, BELFANTI, CRAHALLA, FRANKEL, GINGRICH,
GRUCELA, NICKOL, O'NEILL, REICHLEY AND YOUNGBLOOD,
NOVEMBER 25, 2003

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
NOVEMBER 25, 2003

AN ACT

1 Requiring owner of certain agricultural land to pay an
2 agricultural land impact fee to local government units upon
3 the occurrence of certain triggering events; and providing
4 for use of the fees by local government units.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Agricultural
9 Land Impact Fee Act.

10 Section 2. 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 "Agricultural conservation easement." The term shall have
15 the same meaning as in section 3 of the act of June 30, 1981
16 (P.L.128, No.43), known as the Agricultural Area Security Law.

17 "Agricultural land." Real property that is subject to a
18 preferential assessment for property tax purposes under the act

1 of December 19, 1974 (P.L.973, No.319), known as the
2 Pennsylvania Farmland and Forest Land Assessment Act of 1974,
3 and is devoted to either agricultural use or agricultural
4 reserve.

5 "Department." The Department of Agriculture of the
6 Commonwealth.

7 "Local government unit." A city, borough, township or town
8 or any home rule municipality, optional plan municipality,
9 optional charter municipality or similar general purpose unit of
10 government which may be created or authorized by statute.

11 "Triggering event." The imposition of roll-back taxes as a
12 penalty for ineligible use of property which had been subject to
13 a preferential assessment for property tax purposes under the
14 act of December 19, 1974 (P.L.973, No.319), known as the
15 Pennsylvania Farmland and Forest Land Assessment Act of 1974,
16 and had been devoted to either agricultural use or agricultural
17 reserve.

18 Section 3. Agricultural land impact fee.

19 (a) General rule.--An agricultural land impact fee of \$2,000
20 per acre, as adjusted by the department under subsection (b),
21 shall be paid by the owner of agricultural land to the local
22 government unit upon the occurrence of a triggering event.

23 (b) Adjustment.--The department shall adjust the amount of
24 the agricultural land impact fee on July 1, 2004, and annually
25 thereafter, by the rate of change in the Consumer Price Index
26 for Urban Wage Earners for the immediately preceding calendar
27 year, as reported by the Bureau of Labor and Statistics of the
28 United States Department of Labor.

29 Section 4. Use of impact fee funds.

30 A local government unit shall utilize the agricultural land

1 impact fees:

2 (1) to purchase agricultural conservation easements;

3 (2) to pay debt service on debts incurred to purchase
4 agricultural conservation easements prior to the effective
5 date of this act; or

6 (3) to purchase and preserve parks, open space and
7 recreational areas.

8 Section 5. Effective date.

9 This act shall take effect in 60 days.