

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 1338

(Howard County Delegation)

Environment and Transportation

Education, Energy, and the Environment

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**Howard County Agricultural Preservation Advisory Board - Term Length -  
Alteration**  
**Ho. Co. 15-24**

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This bill decreases the term of office, from five years to three years, of a member of the agricultural preservation advisory board in Howard County. Members serving on the advisory board on the bill's effective date may serve for the remainder of their five-year terms. Each subsequent member appointed after the bill's effective date must serve for a term of three years.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The bill does not materially affect Howard County operations or finances.

**Small Business Effect:** Minimal or none.

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**Analysis**

**Current Law:** The General Assembly created the Maryland Agricultural Land Preservation Foundation (MALPF) to preserve productive agricultural land and woodland, limit the extent of urban development, and protect agricultural land and woodland as open space. The foundation, with the assistance and cooperation of landowners and local governments, purchases development rights easements as a means of protecting agricultural land and woodland production activities.

In each county containing productive agricultural land, the county governing body must appoint an agricultural preservation advisory board. While there are exceptions in certain counties, in general, (1) each advisory board must consist of five members, at least three of whom must be owner-operators of commercial farms who earn 50% or more of their income from farming and (2) each member must be appointed for a term of office of five years. Regarding term length, in Charles and Worcester counties, an advisory board member must serve a term of office of four years. In each county, no member must serve for more than two consecutive full terms.

Each agricultural preservation advisory board must (1) advise the county governing body with respect to the approval of purchases of easements by MALPF within the county; (2) assist the county governing body in reviewing the status of land under easement; (3) advise MALPF concerning county priorities for agricultural preservation; (4) approve or disapprove an application by the county for certification or recertification of the county agricultural land preservation program by MALPF and the Maryland Department of Planning pursuant to § 5-408 of the State Finance and Procurement Article; (5) promote preservation of agriculture within the county by offering information and assistance to farmers with respect to the purchase of easements; (6) meet at least annually with forest conservation district boards in order to work cooperatively to encourage the promotion and retention of farmland and woodland in their respective jurisdictions; and (7) perform any other duties as assigned by the county governing body.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 1128 (Howard County Senators) - Rules.

**Information Source(s):** Howard County; Maryland Department of Agriculture; Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2024  
km/lgc Third Reader - March 14, 2024

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