

Department of Planning and Budget 2014 Fiscal Impact Statement

1. Bill Number: HB268

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Orrock

3. Committee: Passed Both Houses.

4. Title: Agricultural operations; local regulation of certain activities.

5. Summary: This bill protects certain activities at agricultural operations from local regulation in the absence of substantial impacts on the public welfare and requires localities to take certain factors into account when regulating any of several activities: the conduct of agritourism activities, the sale of agricultural or silvicultural products or related items, the preparation or sale of foods that otherwise comply with state law, and other customary activities. Localities are prohibited from subjecting the listed activities to a special-use permit requirement in the absence of a substantial impact on health, safety, or public welfare and in most situations are prevented from stringently regulating the sound produced by the listed activities. The bill provides that its provisions shall not affect an entity licensed in accordance with the alcoholic beverage laws, affect the provisions of the Right to Farm Act, alter the provisions of § 15.2-2288.3, or restrict the taxation authority of any locality.

The second enactment clause of the bill requires the Department of Agriculture and Consumer Services to continue the On-Farm Activities Working Group.

6. Budget Amendment Necessary: No.

7. No State Fiscal Impact.

8. Fiscal Implications: It is anticipated that this bill will not have a state fiscal impact. The Department of Agriculture and Consumer Services can absorb any costs associated with the continuance of the On-Farm Activities Working Group within its current resources.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services; localities.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is identical to SB51.