

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2005.

~~Article—Agriculture~~

~~2-517.~~

~~(A) (1) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION AND THE DEPARTMENT OF PLANNING SHALL ESTABLISH A CRITICAL FARMS PROGRAM.~~

~~(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE INTERIM OR EMERGENCY FINANCING FOR THE ACQUISITION OF AGRICULTURAL PRESERVATION EASEMENTS ON CRITICAL FARMS THAT WOULD OTHERWISE BE SOLD FOR NONAGRICULTURAL USES.~~

~~(B) (1) A COUNTY SHALL DETERMINE IF A PROPERTY QUALIFIES FOR THE CRITICAL FARMS PROGRAM IN ACCORDANCE WITH THE CRITERIA DEVELOPED UNDER PARAGRAPH (2) OF THIS SUBSECTION.~~

~~(2) (I) THE FOUNDATION AND THE DEPARTMENT SHALL DEVELOP CRITERIA FOR COUNTIES TO CONSIDER WHEN DETERMINING WHETHER A PROPERTY QUALIFIES FOR THE PROGRAM.~~

~~(II) THE CRITERIA SHALL INCLUDE:~~

~~1. THE QUALIFYING STRATEGIC CHARACTERISTICS OF THE PROPERTY, INCLUDING LOCATION AND PRODUCTIVITY;~~

~~2. THE CIRCUMSTANCES CREATING THE RISK OF THE PROPERTY BEING SOLD FOR NONAGRICULTURAL PURPOSES;~~

~~3. WHEN APPLICABLE, THE CHARACTERISTICS OF THE PURCHASER OF STRATEGIC FARMLAND SEEKING ASSISTANCE FROM THE PROGRAM;~~

~~4. THE CONSISTENCY OF THE PROPOSED ACQUISITION WITH COUNTY GOALS AND PRIORITIES AND THE COUNTY'S PRIORITY PRESERVATION AREA; AND~~

~~5. EVALUATION OF THE PROPERTY AS A PRIORITY EASEMENT ACQUISITION.~~

~~(C) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION AND THE DEPARTMENT OF PLANNING MAY JOINTLY ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Agricultural Land Preservation Foundation shall conduct a thorough study of the options available for funding the Critical Farms Program established in accordance with § 2-517 of the Agriculture Article, as enacted by Section 1 of this Act, and submit a report to the Governor and General Assembly, in accordance with § 2-1246 of the~~