



Maryland Department of Agriculture

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MARYLAND DEPARTMENT OF AGRICULTURE

LEGISLATIVE COMMENT

DATE: March 10, 2020

BILL NUMBER: HOUSE BILL 805

SHORT TITLE: MONTGOMERY COUNTY - PUBLIC SAFETY - BUILDINGS USED FOR AGRITOURISM MC 26-20

MDA POSITION: INFORMATION

EXPLANATION:

House Bill 805 exempts the construction, alteration, or modification of an agricultural building in Montgomery County that is used for agritourism from adhering to the Maryland Building Performance Standards (MBPS). It also exempts an existing agricultural building used for agritourism in Montgomery County from obtaining a change of occupancy permit if the use (1) is in accordance with limitations set forth in regulations adopted by the Maryland Department of Labor; (2) occupies only levels of the building on which a ground level exit is located; and (3) does not require more than 50 people to occupy an individual building at any one time.

BACKGROUND INFORMATION:

The Maryland Department of Agriculture (MDA) works to support the sustainable, economic success of Maryland farmers. In a state with many consumers who have the resources to spend on recreation, agritourism presents a viable opportunity to diversify farm operations. Agritourism supports the preservation of farm-based amenities, fits well with maintaining open space, helps counties retain cultural, historic values and can protect our counties' sense of place.

The last agricultural census completed by the U.S. Department of Agriculture's National Agricultural Statistics Service in 2017 indicated there were 295 agritourism farms in Maryland, with revenues of nearly \$10 million.

In 2018, the General Assembly passed legislation allowing counties the opportunity to

adopt a statewide definition of agritourism in zoning and/or other ordinances. Governor Hogan signed Chapter 672 of 2018 (House Bill 252) into law in May 2018. This law defines “agritourism” as an activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation. This includes farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, guest farms, pumpkin patches, “pick your own” or “cut your own” produce, classes related to agricultural products or skills, and picnic and party facilities offered in conjunction with any agritourism activity.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.