STATE OF NEW YORK

6868

2021-2022 Regular Sessions

IN SENATE

May 19, 2021

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing the farm ownership succession planning program (FOSPP)

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

Section 1. The agriculture and markets law is amended by adding a new section 323-a to read as follows:

§ 323-a. Farm ownership succession planning program. 1. The commissioner, in conjunction with the department of economic development and the department of financial services, shall establish the farm ownership succession planning program (hereinafter referred to as "the FOSPP"). Such program shall be established by August first, two thousand twenty-two and hold its first forum no later than October first, two thousand twenty-two.

2. The FOSPP shall provide farm owners with a succession planning toolkit that can be used by such farm owners who are planning on selling or closing their farm. Such toolkit shall include, but not be limited to, the following:

(a) financial resources available to prospective farmers interested in buying farms and farmland for the purpose of farming;

(b) an itemized list of all farming related education and support programs in place at public and private institutions of higher learning in the state;

(c) a list of state supported economic development funding for farming and for sustaining farming;

(d) a list of organizations within the state and in adjoining states that auction and sell farming equipment and farming supplies;

(e) a list of all labor laws governing farm labor; and

(f) a list of insurance and financial services regulations impacting the sale and purchasing of farms and farmland.

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

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3. The FOSPP shall develop a set of statewide live and virtual forums to link and educate farmers who are planning on selling their farm and/or farmland, and for prospective new farmers to learn of farming business opportunities, the opportunities for purchasing farms, and on the established resources to assist in selling and buying farms and farmland for food production. The FOSPP shall include information on other existing farming collaboratives within the state and in adjoining states.

4. (a) The FOSPP shall provide information regarding the economic viability of family farming and commercial farming, including but not limited to, data on farm bankruptcies, farmer held debt, state and national trends impacting the farming sector, and a profile of the New York state farming sector in sub-segments, including but not limited to, dairy farming, vegetable farming and fruit farming.

(b) The commissioner, in conjunction with the department of economic development, shall establish an outreach plan to chambers of commerce throughout the state, including chambers of commerce that represent all segments of minority businesses within the state and the adjacent states of New Jersey, Pennsylvania, Connecticut and Massachusetts, to be administered through the department of economic development. Such outreach plan shall be submitted to the governor, the legislature and the chief diversity officer of the state of New York no later than August first, two thousand twenty-two.

5. (a) The commissioner, in conjunction with the superintendent of financial services, is authorized to establish a diversity in farming farm ownership succession planning advisory task force in order to assist in ensuring that the FOSPP is reaching prospective farmers and farming entrepreneurs who are from the list of currently protected classes in the state of New York.

(b) The commissioner, or his or her designee, shall be the chairperson of the task force. Such task force shall consist of ten members and shall include members of the itemized protected classes who have the ability to help promote the FOSPP within communities of such protected classes. The commissioner, the commissioner of the department of economic development and the superintendent of financial services shall appoint one member each. Such task force shall be established and named within one hundred twenty days of the effective date of this section.

§ 2. This act shall take effect immediately.