



General Assembly

February Session, 2024

Raised Bill No. 5228

LCO No. 1550



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE PURCHASE OF CERTAIN LANDS AT AGRICULTURAL VALUE.

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

1 Section 1. Section 22-26bb of the 2024 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2024*):

4 As used in sections 22-26aa to 22-26nn, inclusive, as amended by this
5 act:

6 (a) "Agricultural land" means any land in the state suitable by
7 reference to soil types, existing and past use of such land for agricultural
8 purposes and other relevant factors for the cultivation of plants for
9 production of human food and fiber or production of other useful and
10 valuable plant products and for the production of animals, livestock and
11 poultry useful to man and the environment, and land capable of
12 providing economically profitable farm units, and may include adjacent
13 pastures, wooded land, natural drainage areas and other adjacent open
14 areas;

15 (b) "Commissioner" means the Commissioner of Agriculture;

16 (c) "Department" means the Department of Agriculture;

17 (d) "Development rights" means the rights of the fee simple owner of
18 agricultural land to develop, construct on, sell, lease or otherwise
19 improve the agricultural land for uses that result in rendering such land
20 no longer agricultural land, but shall not be construed to include: (1) The
21 uses defined in subsection (q) of section 1-1, (2) the rights of the fee
22 owner of agricultural land to develop, construct on, sell, give or transfer
23 in any way the property in its entirety, or a portion thereof, provided
24 any such sale, gift or transfer of a portion of the property is of a property
25 that was first subject to a sale, transfer or gift of development rights on
26 or after June 28, 2023, lease the property in its entirety, or a portion
27 thereof, for a term of less than twenty-five years or otherwise improve
28 the agricultural land to preserve, maintain, operate or continue such
29 land as agricultural land, including but not limited to construction
30 thereon of residences for persons directly incidental to farm operation
31 and buildings for animals, roadside stands and farm markets for sale to
32 the consumer of food products and ornamental plants, facilities for the
33 storing of equipment and products or processing thereof or such other
34 improvements, activities and uses thereon as may be directly or
35 incidentally related to the operation of the agricultural enterprise, as
36 long as the acreage and productivity of arable land for crops is not
37 materially decreased and due consideration is given to the impact of any
38 decrease in acreage or productivity of such arable land upon the total
39 farm operation, provided any portion of land that is sold, given or
40 transferred, shall be determined in accordance with regulations adopted
41 pursuant to this chapter, except that new construction or modification
42 of an existing farm building necessary to the operation of a farm on
43 prime farmland, as defined by the United States Department of
44 Agriculture, of which the state has purchased development rights shall
45 be limited to not more than five per cent of the total of such prime
46 farmland, (3) the rights of the fee owner to provide for the extraction of
47 gravel or like natural elements to be used on the farm for purposes
48 directly or incidentally related to the operation of the agricultural

49 enterprise or (4) the existing water and mineral rights, exclusive of
50 gravel, of the fee owner;

51 (e) "Owner" means any person, corporation, limited liability
52 company, partnership, trust, municipal corporation, public utility or
53 any other private or public entity that shall be the fee simple owner of
54 agricultural land or who shall by operation of law have the power to
55 exercise the rights of a fee simple owner;

56 (f) "Municipality" means any city, town, borough, district, or
57 association with municipal powers;

58 (g) "Prime farmland" means soils defined by the United States
59 Department of Agriculture as the best suited to producing food, feed,
60 forage, fiber and oilseed crops;

61 (h) "Restricted agricultural land" means land and the improvements
62 thereon for which development rights are held by the state of
63 Connecticut;

64 (i) "Restriction" means the encumbrance on development uses placed
65 on restricted lands as a result of the acquisition of development rights
66 by the state of Connecticut;

67 (j) "Residences" means single-family residential dwellings and any
68 associated on-site septic disposal system or potable well;

69 (k) "Building" means (1) any permanent structure used for holding
70 animals, (2) roadside stands and farm markets for sale to the consumer
71 of food products and ornamental plants, (3) facilities for the storing of
72 equipment and products or the processing of products, and (4) animal
73 waste storage facilities;

74 (l) "Arable land" means land currently used for the production of
75 crops or pasture and land considered prime and important farmland
76 soil by the United States Department of Agriculture;

77 (m) "Gravel or like natural elements" means rounded or angular

78 fragments of rock and associated soil material;

79 (n) "Economically profitable farm unit" means an acreage of arable
80 land capable of producing a sustained annual gross income of
81 significant value as determined by the commissioner;

