

HARRY HUGHES, Governor

2801

CHAPTER 735

(House Bill 668)

AN ACT concerning

Agricultural Operation - Interference With Other Land Uses

FOR the purpose of providing that, under certain circumstances, a private action may not be sustained against an agricultural operation on the grounds that the operation interferes with the use of other property; redefining the term operation for certain purposes; and generally relating to nuisance suits against agricultural operations.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 5-308

Annotated Code of Maryland

(1984 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland 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, INCLUDING PASTURAGE; AND
- (8) PRODUCTION OF BEES AND THEIR PRODUCTS.

(b) This section does not apply to:

(1) An agricultural operation that does not conform to federal, State, or local health or zoning requirements;