

2013 -- H 5480

=====
LC00989
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

—————
A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM

Introduced By: Representatives Lima, Palumbo, Mattiello, and Jacquard

Date Introduced: February 14, 2013

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 2-23-4 of the General Laws in Chapter 2-23 entitled "Right to
2 Farm" is hereby amended to read as follows:

3 **2-23-4. "Agricultural operations" defined.** -- (a) As used in this chapter, "agricultural
4 operations" includes any commercial enterprise which has as its primary purpose horticulture,
5 viticulture, viniculture, floriculture, arboriculture, forestry, stabling of horses, dairy farming, or
6 aquaculture, or the raising of livestock, including for the production of fiber and wood mulch,
7 furbearing animals, poultry, or bees, and all such other operations, uses, and activities as the
8 director, in consultation with the chief of division of agriculture, may determine to be agriculture,
9 or an agricultural activity, use or operation. As to arboriculture and wood mulch, this definition
10 shall apply and be limited to those commercial enterprises that are licensed by the department of
11 environmental management as of (effective date of act). The mixed-use of farms and farmlands
12 for other forms of enterprise is hereby recognized as a valuable and viable means of contributing
13 to the preservation of agriculture.

14 (b) Nothing herein shall be deemed to restrict, limit or prohibit nonagricultural
15 operations from being undertaken on a farm except as otherwise restricted, regulated, limited or
16 prohibited by law, regulation or ordinance or to affect the rights of persons to engage in other
17 lawful nonagricultural enterprises on farms, provided, however, that the protections and rights
18 established by this chapter shall not apply to such nonagricultural activities, uses or operations.

1 SECTION 2. This act shall take effect upon passage.

=====
LC00989
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM

1 This act would include arboriculture and the production of wood mulch in the definition
2 of agriculture operations.

3 This act would take effect upon passage.

=====
LC00989
=====