



Senate

General Assembly

File No. 338

January Session, 2013

Senate Bill No. 806

Senate, April 4, 2013

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE MUNICIPAL PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 7-131q of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (e) (1) Upon authorization of the body in such municipality having
5 the power of appropriation, the moneys in said fund may be used by
6 the municipality for the acquisition in its name of the development
7 rights of agricultural land and for any expenditure incurred for the
8 preservation of agricultural land, provided [(1)] (A) the development
9 rights have been voluntarily offered for sale to the municipality by the
10 owner, and [(2)] (B) the land has been designated for preservation
11 purposes by the municipality in an open space plan, municipal plan of
12 conservation and development or farmland preservation plan.

13 (2) Notwithstanding the provisions of subsection (a) of this section,
14 the municipality may use the moneys in said fund for the acquisition
15 in its name of the rights of the fee owner of agricultural land to
16 construct any residence or any farm structure on agricultural land.

17 (3) The municipality may accept as a gift in its name the rights of the
18 fee owner of agricultural land to construct any residence or any farm
19 structure on agricultural land.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-131q(e)

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: See Below

Explanation

The bill expands the allowable uses for municipal agricultural land preservation funds. This may increase costs to those municipalities that have agricultural land preservation funds.

The Out Years

State Impact: None

Municipal Impact: The ongoing fiscal impact identified above would continue into the outyears.

OLR Bill Analysis**SB 806****AN ACT CONCERNING THE MUNICIPAL PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.****SUMMARY:**

This bill expands the allowable uses for municipal agricultural land preservation funds. Specifically, it allows a municipality to use the funds to acquire an agricultural land owner's rights to build any residence or farm structure on agricultural land. It also allows the municipality to accept these rights as a gift.

By law, a municipality may establish an "agricultural land preservation fund" for the purposes of (1) acquiring the development rights of agricultural land and (2) preserving agricultural land. "Development rights" are the agricultural land owner's rights to develop, construct on, sell, lease or improve the land for uses that make the land no longer agricultural. But it does not include the owner's rights to construct residences for people directly incidental to farm operation and other farm structures, among other things (CGS § 7-131q).

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 28 Nay 0 (03/18/2013)