82 (o) "The property in its entirety" means the entire acreage of restricted
83 land without division or subdivision;

84 (p) "Persons directly incidental to the farm operation" means any
85 person who participates in the farm operation on the restricted land on
86 a full-time basis and any owner of the restricted land regardless of
87 whether or not he participates in the farm operation on a full-time basis;

88 (q) "Option to purchase at agricultural value" means a preemptive
89 option to purchase restricted agricultural land at its agricultural use
90 value;

91 (r) "Agricultural use value" means the fair market value of restricted
92 agricultural land;

93 (s) "Farmer-purchaser" means a purchaser who intends, in good faith,
94 to maintain restricted agricultural land in commercial agricultural
95 production and who can demonstrate, as determined by the holder of
96 an option to purchase at agricultural value, not less than three years of
97 farming experience and the derivation of fifty per cent or more of such
98 person's gross annual income from farming.

99 Sec. 2. Section 22-26cc of the general statutes is repealed and the
100 following is substituted in lieu thereof (*Effective October 1, 2024*):

101 (a) There is established within the Department of Agriculture a
102 program to solicit, from owners of agricultural land, offers to sell the
103 development rights to such land and to inform the public of the
104 purposes, goals and provisions of this chapter. The commissioner, with
105 the approval of the State Properties Review Board, shall have the power
106 to acquire or accept as a gift, on behalf of the state, the development
107 rights of any agricultural land, if offered by the owner. Notice of the

108 offer shall be filed in the land records wherein the agricultural land is
109 situated. If ownership of any land for which development rights have
110 been offered is transferred, the offer shall be effective until the
111 subsequent owner revokes the offer in writing. The state conservation
112 and development plan established pursuant to section 16a-24 shall be
113 applied as an advisory document to the acquisition of development
114 rights of any agricultural lands. The factors to be considered by the
115 commissioner in deciding whether or not to acquire such rights shall
116 include, but not be limited to, the following: (1) The probability that the
117 land will be sold for nonagricultural purposes; (2) the current
118 productivity of such land and the likelihood of continued productivity;
119 (3) the suitability of the land as to soil classification and other criteria for
120 agricultural use; (4) the degree to which such acquisition would
121 contribute to the preservation of the agricultural potential of the state;
122 (5) any encumbrances on such land; (6) the cost of acquiring such rights;
123 [and] (7) the degree to which such acquisition would mitigate damage
124 due to flood hazards; (8) whether the acquisition of development
125 rights will include an option to purchase at agricultural value.
126 Ownership by a nonprofit organization authorized to hold land for
127 conservation and preservation purposes of land which prior to such
128 ownership qualified for the program established pursuant to this section
129 shall not be deemed to diminish the probability that the land will be sold
130 for nonagricultural purposes. After a preliminary evaluation of such
131 factors by the Commissioner of Agriculture, he shall obtain and review
132 one or more fee appraisals of the property selected in order to determine
133 the value of the development rights of such property. The commissioner
134 shall notify the Department of Transportation, the Department of
135 Economic and Community Development, the Department of Energy
136 and Environmental Protection and the Office of Policy and Management
137 that such property is being appraised. Any appraisal of the value of such
138 land obtained by the owner and performed in a manner approved by
139 the commissioner shall be considered by the commissioner in making
140 such determination. The value of development rights for all purposes of
141 this section shall be the difference between the value of the property for
142 its highest and best use and its value for agricultural purposes as

143 determined by the commissioner. The use or presence of pollutants or
144 chemicals in the soil shall not be deemed to diminish the agricultural
145 value of the land or to prohibit the commissioner from acquiring the
146 development rights to such land. The commissioner may purchase
147 development rights for a lesser amount provided he complies with all
148 factors for acquisition specified in this subsection and in any
149 implementing regulations. In determining the value of the property for
150 its highest and best use, consideration shall be given but not limited to
151 sales of comparable properties in the general area, use of which was
152 unrestricted at the time of sale. The commissioner may offer grants to
153 land trusts and municipalities that work to protect farmland from
154 development to purchase development rights in order to encourage the
155 continuation of land in agricultural production and maintain such land's
156 long-term availability and affordability for future generations of
157 farmers, including farmer-purchasers. The commissioner may consider
158 grant applications that utilize additional mechanisms for such purposes,
159 including, but not limited to, the option to purchase at agricultural
160 value, rights of first refusal, other deed restrictions or stewardship
161 requirements. The commissioner may allow a portion of such grant
162 funds to support the administrative costs associated with an option to
163 purchase at agricultural value.

