



Maryland Department of Agriculture

Agriculture | Maryland's Leading Industry

Office of the Secretary

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Joseph Bartenfelder, Secretary
Steven A. Connelly, Deputy Secretary

The Wayne A. Cawley, Jr. Building
50 Harry S Truman Parkway
Annapolis, Maryland 21401
mda.maryland.gov

410.841.5880 Baltimore/Washington
410.841.5914 Fax

Maryland Department of Agriculture

Legislative Comment

Date: February 8, 2022

BILL NUMBER: Senate Bill 489

SHORT TITLE: Queen Anne's County - Public Safety - Buildings Used for Agritourism

MDA POSITION: Information

EXPLANATION:

SB 489 exempts an agricultural building in Queen Anne's County used for agritourism from (1) adhering to the Maryland Building Performance Standards (MBPS) and (2) obtaining a change of occupancy permit if (1) the building's use for agritourism does not require it to be occupied by more than 200 people at any one time and (2) the width of egress for the building meets specified building code standards.

The Maryland Department of Agriculture (MDA) works to support the sustainable, economic success of Maryland farmers. In a state with many consumers who have the resources to spend on recreation, agritourism presents a viable opportunity to diversify farm operations. Agritourism supports the preservation of farm-based amenities, fits well with state and local goals of maintaining and preserving open space, and helps counties retain cultural, historic values.

The last agricultural census completed by the U.S. Department of Agriculture's National Agricultural Statistics Service in 2017 indicated there were 295 agritourism farms in Maryland, with revenues of nearly \$10 million.

In 2018, the General Assembly passed legislation allowing counties the opportunity to adopt a statewide definition of agritourism in zoning and/or other ordinances. Governor Hogan signed Chapter 672 of 2018 (House Bill 252) into law in May 2018. This law defines "agritourism" as an activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation. This includes farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, guest farms, pumpkin patches, "pick your own" or "cut your own" produce, classes related to agricultural

products or skills, and picnic and party facilities offered in conjunction with any agritourism activity.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.