
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1713 Session of
2023

INTRODUCED BY STAMBAUGH, HAMM, KAUFFMAN, STAATS, JAMES,
LEADBETER, KEEFER AND ZIMMERMAN, SEPTEMBER 26, 2023

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
SEPTEMBER 26, 2023

AN ACT

1 Amending the act of June 30, 1981 (P.L.128, No.43), entitled "An
2 act authorizing the creation of agricultural areas," further
3 providing for purchase of agricultural conservation
4 easements.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 14.1(c)(6)(iv) of the act of June 30,
8 1981 (P.L.128, No.43), known as the Agricultural Area Security
9 Law, is amended and subsection (i) is amended by adding a
10 paragraph to read:

11 Section 14.1. Purchase of agricultural conservation easements.

12 * * *

13 (c) Restrictions and limitations.--An agricultural
14 conservation easement shall be subject to the following terms,
15 conditions, restrictions and limitations:

16 * * *

17 (6) An agricultural conservation easement shall not
18 prevent:

1 * * *

2 (iv) Construction and use of structures on the
3 subject land for the purpose of a residence for the
4 landowner, an immediate family member or an employee[:
5 Provided, That only]. The following shall apply:

6 (A) Subject to clause (C), only one such
7 structure may be constructed on no more than two
8 acres of the subject land during the term of the
9 agricultural conservation easement[: and Provided
10 further, That the].

11 (B) The owner of the land subject to the
12 agricultural conservation easement may relinquish and
13 extinguish the right of construction and use of
14 structures conferred by this clause by recording, in
15 the office for the recording of deeds in the county
16 in which the land subject to the agricultural
17 conservation easement is located, an affidavit
18 evidencing the intent to relinquish and extinguish
19 which includes a reference to the original deed of
20 easement.

21 (C) A county program may provide for the
22 construction of additional residential structures
23 under subsection (i) (1.1).

24 * * *

25 (i) Subdivision of land after easement purchase.--

26 * * *

27 (1.1) In addition to the provisions of paragraph (1)
28 (ii), each county program may permit by subdivision the
29 conversion of land which has been devoted primarily to
30 agricultural use for the purpose of a residence for the

1 landowner, an immediate family member or an employee if the
2 following apply:

3 (i) The subject land consists of 130 or more acres.

4 (ii) A right or relinquishment under paragraph (1)
5 (ii) has been exercised on the subject land.

6 (iii) One additional residence may be constructed on
7 no more than two acres of the subject land, plus on two
8 additional acres for every 80 acres by which the subject
9 land exceeds 130 acres.

10 (iv) If the subject land upon which the residence
11 under this paragraph is constructed is subsequently
12 subdivided or conveyed or transferred in whole or in
13 part, the subject land upon which the residence is
14 located must continue to consist of 80 or more acres.

15 * * *

16 Section 2. This act shall take effect in 60 days.