



**Substitute Senate Bill No. 194**

**Public Act No. 24-100**

**AN ACT CONCERNING CERTAIN FARMING PROGRAMS OF THE DEPARTMENT OF AGRICULTURE.**

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

Section 1. Subsection (c) of section 22-26cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The commissioner shall have no power to release such land from its agricultural restriction, except as set forth in this subsection. The commissioner, in consultation with [the Commissioner of Energy and Environmental Protection and] such advisory groups as the Commissioner of Agriculture may appoint, may approve (1) a petition by the owner of the restricted agricultural land to remove such restriction provided such petition is approved by resolution of the legislative body of the town, or (2) a petition by the legislative body of the town in which such land is situated to remove such restriction provided such petition is approved in writing by said owner. Upon approval of such a petition by the commissioner, the legislative body of the town shall submit to the qualified voters of such town the question of removing the agricultural restriction from such land or a part thereof, at a referendum held at a regular election or a special election warned and called for that purpose. In the event a majority of those voting at

**Substitute Senate Bill No. 194**

such referendum are in favor of such removal, the restriction shall be removed from the agricultural land upon filing of the certified results of such referendum in the land records and the office of the Secretary of the State, and the commissioner shall convey the development rights to such owner provided such owner shall pay the commissioner an amount equal to the value of such rights. Such petition shall set forth the facts and circumstances upon which the commissioner shall consider approval, and said commissioner shall deny such approval unless he determines that the public interest is such that there is an overriding necessity to relinquish control of the development rights. The commissioner shall hold at least one public hearing prior to the initiation of any proceedings hereunder. The expenses, if any, of the hearing and the referendum shall be borne by the petitioner. In the event that the state sells any development rights under the procedure provided in this subsection, it shall receive the value of such rights.

Sec. 2. Subsection (d) of section 22-26nn of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Commissioner of Agriculture shall have no power to release such land from its agricultural restriction, except as set forth in this subsection. The Commissioner of Agriculture, in consultation with [the Commissioner of Energy and Environmental Protection and] such advisory groups as the Commissioner of Agriculture may appoint, may approve (1) a petition by the owner of the restricted agricultural land to remove such restriction provided such petition is approved by resolution of the legislative body of the town, or (2) a petition by the legislative body of the town in which such land is situated to remove such restriction provided such petition is approved in writing by said owner. Upon approval of such a petition by the Commissioner of Agriculture, the legislative body of the town shall submit to the qualified voters of such town the question of removing the agricultural

**Substitute Senate Bill No. 194**

restriction from such land or a part thereof, at a referendum held at a regular election or a special election warned and called for that purpose. In the event a majority of those voting at such referendum are in favor of such removal, the restriction shall be removed from the agricultural land upon filing of the certified results of such referendum in the land records and the office of the Secretary of the State, and the Commissioner of Agriculture shall convey the development rights to such owner provided such owner shall pay the Commissioner of Agriculture an amount equal to the value of such rights. Such petition shall set forth the facts and circumstances upon which the Commissioner of Agriculture shall consider approval, and said commissioner shall deny such approval unless said commissioner determines that the public interest is such that there is an overriding necessity to relinquish control of the development rights. The Commissioner of Agriculture shall hold at least one public hearing prior to the initiation of any proceedings hereunder. The expenses, if any, of the hearing and the referendum shall be borne by the petitioner. In the event that the state sells any development rights under the procedure provided in this subsection, it shall receive the value of such rights.

Sec. 3. Section 22-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be an expand and grow Connecticut agriculture account, which shall be a separate, nonlapsing account within the General Fund. Funds received pursuant to sections 22-38a and 26-194 shall be deposited into said account. The Commissioner of Agriculture shall make payments from said account to fund the [programs] program established in [sections] section 22-38a, [and 22-38b.]

Sec. 4. (*Effective from passage*) The Commissioner of Agriculture shall study the need to establish an annual harvest season for the purpose of any vehicle that transports agricultural products. Not later than January 1, 2025, the commissioner, in accordance with the provisions of section

***Substitute Senate Bill No. 194***

11-4a of the general statutes, shall submit recommendations concerning such need to the joint standing committee of the General Assembly having cognizance of matters relating to environment.

Sec. 5. Sections 22-38b, 22-457 and 26-237e of the general statutes are repealed. (*Effective from passage*)

Approved June 4, 2024