

**SB0236/264238/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 236, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0236/774530/2), in line 5 of Amendment No. 1, after “circumstances;” insert “authorizing a local jurisdiction to enact a local law or ordinance for the transfer of certain rights of an owner to subdivide certain property used for agricultural activities to the owner of certain other property used for agricultural activities under certain circumstances;”.

AMENDMENT NO. 2

On page 11 of the Education, Health, and Environmental Affairs Committee Amendments, in the second line from the bottom of Amendment No. 4, after “SUBSECTION” insert “AND SUBSECTION (P) OF THIS SECTION”.

On page 12 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 4, strike beginning with “ZONED” in line 5 down through “USE” in line 6 and substitute “USED FOR AGRICULTURAL ACTIVITIES IN A TIER III OR TIER IV AREA”; in line 7, strike “NOTWITHSTANDING ANY OTHER LAW” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION”; and in line 8, after “INSTALL” insert “, IF APPROVED,”.

AMENDMENT NO. 3

On page 13 of the Education, Health, and Environmental Affairs Committee Amendments, in line 3 of Amendment No. 4, after “TOGETHER.” insert:

“(P) (1) A LOCAL JURISDICTION MAY ENACT A LOCAL LAW OR ORDINANCE FOR THE TRANSFER OF THE RIGHT TO SUBDIVIDE, UP TO 7 LOTS, AS PROVIDED IN THIS SECTION, BY AN OWNER OF PROPERTY USED FOR

(Over)

AGRICULTURAL ACTIVITIES TO THE OWNER OF ANOTHER PROPERTY USED FOR AGRICULTURAL ACTIVITIES IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE LOCAL LAW OR ORDINANCE SHALL PROVIDE FOR THE RECORDATION OF ANY RIGHTS TO SUBDIVIDE THAT ARE TRANSFERRED UNDER THIS SUBSECTION.

(3) A PROPERTY USED FOR AGRICULTURAL ACTIVITIES THE OWNER OF WHICH RECEIVES RIGHTS TO SUBDIVIDE UNDER THIS SUBSECTION:

(i) IS LIMITED TO A TOTAL OF 15 LOTS; AND

(ii) SHALL CLUSTER THE LOTS ON THE PROPERTY.

(4) RIGHTS TO SUBDIVIDE MAY NOT BE TRANSFERRED FROM THE OWNER OF PROPERTY USED FOR AGRICULTURAL ACTIVITIES IN A TIER III AREA TO THE OWNER OF PROPERTY USED FOR AGRICULTURAL ACTIVITIES IN A TIER IV AREA.”.