

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2059 Session of
2011

INTRODUCED BY MILLER, AUMENT, BOYD, CREIGHTON, FLECK, GIBBONS,
GROVE, KAUFFMAN, M. K. KELLER, KILLION, MOUL, MURT, PICKETT,
ROSS, SCAVELLO, SCHRODER, STURLA, SWANGER AND TALLMAN,
DECEMBER 7, 2011

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, DECEMBER
7, 2011

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 the purchase of agricultural conservation
4 easements; and abrogating regulations.

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

7 Section 1. Section 14.1(b)(2) 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 subparagraph to read:

10 Section 14.1. Purchase of agricultural conservation easements.

11 * * *

12 (b) County programs.--After the establishment of an
13 agricultural security area by the governing body, the county
14 governing body may authorize a program to be administered by the
15 county board for purchasing agricultural conservation easements
16 from landowners whose land is either within an agricultural
17 security area or in compliance with the criteria set forth in

1 paragraph (2) (i).

2 * * *

3 (2) It shall be the duty and responsibility of the
4 county board to exercise the following powers:

5 * * *

6 (xvii) To inspect all agricultural conservation
7 easements within the county on at least a biennial basis
8 to determine compliance with the applicable deed of
9 easement. The following shall apply to inspections:

10 (A) The first inspection shall be completed
11 within one year of the date of easement sale.

12 (B) A landowner shall be notified of an
13 inspection and the inspection shall be conducted on a
14 date and time agreeable to the county and the
15 landowner.

16 (C) Within ten days of conducting an inspection,
17 the county board shall prepare a written inspection
18 report, which shall be provided by certified mail to
19 the landowner.

20 (D) The county board and the State Board may
21 inspect the restricted land, jointly or severally,
22 without prior notice if there is reasonable cause to
23 believe that any provision of the deed of easement
24 has been or is being violated.

25 * * *

26 Section 2. The following provisions of 7 Pa. Code are
27 abrogated:

28 (1) Section 138e.202(a), (b) and (c).

29 (2) Section 138e.203(1).

30 Section 3. This act shall take effect immediately.