

STATE OF NEW YORK

S. 6039--A
Cal. No. 1119

A. 7703--A

2017-2018 Regular Sessions

SENATE - ASSEMBLY

May 10, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

IN ASSEMBLY -- Introduced by M. of A. THIELE, PALUMBO, LAVINE, GARBARINO -- Multi-Sponsored by -- M. of A. BUCHWALD -- read once and referred to the Committee on Local Governments -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to provide that interests or rights acquired in real property for the preservation of agricultural lands in the county of Suffolk shall permit the use of such real property for a farm operation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding any provision of law to the contrary, in
2 the county of Suffolk, all interests or rights acquired in real property
3 for the preservation of agricultural lands, pursuant to section 247 of
4 the general municipal law, shall permit the use of such property as a
5 farm operation. For the purposes of this act, a "farm operation" shall
6 have the same meaning as provided for in section 301 of the agriculture
7 and markets law, except that nothing herein shall be construed as
8 precluding the acquisition of interests or rights in real property for
9 the preservation of agricultural lands which further limit or prohibit
10 certain activities or uses which would otherwise be defined as part of a
11 farm operation.

12 § 2. Nothing in this act shall preclude the enactment of a local law
13 to administer the interests or rights acquired in real property for the
14 preservation of agricultural lands, pursuant to section 247 of the
15 general municipal law. Such local law may include but is not limited to

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 requiring a permit for new uses, buildings and structures on such real
2 property, consistent with the definition of a farm operation. The grant-
3 ing of a permit for uses, buildings, and structures consistent with a
4 farm operation shall not constitute alienation of any interest or rights
5 in real property acquired for the preservation of agricultural lands,
6 pursuant to section 247 of the general municipal law. Such local law
7 shall be subject to the provisions of section 308 of the agriculture and
8 markets law protecting the right to farm.

9 § 3. This act shall apply to all interests or rights acquired in real
10 property in the county of Suffolk for the preservation of agricultural
11 lands, pursuant to section 247 of the general municipal law, now-owned
12 or hereafter acquired.

13 § 4. This act shall take effect immediately.