164 (b) Upon the acquisition by the commissioner of the development
165 rights of agricultural land, the commissioner shall cause to be filed in
166 the appropriate land records and in the office of the Secretary of the
167 State a notice of such acquisition which shall set forth a description of
168 the agricultural land as will be sufficient to give any prospective
169 purchaser of such agricultural land or creditor of the owner thereof
170 notice of such restriction. Upon such filing, the owner of such
171 agricultural land shall not be permitted to exercise development rights
172 with respect to such land, and such development rights shall be
173 considered and deemed dedicated to the state in perpetuity, except as
174 hereinafter provided. If restricted land is to be sold, the owner shall
175 notify, in writing, the commissioner of such impending sale not more
176 than ninety days before transfer of title to the land and shall provide the

177 commissioner with the name and address of the new owner.

178 (c) The commissioner shall have no power to release such land from
179 its agricultural restriction, except as set forth in this subsection. The
180 commissioner, in consultation with the Commissioner of Energy and
181 Environmental Protection and such advisory groups as the
182 Commissioner of Agriculture may appoint, may approve (1) a petition
183 by the owner of the restricted agricultural land to remove such
184 restriction provided such petition is approved by resolution of the
185 legislative body of the town, or (2) a petition by the legislative body of
186 the town in which such land is situated to remove such restriction
187 provided such petition is approved in writing by said owner. Upon
188 approval of such a petition by the commissioner, the legislative body of
189 the town shall submit to the qualified voters of such town the question
190 of removing the agricultural restriction from such land or a part thereof,
191 at a referendum held at a regular election or a special election warned
192 and called for that purpose. In the event a majority of those voting at
193 such referendum are in favor of such removal, the restriction shall be
194 removed from the agricultural land upon filing of the certified results of
195 such referendum in the land records and the office of the Secretary of
196 the State, and the commissioner shall convey the development rights to
197 such owner provided such owner shall pay the commissioner an
198 amount equal to the value of such rights. Such petition shall set forth the
199 facts and circumstances upon which the commissioner shall consider
200 approval, and said commissioner shall deny such approval unless he
201 determines that the public interest is such that there is an overriding
202 necessity to relinquish control of the development rights. The
203 commissioner shall hold at least one public hearing prior to the
204 initiation of any proceedings hereunder. The expenses, if any, of the
205 hearing and the referendum shall be borne by the petitioner. In the event
206 that the state sells any development rights under the procedure
207 provided in this subsection, it shall receive the value of such rights.

208 (d) Whenever the commissioner acquires the development rights of
209 any agricultural land and the purchase price of such development rights
210 is ten thousand dollars or more, said commissioner and the owner of

211 such land may enter into a written agreement which provides for the
212 payment of the purchase price in two or three annual installments, but
213 no interest shall be paid on any unpaid balance of such purchase price.

214 (e) Whenever the commissioner acquires the development rights to
215 any agricultural land, and any municipality in which all or part of the
216 land is situated paid a part of the purchase price from a fund established
217 pursuant to section 7-131q, such municipality and the state may jointly
218 own the development rights. The land may be released from its
219 agricultural restriction in accordance with the provisions of subsection
220 (c) of this section. The commissioner shall adopt regulations in
221 accordance with the provisions of chapter 54 establishing procedures for
222 the joint acquisition of development rights to agricultural land.

223 (f) The acquisition of the development rights to any agricultural land
224 by the commissioner shall not be deemed to be ownership of such land
225 and the state shall not be liable for pollution or contamination of such
226 land and no person may bring a civil action against the state for
227 damages resulting from pollution or contamination of such agricultural
228 land.

229 (g) The commissioner may issue a letter of intent requesting the
230 assistance of a nonprofit organization, as defined in Section 501(c)(3) of
231 the Internal Revenue Code of 1986, or any subsequent corresponding
232 internal revenue code of the United States, as from time to time
233 amended, in acquiring the development rights to certain agricultural
234 land. If such organization acquires such rights it may sell them to the
235 commissioner based on a purchase agreement. Such agreement may
236 include reimbursement for reasonable expenses incurred in the
237 acquisition of the rights as well as payment for the rights. The
238 commissioner may enter into joint ownership agreements to acquire the
239 development rights to any qualified agricultural land with any
240 nonprofit organization, as defined in Section 501(c)(3) of the Internal
241 Revenue Code of 1986, or any subsequent corresponding internal
242 revenue code of the United States, as from time to time amended,
243 provided the mission of such nonprofit organization is the permanent

244 protection of agricultural land for the purposes of continued
245 agricultural use. The commissioner may offer grants to land trusts and
246 municipalities that work to protect farmland from development for the
247 purchase of an option to purchase at agricultural value, as part of the
248 acquisition of development rights. Any such grant may be used to
249 acquire an option to purchase at agricultural value retroactively from
250 the landowner of restricted agricultural land.

