STATE OF NEW YORK

2135--A

Cal. No. 178

2021-2022 Regular Sessions

IN SENATE

January 19, 2021

Introduced by Sens. HINCHEY, BIAGGI, BROUK, JORDAN, MANNION, MAY, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law, in relation to agricultural custom operators

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

Section 1. Paragraph b of subdivision 1 of section 305-a of the agriculture and markets law, as added by chapter 497 of the laws of 2011, is amended to read as follows:

b. Upon the request of any municipality, farm owner or operator, **or a person or entity performing agricultural practices on behalf of a farm owner or operator,** the commissioner shall render an opinion to the appropriate local government officials, as to whether farm operations would be unreasonably restricted or regulated by proposed changes in local land use regulations, ordinances or local laws pertaining to agricultural practices and to the appropriate local land use enforcement officials administering local land use regulations, ordinances, or local laws or reviewing a permit pertaining to agricultural practices.

§ 2. This act shall take effect immediately.

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

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