

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 252

(Chair, Environment and Transportation Committee)(By  
Request - Departmental - Agriculture) and Delegate Rey

Environment and Transportation

Education, Health, and Environmental Affairs

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**Land Use - Agritourism**

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This departmental bill, under State land use law, authorizes a local jurisdiction (with the exception of Baltimore City) to adopt, by local ordinance, resolution, law, or rule, a specified definition of “agritourism.”

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**Fiscal Summary**

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** The bill does not directly affect local government finances.

**Small Business Effect:** The Maryland Department of Agriculture (MDA) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs that the bill does not have a direct, immediate impact on small businesses; it is, however, intended to benefit agritourism operations if the definition is adopted by local governments. (The attached assessment does not reflect amendments to the bill.)

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**Analysis**

**Bill Summary:** The bill defines “agritourism” as an activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation, including farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, guest farms, pumpkin patches, “pick your own” or “cut your own” produce, classes related to agricultural products or skills, and picnic and party facilities offered in conjunction with any agritourism activity.

**Current Law/Background:** MDA indicates that 12 counties have defined “agritourism” in their county codes and the definition of agritourism can be important in how an agritourism operation is regulated. The definition of agritourism in the bill was developed by the Governor’s Intergovernmental Commission for Agriculture. MDA indicates that agritourism is increasing in Maryland as a value-added segment of agriculture. The last agricultural census completed by the U.S. Department of Agriculture’s National Agricultural Statistics Service, in 2012, indicated there were 307 agritourism farms in Maryland with revenues of \$7.3 million.

“Agritourism” is not currently defined in State law, though State law does, in specified counties (Calvert, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Prince George’s, St. Mary’s, Somerset, and Talbot), exempt agricultural buildings used for agritourism from requirements of the Maryland Building Performance Standards.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture; Anne Arundel, Baltimore, Dorchester, Garrett, Howard, and Montgomery counties; City of Laurel; U.S. Department of Agriculture; Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2018  
md/lgc Third Reader - March 20, 2018  
Revised - Amendment(s) - March 20, 2018

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**ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**

**TITLE OF BILL: Agritourism Definition – Local Zoning**

BILL NUMBER: HB 252  
PREPARED BY: MDA 04-2018  
(Dept./Agency)

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

  x   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS