

CHAPTER 65

(House Bill 164)

AN ACT concerning

Maryland Agricultural Land Preservation Easements

FOR the purpose of altering certain restrictions of a landowner who transfers an agricultural preservation easement to the Maryland Agricultural Land Preservation Foundation; making certain stylistic changes; and generally relating to agricultural land preservation easements.

BY repealing and reenacting, with amendments,

Article - Agriculture

Section 2-513

Annotated Code of Maryland

(1985 Replacement Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Agriculture

2-513.

(a) Agricultural land preservation easements may be purchased under this subtitle for any land in agricultural use which meets the minimum criteria established under § 2-509 if the easement and county regulations governing the use of the land include the following provisions:

(1) Any farm use of land is permitted.

(2) Operation at any time of any machinery used in farm production or the primary processing of agricultural products is permitted.

(3) All normal agricultural operations performed in accordance with good husbandry practices which do not cause bodily injury or directly endanger human health are permitted including, but not limited to, sale of farm products produced on the farm where such sales are made.

(b) [(1) The easement shall provide that residential subdivision for commercial purposes is not permitted. However, the easement shall provide that, upon written application to the foundation the foundation shall release from the easement restrictions 1 acre or less of the land subject to the easement for the purpose of constructing a dwelling house for the use of