

HOUSE BILL 1338

M4

4r1593
CF SB 1128

By: **Howard County Delegation**

Introduced and read first time: February 9, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2024

CHAPTER _____

1 AN ACT concerning

2 **Howard County Agricultural Preservation Advisory Board – Term Length –**
3 **Alteration**

4 **Ho. Co. 15–24**

5 FOR the purpose of limiting the term of a member serving on the agricultural preservation
6 advisory board in Howard County to a certain number of years; authorizing members
7 currently serving on the agricultural preservation advisory board in Howard County
8 to complete their terms; and generally relating to the term length of a member
9 serving on the agricultural preservation advisory board in Howard County.

10 BY repealing and reenacting, with amendments,
11 Article – Agriculture
12 Section 2–504.1
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2023 Supplement)

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

17 **Article – Agriculture**

18 2–504.1.

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 (a) In each county containing productive agricultural land, the county governing
2 body shall appoint an agricultural preservation advisory board.

3 (b) (1) Except as provided in paragraphs (2) and (3) of this subsection, the
4 agricultural preservation advisory board shall consist of five members, at least three of
5 whom shall be owner–operators of commercial farms who earn 50 percent or more of their
6 income from farming.

7 (2) In Worcester County, the agricultural preservation advisory board shall
8 consist of seven members, at least four of whom shall be owner–operators of commercial
9 farms who earn 50 percent or more of their income from farming.

10 (3) In St. Mary’s County, the agricultural preservation advisory board shall
11 consist of five members, at least three of whom shall be actively pursuing the production of
12 agricultural products for profit.

13 (c) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)** of
14 this subsection, each member of an agricultural preservation advisory board shall be
15 appointed for a term of office of [five] **5** years.

16 (2) In Charles County and in Worcester County, a member shall serve a
17 term of office of 4 years.

18 **(3) IN HOWARD COUNTY, A MEMBER SHALL SERVE A TERM OF OFFICE**
19 **OF 3 YEARS.**

20 **[(3)] (4)** No member shall serve for more than two consecutive full terms.

21 **[(4)] (5)** Appointment to fill a vacancy shall be for the remainder of the
22 unexpired term.

23 (d) Duties of each agricultural preservation advisory board shall be:

24 (1) To advise the county governing body with respect to the approval of
25 purchases of easements by the Foundation within the county;

26 (2) To assist the county governing body in reviewing the status of land
27 under easement;

28 (3) To advise the Foundation concerning county priorities for agricultural
29 preservation;

30 (4) To approve or disapprove an application by the county for certification
31 or recertification under § 5–408 of the State Finance and Procurement Article;

1 (5) To promote preservation of agriculture within the county by offering
2 information and assistance to farmers with respect to the purchase of easements;

3 (6) To meet at least annually with forest conservation district boards in
4 order to work cooperatively to encourage the promotion and retention of farmland and
5 woodland in their respective jurisdictions; and

6 (7) To perform any other duties as assigned by the county governing body.

7 SECTION 2. AND BE IT FURTHER ENACTED, That:

8 (a) The members of the agricultural preservation advisory board in Howard
9 County currently serving on the effective date of this Act may serve for the remainder of
10 their 5-year terms.

11 (b) Each subsequent member appointed after the effective date of this Act shall
12 serve for a term of 3 years, as enacted by Section 1 of this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.