

maintenance of the public health and welfare and the continued viability of the economy of this State and is a matter of the highest public priority.

Since this State is becoming increasingly urban, farm areas and populations continue to decrease. Often when nonagricultural land uses from urban or suburban development intrude into existing agricultural areas, agricultural operations are threatened by nuisance suits.

It is the purpose of this Act to reduce the loss to the State of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

5-308.

(A) IN THIS SECTION, "OPERATION" MEANS A FARM OPERATION FOR THE:

- (1) CULTIVATION OF LAND;
- (2) PRODUCTION OF AGRICULTURAL CROPS;
- (3) RAISING OF POULTRY;
- (4) PRODUCTION OF EGGS;
- (5) PRODUCTION OF MILK;
- (6) PRODUCTION OF FRUIT OR OTHER HORTICULTURAL CROPS; AND
- (7) PRODUCTION OF LIVESTOCK.

(B) THIS SECTION DOES NOT APPLY TO:

- (1) AN AGRICULTURAL OPERATION THAT DOES NOT CONFORM TO FEDERAL, STATE, OR LOCAL HEALTH OR ZONING REQUIREMENTS;
- (2) A FEDERAL, STATE, OR LOCAL AGENCY WHEN ENFORCING AIR, WATER QUALITY, OR OTHER ENVIRONMENTAL STANDARDS UNDER FEDERAL, STATE, OR LOCAL LAW; OR
- (3) AN AGRICULTURAL OPERATION THAT IS CONDUCTED IN A NEGLIGENT MANNER.

(C) IF AN AGRICULTURAL OPERATION, INCLUDING ANY CHANGE IN THE OPERATION, HAS BEEN UNDER WAY FOR A PERIOD OF 1 YEAR