



Legislation of Interest to PFPA – Spring 2021

Amending Act 43

SB 525 **Gordner**

Short Title: An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental stewardship and watershed protection, further providing for legislative findings, for fund and for agencies.

Summary: Enabling legislation for Growing Greener III. Would provide the necessary authority for administrative agencies to fund many of the various projects and program needs identified since the conclusion of Growing Greener II. Funding will come from an infusion of \$500 million appropriated from the recently adopted federal American Rescue Plan Act of 2021.

“Fifteen percent to the Department of Agriculture, which shall use the allocation as follows: (A) At least 30% for grants to authorized organizations to preserve farmland. (B) At least 50% for projects and programs located within the watershed of the Susquehanna River and its tributaries.”

Status: **First consideration, Senate (Sept. 28, 2021)**

PFPA Position:

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 1984 **Fee**

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.

Summary: Provides for the subdivision of small parcels of preserved farmland under limited circumstances.

The current law requires a minimum of 10 acres for a subdivision of preserved farmland. There are numerous circumstances where contiguous preserved farm owners wish to convey smaller parcels from one owner to the

other. This legislation will require a county farmland preservation program to provide for such small-parcel subdivisions and further, insulate the transfer from triggering roll-back tax penalties under the Clean and Green preferential tax assessment program.

Status: **Before House Ag. Committee (Oct. 19, 2021)**

PFFPA Position:

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)**

PFFPA Position:

HB 1721 **Stambaugh**

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 limitation on certain governmental actions.

Summary: Would require the Agricultural Lands Condemnation Approval Board (ALCAB) to review a greater scope of highway projects proposed by entities with authority to condemn land by eminent domain. Numerous transportation projects on existing roadways that would require the condemnation of land enrolled in agricultural security areas are not required to go before the ALCAB for review. This legislation would require that entities seeking to make any transportation improvements impacting lands enrolled in agricultural security areas to submit projects for review by the ALCAB.

Status: **Before House Ag. Committee (July 19, 2021)**

PFFPA Position:

Other

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: **Before Senate Local Government Committee (May 28, 2021)**

PFPA Position:

HB 1148 **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)**

PFPA Position: