
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1523 Session of
2019

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MAY 29, 2019

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MAY 29, 2019

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, establishing the Agricultural Business Development
3 Center and the Agricultural Business Development Center
4 Advisory Committee.

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

7 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
8 is amended by adding a chapter to read:

9 CHAPTER 48

10 AGRICULTURAL BUSINESS DEVELOPMENT CENTER

11 Sec.

12 4801. Short title of chapter.

13 4802. Definitions.

14 4803. Establishment.

15 4804. Purpose.

16 4805. Agricultural Business Development Center Advisory

1 Committee.

2 4806. Grant programs.

3 4807. Limitation on grants.

4 4808. Disposition of grants.

5 4809. Regulations.

6 4810. Agricultural Business Development Center Fund.

7 § 4801. Short title of chapter.

8 This chapter shall be known and may be cited as the

9 Agricultural Business Development Center Act.

10 § 4802. Definitions.

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

14 "Advisory committee." The Agricultural Business Development
15 Center Advisory Committee established under section 4805
16 (relating to Agricultural Business Development Center Advisory
17 Committee).

18 "Center." The Agricultural Business Development Center
19 established under section 4803 (relating to establishment).

20 "Fund." The Agricultural Business Development Center Fund
21 established under section 4810 (relating to Agricultural
22 Business Development Center Fund).

23 § 4803. Establishment.

24 The Agricultural Business Development Center is established
25 in the department, which shall staff and operate the center.

26 § 4804. Purpose.

27 The department shall operate the center for the following
28 purposes:

29 (1) To provide farmers and prospective farmers a
30 resource and reference center for creating business plans and

1 management strategies to enhance the long-term economic
2 viability of a farm.

3 (2) To provide farmers a resource and reference center
4 for creating plans for the transition of ownership and
5 operation of a farm to new owners and operators.

6 (3) To provide farmers a resource and reference center
7 for creating plans for transfer of ownership and operation of
8 a farm within the farmer's family.

9 (4) To provide a resource and reference center for
10 helping a farmer diversify an existing agricultural operation
11 to new or different forms of agricultural production,
12 including on-farm value-added processing and agritourism.

13 (5) To provide persons who own or operate farms that are
14 subject to perpetual agricultural conservation easements
15 acquired under the act of June 30, 1981 (P.L.128, No.43),
16 known as the Agricultural Area Security Law, resources to
17 help maintain the long-term economic viability of the farms
18 and protect the investment of public funds in preserving the
19 farms for agricultural production.

20 (6) To provide a resource and reference center for
21 persons planning a farm expansion or seeking financing for
22 farm growth.

23 (7) To help identify and build teams of planning
24 facilitators, accountants, financial planners, lenders,
25 marketers, conservation and nutrient management planners and
26 veterinarians who can provide expertise.

27 (8) To devise, award and administer grants to farmers,
28 prospective farmers and others.

29 § 4805. Agricultural Business Development Center Advisory
30 Committee.

1 (a) Establishment.--There is established the Agricultural
2 Business Development Center Advisory Committee, to advise the
3 secretary with respect to the secretary's responsibilities under
4 this chapter.

5 (b) Membership.--The advisory committee shall consist of the
6 following members:

7 (1) The secretary, who shall serve as chairperson.

8 (2) The secretary of the Department of Community and
9 Economic Development or a designee.

10 (3) The dean of the College of Agricultural Sciences at
11 The Pennsylvania State University or a designee.

12 (4) One representative selected annually from each of
13 the following organizations:

14 (i) The Pennsylvania Bankers Association.

15 (ii) A farm credit association servicing clients in
16 this Commonwealth.

17 (iii) The Pennsylvania Association of Conservation
18 Districts.

19 (5) The following individuals appointed by the
20 secretary:

21 (i) A licensed veterinarian whose practice includes
22 food animals.

23 (ii) A person certified to create nutrient
24 management plans.