251 (h) In addition to development rights, the commissioner may acquire
252 or accept as a gift the rights of the owner to construct any residences or
253 any farm structures on agricultural land.

254 (i) The Commissioner of Agriculture, pursuant to any cooperative
255 agreement with the United States Department of Agriculture for the
256 disbursement of funds under federal law, may require that any property
257 to which rights are acquired under this section with such funds shall be
258 managed in accordance with a conservation plan which utilizes the
259 standards and specifications of the Natural Resources Conservation
260 Service field office technical guide and is approved by such service.
261 Additionally, such conservation plan shall require the establishment of
262 model pollinator habitat, as described in section 22-90b. Any instrument
263 by which the commissioner acquires such rights and for which any such
264 funds are used may provide for a contingent right in the United States
265 of America in the event that the state of Connecticut fails to enforce any
266 of the terms of its rights acquired under this section which failure shall
267 be determined by the United States Secretary of Agriculture. Such
268 contingent right shall entitle the secretary to enforce any rights acquired
269 by the state under this section by any authority provided under law.
270 Such instrument may provide that such rights shall become vested in
271 the United States of America in the event that the state of Connecticut
272 attempts to terminate, transfer or otherwise divest itself of any such
273 rights without the prior consent of the United States Secretary of
274 Agriculture and payment of consideration to the United States and may
275 further provide that title to such rights may be held by the United States
276 of America at any time at the request of the United States Secretary of
277 Agriculture. In connection with such an agreement, the commissioner

278 may hold the United States harmless from any action based on
279 negligence in the procurement or management of any rights acquired
280 under this section and may assure that proper title evidence is secured,
281 that the title is insured to the amount of the federal cost paid for the
282 interest of the United States of America and that, in the event of a failure
283 of title, as determined by a court of competent jurisdiction, and payment
284 of insurance to the state, the state will reimburse the United States for
285 the amount of the federal cost paid.

286 (j) The commissioner, when acquiring the development rights of any
287 agricultural lands on behalf of the state, may incorporate deed
288 requirements in accordance with the provisions of the federal Farm and
289 Ranch Lands Protection Program, 7 CFR 1491.1, et seq., or under the
290 Agricultural Conservation Easement Program, 7 CFR 1468.1, et seq., or
291 any successive federal farmland protection program.

292 Sec. 3. Section 22-26nn of the general statutes is repealed and the
293 following is substituted in lieu thereof (*Effective October 1, 2024*):

294 (a) The Commissioner of Agriculture may establish a community
295 farms program for the preservation of farmland that does not meet the
296 criteria of the farmland preservation program established pursuant to
297 section 22-26cc, as amended by this act, for reasons of size, soil quality
298 or location but that may contribute to local economic activity through
299 agricultural production. The commissioner may purchase up to one
300 hundred per cent of the value of development rights directly from an
301 eligible owner, or may acquire development rights on qualifying
302 farmland jointly with a municipality, subject to the appraisal and review
303 required by the regulations adopted pursuant to this section. For the
304 purposes of this section, "development rights" and "owner" have the
305 same meanings as provided in section 22-26bb, as amended by this act.
306 The commissioner may offer grants to land trusts and municipalities
307 that work to protect farmland from development to purchase
308 development rights in order to encourage the continuation of land in
309 agricultural production and maintain such land's long-term availability
310 and affordability for future generations of farmers, including farmer-

311 purchasers. The commissioner may consider grant applications that
312 utilize additional mechanisms for such purposes, including, but not
313 limited to, the option to purchase at agricultural value, rights of first
314 refusal, other deed restrictions or stewardship requirements.

