



Legislation of Interest to PFPA – Spring 2021

Amending Act 43

SB 64 **Martin**

Short Title: An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements, for Agricultural Conservation Easement Purchase Fund and for Land Trust Reimbursement Program.

Summary: This bill amends the Agricultural Area Security Law (Act 43 of 1981) to direct a portion of the state-allocated farmland preservation funding to be set-aside annually for use by land trusts to preserve farms. Farms must meet all state minimum criteria. The use of these funds will not require the county to be a party to the agricultural conservation easement, but land trusts will have to provide matching dollars to be reimbursed for the purchase costs of an easement. If a land trust ceases to exist, any easements purchased with state-allocated dollars will be transferred to the county or the state.

Status: **Before House Ag. Committee (Feb. 26, 2021)**

PFPA Position: **Oppose**

HB 183 **Fee**

Short Title: An Act amending the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," further providing for agricultural land conservation assistance grant program.

Summary: Permits the use of certain unused money (agricultural conservation assistance grant program) in the Agricultural Conservation Easement Purchase Fund for grants for succession planning to ensure that agricultural operations continue on land subject to agricultural conservation easements. Would allow the amount remaining in the fund (roughly \$99,000) to be used for the grants, which would not exceed \$5,000 for each family, until the remainder is exhausted

Status: **Before Senate Ag. Committee (March 23, 2021)**

PFPA Position:

Other

HB 101 **Gleim**

Short Title: An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

Summary: Protects agritourism business from lawsuits where no party is at fault for injuries or damages. The legislation would require that farmers post multiple signs warning visitors of the risks, or ask visitors to sign a waiver of

liability before participating in activities. While the legislation provides some immunity from litigation, the right to sue is preserved if an owner acts in a grossly negligent manner or operates with no regard for public safety.

Status: **Second Consideration, March 24, 2021 [Senate]**

PFFPA Position:

HB 221 **Rader**

Short Title: An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

Summary: Permits municipalities to use the 25% of funds currently earmarked for maintenance and development under the "open space tax," regardless of the method of acquisition or purchase of land serving an "open space benefit." (includes lands acquired under the Agricultural Area Security Law)

Status: **Laid on the table, April 20, 2021 [House]**

PFFPA Position:

HB 531 **Bullock**

Short Title: An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in nuisances, further providing for the offense of scattering rubbish; in registration of vehicles, further providing for acknowledgment of littering provisions; in licensing of drivers, further providing for acknowledgment of littering provisions; and, in miscellaneous provisions, further providing for the offense of depositing waste and other material on highway, property or waters.

Summary: Provides for increased fines for littering and dumping on highway, property or waters. \$5,000 (currently \$900) for a violation which occurs in a preserved farm; \$3,000 (currently \$600) for a violation which occurs in an agricultural security area; and \$2,000 (currently \$300) for a violation which occurs anywhere else.

Status: **Before House Judiciary (Feb 16, 2021)**

PFFPA Position:

HB1148 **Gaydos**

Short Title: An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing provisions relating to inheritance tax; in procedure and administration, further providing for petition for reassessment; and, in governmental obligations, further providing for taxability of government obligations.

Summary: Elimination of Pennsylvania Inheritance Tax. The value for transfer inheritance tax purposes of land or an interest in land which is part of an agricultural conservation easement shall be at fifty per cent of the value otherwise determined under this section.

Status: **Before House Finance Committee (April 8, 2021)**

PFFPA Position: