
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2106 Session of
2012

INTRODUCED BY ROSS, BOYD, CALTAGIRONE, DALEY, ELLIS, GINGRICH,
GOODMAN, HALUSKA, HARPER, HESS, HORNAMAN, LAWRENCE,
LONGIETTI, MILNE, QUINN, RAPP, READSHAW, TOBASH AND
YOUNGBLOOD, DECEMBER 21, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 21, 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.

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

7 Section 1. Section 14.1(c)(6)(iv) and (i)(1)(ii) of the act
8 of June 30, 1981 (P.L.128, No.43), known as the Agricultural
9 Area Security Law, amended November 23, 1994 (P.L.621, No.96)
10 and July 7, 2011, P.L.247, No.44), are amended to read:

11 Section 14.1. Purchase of agricultural conservation easements.

12 * * *

13 (c) Restrictions and limitations.--An agricultural
14 conservation easement shall be subject to the following terms,
15 conditions, restrictions and limitations:

16 * * *

17 (6) An agricultural conservation easement shall not
18 prevent:

1 * * *

2 (iv) Construction and use of structures on the
3 subject land for the landowner's principal residence or
4 for the purpose of providing necessary housing for
5 seasonal or full-time employees: Provided, That only one
6 such structure may be constructed on no more than two
7 acres of the subject land during the term of the
8 agricultural conservation easement[.]: and Provided
9 further, That the owner of the land subject to the
10 agricultural conservation easement may relinquish and
11 extinguish the right of construction and use of
12 structures conferred by this clause by recording, in the
13 office for the recording of deeds in the county in which
14 the land subject to the agricultural conservation
15 easement is located, an affidavit evidencing the intent
16 to relinquish and extinguish.

17 * * *

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

19 (1) Each county program shall specify the conditions
20 under which the subdivision of land subject to an
21 agricultural conservation easement may be permitted. In no
22 case, however, shall a county program permit a subdivision
23 which will:

24 * * *

25 (ii) convert land which has been devoted primarily
26 to agricultural use to another primary use, except that a
27 county program may permit one subdivision for the purpose
28 of the construction of a principal residence for the
29 landowner or an immediate family member, subject to this
30 right being relinquished and extinguished in accordance

1 with subsection (c) (6) (iv).

2 * * *

3 Section 2. This act shall take effect in 60 days.