315 (b) If the Commissioner of Agriculture establishes a program in
316 accordance with subsection (a) of this subsection, the commissioner
317 shall, in consultation with the Farmland Preservation Advisory Board
318 established under section 22-26ll, establish criteria for said program.
319 Such criteria shall give preference to farms that produce food or fiber,
320 and at a minimum shall consider (1) the probability that the land will be
321 sold for nonagricultural purposes, (2) the current productivity of the
322 land and the likelihood of continued productivity of such land, (3) the
323 suitability of the land for agricultural use, including whether the soil is
324 classified as locally important soils by the United States Department of
325 Agriculture, and (4) the demonstrated level of community support for
326 preservation of the parcel. The commissioner shall, in consultation with
327 said board, consider mechanisms that encourage continuation of the
328 land in agricultural production to maintain its long-term availability
329 and affordability for future generations of farmers, including, but not
330 limited to, deed restrictions or stewardship requirements.

331 (c) Upon the acquisition by the commissioner of the development
332 rights to agricultural land pursuant to this section, the commissioner
333 shall cause to be filed in the appropriate land records and in the office
334 of the Secretary of the State a notice of such acquisition which shall set
335 forth a description of the agricultural land as will be sufficient to give
336 any prospective purchaser of such agricultural land or creditor of the
337 owner thereof notice of such restriction. Upon such filing, the owner of
338 such agricultural land shall not be permitted to exercise development
339 rights with respect to such land, and such development rights shall be
340 considered and deemed dedicated to the state in perpetuity, except as
341 hereinafter provided. If restricted land is to be sold, the owner shall
342 notify the commissioner, in writing, of such impending sale not more
343 than ninety days before transfer of title to the land and shall provide the
344 commissioner with the name and address of the new owner.

345 (d) The Commissioner of Agriculture shall have no power to release
346 such land from its agricultural restriction, except as set forth in this
347 subsection. The Commissioner of Agriculture, in consultation with the
348 Commissioner of Energy and Environmental Protection and such
349 advisory groups as the Commissioner of Agriculture may appoint, may
350 approve (1) a petition by the owner of the restricted agricultural land to
351 remove such restriction provided such petition is approved by
352 resolution of the legislative body of the town, or (2) a petition by the
353 legislative body of the town in which such land is situated to remove
354 such restriction provided such petition is approved in writing by said
355 owner. Upon approval of such a petition by the Commissioner of
356 Agriculture, the legislative body of the town shall submit to the
357 qualified voters of such town the question of removing the agricultural
358 restriction from such land or a part thereof, at a referendum held at a
359 regular election or a special election warned and called for that purpose.
360 In the event a majority of those voting at such referendum are in favor
361 of such removal, the restriction shall be removed from the agricultural
362 land upon filing of the certified results of such referendum in the land
363 records and the office of the Secretary of the State, and the
364 Commissioner of Agriculture shall convey the development rights to
365 such owner provided such owner shall pay the Commissioner of
366 Agriculture an amount equal to the value of such rights. Such petition
367 shall set forth the facts and circumstances upon which the
368 Commissioner of Agriculture shall consider approval, and said
369 commissioner shall deny such approval unless said commissioner
370 determines that the public interest is such that there is an overriding
371 necessity to relinquish control of the development rights. The
372 Commissioner of Agriculture shall hold at least one public hearing prior
373 to the initiation of any proceedings hereunder. The expenses, if any, of
374 the hearing and the referendum shall be borne by the petitioner. In the
375 event that the state sells any development rights under the procedure
376 provided in this subsection, it shall receive the value of such rights.

377 (e) Whenever the Commissioner of Agriculture acquires the
378 development rights of any agricultural land pursuant to this section and

379 the purchase price of such development rights is ten thousand dollars
380 or more, said commissioner and the owner of such land may enter into
381 a written agreement which provides for the payment of the purchase
382 price in two or three annual installments, but no interest shall be paid
383 on any unpaid balance of such purchase price.

384 (f) Whenever the commissioner acquires the development rights to
385 any agricultural land, and any municipality in which all or part of the
386 land is situated paid a part of the purchase price from a fund established
387 pursuant to section 7-131q, such municipality and the state may jointly
388 own the development rights. The land may be released from its
389 agricultural restriction in accordance with the provisions of subsection
390 (d) of this section. The commissioner shall adopt regulations, in
391 accordance with the provisions of chapter 54, establishing procedures
392 for the joint acquisition of development rights to agricultural land.

393 (g) The acquisition of the development rights to any agricultural land
394 by the commissioner shall not be deemed to be ownership of such land
395 and the state shall not be liable for pollution or contamination of such
396 land and no person may bring a civil action against the state for
397 damages resulting from pollution or contamination of such agricultural
398 land.

