

STATE OF NEW YORK

9105--A

2025-2026 Regular Sessions

IN ASSEMBLY

September 26, 2025

Introduced by M. of A. KAY, CRUZ, LEVENBERG -- read once and referred to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to land used in agricultural production

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

1 Section 1. Subdivision 4 of section 301 of the agriculture and markets
2 law is amended by adding two new paragraphs p and q to read as follows:

3 p. Land that is owned or rented as a farm operation for the preceding
4 two years for the production for sale of crops, livestock or livestock
5 products, that consists of (1) not less than seven acres and an annual
6 gross sales value of five thousand dollars or more; or (2) less than
7 seven acres and an annual gross sales value of thirty-five thousand
8 dollars or more. Such farm operation shall also be able to establish
9 that the farm operation will meet the gross sales value requirements
10 described in paragraph f of this subdivision within three years of
11 attaining an agricultural assessment. The commissioner or the advisory
12 board established pursuant to section three hundred nine-a of this arti-
13 cle shall create a set of metrics and considerations used by assessors
14 to determine whether the farm operation will meet such gross sales value
15 requirement within three years. Assessors shall use such metrics and
16 considerations and shall give special consideration to farm operations
17 that were awarded any state or federal grants, in particular grants for
18 beginning farmers and grants for economically and socially disadvantaged
19 farmers. The commissioner or the advisory board established pursuant to
20 section three hundred nine-a of this article shall monitor the farm
21 operation's progress, and the commissioner may provide technical assist-
22 ance, including connecting the farm operation to resources for the

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

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1 purposes of assisting the farm operation in meeting the gross sales
2 value requirement within the time allotted. Land that receives an agri-
3 cultural assessment and is unable to meet the required gross sales value
4 within three years as described in this paragraph shall no longer be
5 considered land used in agricultural production pursuant to this
6 subdivision.

7 g. Land of not less than seven acres that is owned or rented by a
8 newly established farm operation for the production for sale of crops,
9 livestock or livestock products in its first or second year of agricul-
10 tural production, which does not independently satisfy the gross sales
11 value requirement, but is able to establish that the farming operation
12 will meet the gross sales value requirements described in paragraph f of
13 this subdivision within five years of attaining an agricultural assess-
14 ment. The commissioner or the advisory board established pursuant to
15 section three hundred nine-a of this article shall create a set of
16 metrics and considerations used by assessors to determine whether the
17 farm operation will meet such gross sales value requirement within five
18 years. Assessors shall use such metrics and considerations and shall
19 give special consideration to farm operations that were awarded any
20 state or federal grants, in particular grants for beginning farmers and
21 grants for economically and socially disadvantaged farmers. The commis-
22 sioner or the advisory board established pursuant to section three
23 hundred nine-a of this article shall monitor the farm operation's
24 progress, and the commissioner may provide technical assistance, includ-
25 ing connecting the farm operation to resources for the purpose of
26 assisting the farm operation in meeting the gross sales value require-
27 ment within the time allotted. Land that receives an agricultural
28 assessment and is unable to meet the required gross sales value in five
29 years as described in this paragraph shall no longer be considered land
30 used in agricultural production pursuant to this subdivision.

31 § 2. This act shall take effect one year after it shall have become a
32 law and shall apply to assessment rolls prepared on the basis of a taxa-
33 ble status date occurring on or after such date. Effective immediately,
34 the addition, amendment and/or repeal of any rule or regulation neces-
35 sary for the implementation of this act on its effective date are
36 authorized to be made and completed on or before such effective date.