25 (iii) A certified public accountant.

26 (iv) A financial planner.

27 (v) An attorney.

28 (vi) A farmer who has experience with a farm
29 transition or diversification of the agricultural
30 production of a farm.

1 (c) Terms.--

2 (1) The term of office for each advisory committee
3 member under subsection (b) (5) shall be three years, except
4 that the initial terms shall be staggered as follows:

5 (i) Two members shall each serve a term of one year.

6 (ii) Two members shall each serve a term of two
7 years.

8 (iii) Two members shall each serve a term of three
9 years.

10 (2) Advisory committee members may be appointed to
11 successive terms at the discretion of the secretary, except
12 that no member may serve more than two three-year terms.
13 Vacancies shall be filled in the same manner as the original
14 appointments.

15 (d) Duties.--The advisory committee shall meet as often as
16 necessary to advise the secretary on satisfying the purpose of
17 this chapter and establishing and awarding grants under this
18 chapter.

19 (e) Expenses.--Advisory committee members shall serve
20 without compensation but shall be entitled to expenses which are
21 reasonable and necessary in the performance of their duties.

22 § 4806. Grant programs.

23 (a) Authorization.--The department may establish programs to
24 award grants for the purposes described in this chapter.

25 (b) Grant program standards and requirements.--The following
26 shall apply:

27 (1) The department shall establish grant program
28 standards and requirements for a grant program under this
29 chapter and shall transmit notice of the grant program
30 standards and requirements to the Legislative Reference

1 Bureau for publication in the Pennsylvania Bulletin.

2 (2) Grant program standards and requirements shall do
3 the following:

4 (i) Establish eligibility standards for applicants.

5 (ii) Describe the objectives of the grant program,
6 which objectives shall be consistent with this chapter.

7 (iii) Establish caps, limits and restrictions with
8 respect to grant amounts.

9 (iv) Establish an application process and timetable.

10 (v) Present the criteria under which grant
11 applications shall be evaluated by the department.

12 (vi) Establish a timetable within which the
13 department shall award or disapprove a complete grant
14 application.

15 (vii) Establish procedures by which the department
16 shall verify expenditures of grant money by a grant
17 recipient.

18 § 4807. Limitation on grants.

19 (a) Available funding.--Grants shall be awarded to the
20 extent money is made available by the General Assembly.

21 (b) Matching.--Grant amounts shall be limited to 75% of
22 project costs. In-kind support shall not be counted toward an
23 applicant's matching contribution.

24 (c) Conditions.--The secretary may approve a grant in less
25 than the requested amount. The secretary may also impose
26 restrictions or special conditions upon the issuance of the
27 grant.

28 § 4808. Disposition of grants.

29 (a) Written agreement.--The department may require a written
30 agreement describing the terms and conditions of the grant.

1 (b) Return of grant money.--The department may establish
2 criteria under which the secretary may demand the return of all
3 or a portion of the grant money.

4 § 4809. Regulations.

5 The department may promulgate rules and regulations to
6 administer and enforce this chapter.

7 § 4810. Agricultural Business Development Center Fund.

8 (a) Establishment.--The Agricultural Business Development
9 Center Fund is established in the State Treasury as a special
10 fund which shall be an interest-bearing restricted revenue
11 account. Money collected by the department under this chapter or
12 appropriated, given, granted or donated for the purpose
13 established under this chapter by the Commonwealth or any other
14 government or private agency or person shall be deposited into
15 the fund.

16 (b) Appropriation.--Money in the fund is appropriated on a
17 continuing basis to the department for the purpose of
18 administering this chapter. All interest and earnings received
19 from investments or deposits of the money in the fund shall be
20 paid into the account for the purpose authorized by this
21 section. Unexpended money and interest or earnings on the money
22 in the fund may not be transferred or revert to the General Fund
23 but shall remain in the account to be used by the department for
24 the purpose specified under this section.

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