

Chapter 672

(House Bill 252)

AN ACT concerning

~~Department of Agriculture~~ Land Use – Agritourism

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

~~BY adding to~~

~~Article – Agriculture~~

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

~~Annotated Code of Maryland~~

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

BY adding to

Article – Land Use

Section 1–401(b)(12) and 4–211

Annotated Code of Maryland

(2012 Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–401(b)(12) through (23)

Annotated Code of Maryland

(2012 Volume and 2017 Supplement)

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

~~Article – Agriculture~~ Land Use

~~TITLE 10.5. AGRITOURISM.~~

~~SUBTITLE 1. DEFINITION.~~

~~10.5–101.~~

1–401.

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

(12) § 4-211 (AGRITOURISM);

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

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

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

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

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

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

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

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

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

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

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

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

4-211.

(A) ~~(1)~~ **(1)** ~~IN THIS TITLE SECTION,~~ “AGRITOURISM” MEANS 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.

~~(B)~~ **(2)** “AGRITOURISM” INCLUDES:

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

~~(2)~~ **(II)** HAYRIDES;

- ~~(3)~~ (III) CORN MAZES;
- ~~(4)~~ (IV) SEASONAL PETTING FARMS;
- ~~(5)~~ (V) FARM MUSEUMS;
- ~~(6)~~ (VI) GUEST FARMS;
- ~~(7)~~ (VII) PUMPKIN PATCHES;
- ~~(8)~~ (VIII) “PICK YOUR OWN” OR “CUT YOUR OWN” PRODUCE;
- ~~(9)~~ (IX) CLASSES RELATED TO AGRICULTURAL PRODUCTS OR SKILLS; AND
- ~~(10)~~ (X) PICNIC AND PARTY FACILITIES OFFERED IN CONJUNCTION WITH ANY AGRITOURISM ACTIVITY.

~~SUBTITLE 2. LOCAL ADOPTION.~~

~~10.5-201.~~

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

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

Approved by the Governor, May 15, 2018.