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HOUSE BILL NO. 2565

Offered January 20, 2009

A BILL to amend and reenact § 3.2-201 of the Code of Virginia, relating to lease of development rights program.

Patrons—Knight, Iaquinto and Lohr

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-201 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-201. Powers and duties of Office of Farmland Preservation.

A. The Office of Farmland Preservation shall have the following powers and duties:

1. To develop, in cooperation with the Department of Business Assistance, the Virginia Farm Bureau Federation, the American Farmland Trust, the Virginia Land Conservation Foundation, the Virginia Outdoors Foundation, the Virginia Association of Counties, and the Virginia Cooperative Extension: (i) model policies and practices that may be used as a guide to establish local purchase of development rights programs; (ii) criteria for the certification of local purchase of development rights programs as eligible to receive grants, loans or other funds from public sources; and (iii) methods and sources of revenue for allocating funds to localities to purchase agricultural conservation easements;

2. To create programs to educate the public about the importance of farmland preservation to the quality of life in the Commonwealth;

3. To provide technical, professional, and other assistance to farmers on matters related to farmland preservation; ~~and~~

4. To administer the Virginia Farm Link program established pursuant to § 3.2-202.; *and*

5. *To develop, in cooperation with the Department of Business Assistance, the Virginia Farm Bureau Federation, the American Farmland Trust, the Virginia Land Conservation Foundation, the Virginia Outdoors Foundation, the Virginia Association of Counties, and the Virginia Cooperative Extension, model policies and practices that may be used as a guide to establish a local lease of development rights program. Under such program, properties of 10 acres and larger would be eligible to participate in a lease of development rights program whereby the property owner relinquishes "by right" development for at least seven years in exchange for a contractually agreed upon lease amount. The program is voluntary and current land use taxation programs will remain in place. The Board shall adopt regulations to address issues of lease termination and renewal and other issues necessary for the establishment of the lease of development rights program.*

B. State grants shall be distributed to local purchase of development rights programs under policies, procedures, and guidelines developed by the Office of Farmland Preservation. In general, for each \$1 in grant moneys awarded by the Office, the applicable local purchase of development rights program of the county or city shall be required to provide a \$1 match. However, as part of these policies, procedures, and guidelines developed by the Office, the Office shall include incentives that recognize and encourage counties and cities participating in use value taxation pursuant to Article 4 (§ 58.1-3229 et seq.) of Chapter 32 of Title 58.1.

INTRODUCED

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