

# STATE OF NEW YORK

2407

2023-2024 Regular Sessions

## IN SENATE

January 20, 2023

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:

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

3 § 323-a. Farm ownership succession planning program. 1. The commis-  
4 sioner, in conjunction with the department of economic development and  
5 the department of financial services, shall establish the farm ownership  
6 succession planning program (hereinafter referred to as "the FOSPP").  
7 Such program shall be established by August first, two thousand twenty-  
8 four and hold its first forum no later than October first, two thousand  
9 twenty-four.

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

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

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

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

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

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

24 (f) a list of insurance and financial services regulations impacting  
25 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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1 3. The FOSPP shall develop a set of statewide live and virtual forums  
2 to link and educate farmers who are planning on selling their farm  
3 and/or farmland, and for prospective new farmers to learn of farming  
4 business opportunities, the opportunities for purchasing farms, and on  
5 the established resources to assist in selling and buying farms and  
6 farmland for food production. The FOSPP shall include information on  
7 other existing farming collaboratives within the state and in adjoining  
8 states.

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

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

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

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

38 § 2. This act shall take effect immediately.