

No. 2013-19

AN ACT

HB 84

Amending the act of June 30, 1981 (P.L.128, No.43), entitled "An act authorizing the creation of agricultural areas," further providing for the purchase of agricultural conservation easements; and abrogating regulations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 14.1(b)(2) of the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, is amended by adding a subparagraph to read:

Section 14.1. Purchase of agricultural conservation easements.

* * *

(b) County programs.—After the establishment of an agricultural security area by the governing body, the county governing body may authorize a program to be administered by the county board for purchasing agricultural conservation easements from landowners whose land is either within an agricultural security area or in compliance with the criteria set forth in paragraph (2)(i).

* * *

(2) It shall be the duty and responsibility of the county board to exercise the following powers:

* * *

(xvii) To inspect all agricultural conservation easements within the county on at least a biennial basis to determine compliance with the applicable deed of easement. The following shall apply to inspections:

(A) The first inspection shall be completed within one year of the date of easement sale.

(B) A landowner shall be notified of an inspection, and the inspection shall be conducted on a date and time agreeable to the county and the landowner.

(C) Within ten days of conducting an inspection, the county board shall prepare a written inspection report, which shall be provided to the landowner. If a violation is discovered, the report shall be provided to the landowner by certified mail.

(D) The county board and the State board may inspect the restricted land, jointly or severally, without prior notice if there is reasonable cause to believe that any provision of the deed of easement has been or is being violated.

* * *

Section 2. The following provisions of 7 Pa. Code are abrogated:

- (1) Section 138e.202(a), (b), (c) and (e).
- (2) Section 138e.203(1).

Section 3. This act shall take effect immediately.

APPROVED—The 24th day of June, A.D. 2013

TOM CORBETT