

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to the definition of agritourism.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Agritourism; Definition. Amend RSA 21:34-a, II(b) to read as follows:

(b) Any practice on the farm incident to, or in conjunction with such farming operations, including, but not ~~[necessarily restricted]~~ **limited** to:

(1) Preparation for market, delivery to storage or to market, or to carriers for transportation to market of any products or materials from the farm.

(2) The transportation to the farm of supplies and materials.

(3) The transportation of farm workers.

(4) Forestry or lumbering operations.

(5) The marketing or selling at wholesale or retail, of any products from the farm, on-site and off-site, where not prohibited by ~~[local]~~ **state or federal** regulations. ~~[Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.]~~

(6) ***Agritourism, meaning attracting visitors to a farm to attend events and activities, including but not limited to: dining; making overnight stays; weddings, family and organizational reunions, celebrations, memorial gatherings, and other social and family activities; enjoyment of the farm environment itself; education about farm operations; or active involvement in the activity of the farm. No local government shall make a regulation otherwise defining or restricting agritourism. This subparagraph shall preempt any local definitions or regulations of agritourism existing on the effective date of this subparagraph. Any such definitions or regulations are void and of no force or effect.***

(7) Irrigation of growing crops from private water supplies or public water supplies where not prohibited by state or local rule or regulation.

~~[(7)]~~ (8) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a, II(a)(4).

~~[(8)]~~ (9) The production and storage of compost and the materials necessary to produce compost, whether such materials originate, in whole or in part, from operations of the farm.

2 Effective Date. This act shall take effect upon its passage.