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Hudson, Q. Johnson, Mitchell, Outten, D. Short,
Spiegelman, Viola, Wilson, Yearick; Sens. Bushweller,
Hocker, Lawson, Lopez, Pettyjohn, Poore

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 129

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 306, Title 9 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 306. Agritourism activities on farms.

4 (a) "Agritourism activity" means any activity that allows members of the general public to view or enjoy rural
5 activities, including: farming; ranching; farm and dairy markets; wineries; micro-breweries; distilleries; historical, cultural
6 or harvest-your-own activities; guided or self-guided tours; mazes; bed and breakfast accommodations; or temporary
7 outdoor recreation activities. "Agritourism activity" includes, but is not limited to: planting, cultivation, irrigation or
8 harvesting of crops; acceptable practices of animal husbandry; livery and animal boarding; rural weddings; barn parties or
9 farm festivals; trail rides; hayrides; farm-oriented miniature golf; livestock activities, including pony rides, petting zoos, ~~not~~
10 ~~to include~~ rodeos and rodeos; archery; trap or skeet shooting; firearm safety and practice; paintball; hunting; fishing;
11 swimming; boating, canoeing or kayaking; temporary camping; picnicking; hiking; diving; water skiing or tubing;
12 ~~paintball~~; and non-motorized freestyle, mountain or off-road bicycling. An activity is an agritourism activity whether or not
13 the participant paid to participate in the activity.

14 (b) Agritourism activities may be allowed statewide on farms of 10 or more acres subject to the provisions of this
15 title adopted for each county; ~~provided, however, that except for the "related uses" specified in § 909 of Title 3, no~~
16 ~~agritourism activities shall be permitted on farmlands which are subject to the Agricultural Lands Preservation and~~
17 ~~Forestland Preservation programs established in Chapter 9 of Title 3.~~

SYNOPSIS

The intent of this act is to promote agritourism activities within this State by broadly defining what constitutes agritourism.