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HOUSE BILL NO. 848

Offered January 9, 2008
Prefiled January 8, 2008

A BILL to amend and reenact § 3.1-18.10 of the Code of Virginia, relating to lease of development rights program.

Patrons—Ware, R.L. and Scott, E.T.

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 3.1-18.10 of the Code of Virginia is amended and reenacted as follows:

§ 3.1-18.10. Powers and duties of Office of Farmland Preservation.

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 § 3.1-18.11~~.~~ *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 20 acres and larger and that are enrolled in "land use" taxation programs would be eligible to participate in a lease of development rights program whereby the property owner relinquishes "by right" development for 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 Office shall develop regulations to address issues of lease termination and renewal and other issues necessary for the establishment of the lease of development rights program.