

2012 -- H 7590 AS AMENDED

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LC01618  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM

Introduced By: Representative Charlene Lima

Date Introduced: February 16, 2012

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.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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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.

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