399 (h) The commissioner may issue a letter of intent requesting the
400 assistance of a nonprofit organization, as defined in Section 501(c)(3) of
401 the Internal Revenue Code of 1986, or any subsequent corresponding
402 internal revenue code of the United States, as from time to time
403 amended, in acquiring the development rights to certain agricultural
404 land. If such organization acquires such rights it may sell them to the
405 commissioner based on a purchase agreement. Such agreement may
406 include reimbursement for reasonable expenses incurred in the
407 acquisition of the rights as well as payment for the rights. The
408 commissioner may enter into joint ownership agreements to acquire the
409 development rights to any qualified agricultural land with any
410 nonprofit organization, as defined in Section 501(c)(3) of the Internal
411 Revenue Code of 1986, or any subsequent corresponding internal

412 revenue code of the United States, as from time to time amended,
413 provided the mission of such nonprofit organization is the permanent
414 protection of agricultural land for the purposes of continued
415 agricultural use.

416 (i) In addition to development rights, the commissioner may acquire
417 or accept as a gift the rights of the owner to construct any residences or
418 any farm structures on agricultural land.

419 (j) The Commissioner of Agriculture, pursuant to any cooperative
420 agreement with the United States Department of Agriculture for the
421 disbursement of funds under federal law, may require that any property
422 to which rights are acquired under this section with such funds shall be
423 managed in accordance with a conservation plan which utilizes the
424 standards and specifications of the Natural Resources Conservation
425 Service field office technical guide and is approved by such service.
426 Additionally, such conservation plan shall require the establishment of
427 model pollinator habitat, as described in section 22-90b. Any instrument
428 by which the commissioner acquires such rights and for which any such
429 funds are used may provide for a contingent right in the United States
430 of America in the event that the state of Connecticut fails to enforce any
431 of the terms of its rights acquired under this section which failure shall
432 be determined by the United States Secretary of Agriculture. Such
433 contingent right shall entitle the United States Secretary of Agriculture
434 to enforce any rights acquired by the state under this section by any
435 authority provided under law. Such instrument may provide that such
436 rights shall become vested in the United States of America in the event
437 that the state of Connecticut attempts to terminate, transfer or otherwise
438 divest itself of any such rights without the prior consent of the United
439 States Secretary of Agriculture and payment of consideration to the
440 United States and may further provide that title to such rights may be
441 held by the United States of America at any time at the request of the
442 United States Secretary of Agriculture. In connection with such an
443 agreement, the commissioner may hold the United States harmless from
444 any action based on negligence in the procurement or management of
445 any rights acquired under this section and may assure that proper title

446 evidence is secured, that the title is insured to the amount of the federal
447 cost paid for the interest of the United States of America and that, in the
448 event of a failure of title, as determined by a court of competent
449 jurisdiction, and payment of insurance to the state, the state will
450 reimburse the United States for the amount of the federal cost paid.

451 (k) The commissioner, when acquiring the development rights of any
452 agricultural lands on behalf of the state pursuant to this section, may
453 incorporate deed requirements in accordance with the provisions of the
454 federal Farm and Ranch Lands Protection Program, 7 CFR 1491.1, et
455 seq., or under the Agricultural Conservation Easement Program, 7 CFR
456 1468.1, et seq., or any successive federal farmland protection program.

457 (l) A restriction may include a provision that enables a municipality
458 or a nonprofit land trust to acquire, at the expense of such municipality
459 or land trust, an option to purchase such restricted agricultural land at
460 agricultural value. If executed, an option to purchase at agricultural
461 value may be included within the recorded document evidencing an
462 agricultural restriction on such land and shall exist in perpetuity upon
463 such land and bind all future owners of such land. The municipality or
464 nonprofit land trust that acquires such an option to purchase at
465 agricultural value shall be solely responsible for enforcement of such
466 option at its own cost.

467 (m) Within available appropriations, the Department of Agriculture
468 may establish and administer a grant program to fund the acquisition of
469 options to purchase at agricultural value by municipalities and
470 nonprofit land trusts.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	22-26bb
Sec. 2	<i>October 1, 2024</i>	22-26cc
Sec. 3	<i>October 1, 2024</i>	22-26nn

Statement of Purpose:

To authorize the issuance of state funds for municipalities and nonprofits to purchase options to purchase preserved agricultural lands at agricultural value.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]