



General Assembly

February Session, 2024

Substitute Bill No. 194



**AN ACT CONCERNING CERTAIN FARMING PROGRAMS OF THE
DEPARTMENT OF AGRICULTURE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 22-26cc of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) The commissioner shall have no power to release such land from
5 its agricultural restriction, except as set forth in this subsection. The
6 commissioner, in consultation with [the Commissioner of Energy and
7 Environmental Protection and] such advisory groups as the
8 Commissioner of Agriculture may appoint, may approve (1) a petition
9 by the owner of the restricted agricultural land to remove such
10 restriction provided such petition is approved by resolution of the
11 legislative body of the town, or (2) a petition by the legislative body of
12 the town in which such land is situated to remove such restriction
13 provided such petition is approved in writing by said owner. Upon
14 approval of such a petition by the commissioner, the legislative body of
15 the town shall submit to the qualified voters of such town the question
16 of removing the agricultural restriction from such land or a part thereof,
17 at a referendum held at a regular election or a special election warned
18 and called for that purpose. In the event a majority of those voting at
19 such referendum are in favor of such removal, the restriction shall be

20 removed from the agricultural land upon filing of the certified results of
21 such referendum in the land records and the office of the Secretary of
22 the State, and the commissioner shall convey the development rights to
23 such owner provided such owner shall pay the commissioner an
24 amount equal to the value of such rights. Such petition shall set forth the
25 facts and circumstances upon which the commissioner shall consider
26 approval, and said commissioner shall deny such approval unless he
27 determines that the public interest is such that there is an overriding
28 necessity to relinquish control of the development rights. The
29 commissioner shall hold at least one public hearing prior to the
30 initiation of any proceedings hereunder. The expenses, if any, of the
31 hearing and the referendum shall be borne by the petitioner. In the event
32 that the state sells any development rights under the procedure
33 provided in this subsection, it shall receive the value of such rights.

34 Sec. 2. Subsection (d) of section 22-26nn of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective from*
36 *passage*):

37 (d) The Commissioner of Agriculture shall have no power to release
38 such land from its agricultural restriction, except as set forth in this
39 subsection. The Commissioner of Agriculture, in consultation with [the
40 Commissioner of Energy and Environmental Protection and] such
41 advisory groups as the Commissioner of Agriculture may appoint, may
42 approve (1) a petition by the owner of the restricted agricultural land to
43 remove such restriction provided such petition is approved by
44 resolution of the legislative body of the town, or (2) a petition by the
45 legislative body of the town in which such land is situated to remove
46 such restriction provided such petition is approved in writing by said
47 owner. Upon approval of such a petition by the Commissioner of
48 Agriculture, the legislative body of the town shall submit to the
49 qualified voters of such town the question of removing the agricultural
50 restriction from such land or a part thereof, at a referendum held at a
51 regular election or a special election warned and called for that purpose.
52 In the event a majority of those voting at such referendum are in favor

53 of such removal, the restriction shall be removed from the agricultural
54 land upon filing of the certified results of such referendum in the land
55 records and the office of the Secretary of the State, and the
56 Commissioner of Agriculture shall convey the development rights to
57 such owner provided such owner shall pay the Commissioner of
58 Agriculture an amount equal to the value of such rights. Such petition
59 shall set forth the facts and circumstances upon which the
60 Commissioner of Agriculture shall consider approval, and said
61 commissioner shall deny such approval unless said commissioner
62 determines that the public interest is such that there is an overriding
63 necessity to relinquish control of the development rights. The
64 Commissioner of Agriculture shall hold at least one public hearing prior
65 to the initiation of any proceedings hereunder. The expenses, if any, of
66 the hearing and the referendum shall be borne by the petitioner. In the
67 event that the state sells any development rights under the procedure
68 provided in this subsection, it shall receive the value of such rights.

69 Sec. 3. Section 22-38c of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective from passage*):

71 There shall be an expand and grow Connecticut agriculture account,
72 which shall be a separate, nonlapsing account within the General Fund.
73 Funds received pursuant to sections 22-38a and 26-194 shall be
74 deposited into said account. The Commissioner of Agriculture shall
75 make payments from said account to fund the [programs] program
76 established in [sections] section 22-38a. [and 22-38b.]

77 Sec. 4. (NEW) (*Effective from passage*) The annual harvest season, for
78 the purpose of any vehicle that transports agricultural products, shall be
79 year-round.

80 Sec. 5. Sections 22-38b, 22-457 and 26-237e of the general statutes are
81 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-26cc(c)
Sec. 2	<i>from passage</i>	22-26nn(d)
Sec. 3	<i>from passage</i>	22-38c
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	Repealer section

Statement of Legislative Commissioners:

In Section 3, "programs" was changed to "[programs] program" for consistency.

ENV *Joint Favorable Subst. -LCO*