

# STATE OF NEW YORK

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6313--A

Cal. No. 495

2017-2018 Regular Sessions

## IN SENATE

May 11, 2017

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Introduced by Sen. MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the agriculture and markets law, in relation to the determination of land used in agricultural production for purposes of agricultural districts

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

1 Section 1. Paragraphs f, h and k of subdivision 4 of section 301 of  
2 the agriculture and markets law, paragraph f as amended by chapter 445  
3 of the laws of 2002, paragraph h as amended by chapter 587 of the laws  
4 of 2005 and paragraph k as added by chapter 341 of the laws of 2008, are  
5 amended to read as follows:

6 f. Land [~~of not less than seven acres used as a single operation in~~  
7 ~~the preceding two years for the production for sale of crops, livestock~~  
8 ~~or livestock products of an average gross sales value of ten thousand~~  
9 ~~dollars or more, or land of less than seven acres~~] used as a single  
10 operation in the preceding two years for the production for sale of  
11 crops, livestock or livestock products of an average gross sales value  
12 of [~~fifty~~] five thousand dollars or more.

13 h. Land that is owned or rented by a farm operation in its first or  
14 second year of agricultural production, or, in the case of a commercial  
15 horse boarding operation in its first or second year of operation, that  
16 consists of (1) [~~not less than seven acres used as a single operation~~  
17 ~~for the production for sale of crops, livestock or livestock products of~~  
18 ~~an annual gross sales value of ten thousand dollars or more, or (2) less~~  
19 ~~than seven acres~~] land used as a single operation for the production for  
20 sale of crops, livestock or livestock products of an annual gross sales

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

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1 value of [~~fifty~~] five thousand dollars or more; or [~~(3)~~] (2) land situ-  
2 ated under a structure within which crops, livestock or livestock  
3 products are produced, provided that such crops, livestock or livestock  
4 products have an annual gross sales value of [~~(i) ten~~] five thousand  
5 dollars or more[~~, if the farm operation uses seven or more acres in~~  
6 ~~agricultural production, or (ii) fifty thousand dollars or more, if the~~  
7 ~~farm operation uses less than seven acres in agricultural production~~];  
8 or [~~(4) not less than seven acres~~] (3) land used as a single operation  
9 to support a commercial horse boarding operation with annual gross  
10 receipts of [~~ten~~] five thousand dollars or more.

11 k. Land used to support an apiary products operation which is owned by  
12 the operation and consists of [~~(i) not less than seven acres nor more~~  
13 ~~than ten acres used as a single operation in the preceding two years for~~  
14 ~~the production for sale of crops, livestock or livestock products of an~~  
15 ~~average gross sales value of ten thousand dollars or more or (ii) less~~  
16 ~~than seven acres~~] land used as a single operation in the preceding two  
17 years for the production for sale of crops, livestock or livestock  
18 products of an average gross sales value of [~~fifty~~] five thousand  
19 dollars or more. The land used to support an apiary products operation  
20 shall include, but not be limited to, the land under a structure within  
21 which apiary products are produced, harvested and stored for sale; and a  
22 buffer area maintained by the operation between the operation and adja-  
23 cent landowners. Notwithstanding any other provision of this subdivi-  
24 sion, rented land associated with an apiary products operation is not  
25 eligible for an agricultural assessment based on this paragraph.

26 § 2. This act shall take effect immediately and shall apply to real  
27 property assessments for taxes imposed on or after such date.