

# HOUSE BILL 252

M4

8lr0088

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By: **Chair, Environment and Transportation Committee (By Request –  
Departmental – Agriculture) and Delegate Rey**

Introduced and read first time: January 19, 2018

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Department of Agriculture~~ Land Use – Agritourism

3 FOR the purpose of ~~defining the term “agritourism” in State law;~~ authorizing a local  
4 jurisdiction to adopt the definition of agritourism by local ordinance, resolution, law,  
5 or rule; providing for the application of this Act to charter counties; defining the term  
6 “agritourism”; and generally relating to agritourism.

7 ~~BY adding to~~

8 ~~Article – Agriculture~~

9 ~~Section 10.5-101 and 10.5-201 to be under the new title “Title 10.5. Agritourism”~~

10 ~~Annotated Code of Maryland~~

11 ~~(2016 Replacement Volume and 2017 Supplement)~~

12 BY adding to

13 Article – Land Use

14 Section 1-401(b)(12) and 4-211

15 Annotated Code of Maryland

16 (2012 Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Land Use

19 Section 1-401(b)(12) through (23)

20 Annotated Code of Maryland

21 (2012 Volume and 2017 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – ~~Agriculture~~ Land Use**

4 **~~TITLE 10.5. AGRITOURISM.~~**

5 **~~SUBTITLE 1. DEFINITION.~~**

6 ~~10.5-101.~~

7 1-401.

8 (b) The following provisions of this division apply to a charter county:

9 **(12) § 4-211 (AGRITOURISM);**

10 **[(12)] (13) § 5-102(d) (Subdivision regulations – Burial sites);**

11 **[(13)] (14) § 5-104 (Major subdivision – Review);**

12 **[(14)] (15) Title 7, Subtitle 1 (Development Mechanisms);**

13 **[(15)] (16) Title 7, Subtitle 2 (Transfer of Development Rights);**

14 **[(16)] (17) except in Montgomery County or Prince George’s County, Title**  
15 **7, Subtitle 3 (Development Rights and Responsibilities Agreements);**

16 **[(17)] (18) Title 7, Subtitle 4 (Inclusionary Zoning);**

17 **[(18)] (19) § 8-401 (Conversion of overhead facilities);**

18 **[(19)] (20) for Baltimore County only, Title 9, Subtitle 3 (Single-County**  
19 **Provisions – Baltimore County);**

20 **[(20)] (21) for Frederick County only, Title 9, Subtitle 10 (Single-County**  
21 **Provisions – Frederick County);**

22 **[(21)] (22) for Howard County only, Title 9, Subtitle 13 (Single-County**  
23 **Provisions – Howard County);**

24 **[(22)] (23) for Talbot County only, Title 9, Subtitle 18 (Single-County**  
25 **Provisions – Talbot County); and**

26 **[(23)] (24) Title 11, Subtitle 2 (Civil Penalty).**

1 4-211.

2 (A) (1) IN THIS ~~TITLE~~ SECTION, “AGRITOURISM” MEANS AN ACTIVITY  
3 CONDUCTED ON A FARM THAT IS OFFERED TO A MEMBER OF THE GENERAL PUBLIC  
4 OR TO INVITED GUESTS FOR THE PURPOSE OF EDUCATION, RECREATION, OR ACTIVE  
5 INVOLVEMENT IN THE FARM OPERATION.

6 ~~(B)~~ (2) “AGRITOURISM” INCLUDES:

7 ~~(1)~~ (I) FARM TOURS;

8 ~~(2)~~ (II) HAYRIDES;

9 ~~(3)~~ (III) CORN MAZES;

10 ~~(4)~~ (IV) SEASONAL PETTING FARMS;

11 ~~(5)~~ (V) FARM MUSEUMS;

12 ~~(6)~~ (VI) GUEST FARMS;

13 ~~(7)~~ (VII) PUMPKIN PATCHES;

14 ~~(8)~~ (VIII) “PICK YOUR OWN” OR “CUT YOUR OWN” PRODUCE;

15 ~~(9)~~ (IX) CLASSES RELATED TO AGRICULTURAL PRODUCTS OR  
16 SKILLS; AND

17 ~~(10)~~ (X) PICNIC AND PARTY FACILITIES OFFERED IN CONJUNCTION  
18 WITH ANY AGRITOURISM ACTIVITY.

19 ~~SUBTITLE 2. LOCAL ADOPTION.~~

20 ~~10.5-201.~~

21 (B) A LOCAL JURISDICTION MAY ADOPT THE DEFINITION OF  
22 “AGRITOURISM” AS DEFINED IN ~~SUBTITLE 1 OF THIS TITLE~~ THIS SECTION BY LOCAL  
23 ORDINANCE, RESOLUTION, LAW, OR RULE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2018.