



SPONSOR: Sen. Lawson & Rep. Dorsey Walker
Sens. Ennis, Hocker, Pettyjohn; Reps. Collins, Gray,
Spiegelman, Yearick

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 43

AN ACT TO AMEND TITLE 3 AND TITLE 7 OF THE DELAWARE CODE RELATING TO FARMS.

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

Section 1. Amend Chapter 1, Title 3 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 106. Definitions.

As used in this title:

(1) “Farm” means the land, buildings, and machinery used in a farm operation.

(2) “Farm operation” means a condition or activity that occurs on a farm in connection with the production of agriculture, livestock, dairy, poultry, or aquacultural products for sale and has annual sales of at least \$2,000. “Farm operation” includes all of the following:

a. Raising, harvesting, drying, or storage of crops.

b. Care or feeding of livestock.

c. Handling or transportation of crops or livestock.

d. Treatment or disposal of wastes resulting from livestock.

e. Marketing of products at roadside stands or farm markets.

f. Creation of noise, odor, dust, or fumes.

g. Operation of machinery and irrigation pumps.

h. Ground and aerial seeding and spraying.

i. Application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides.

j. Employment and use of labor.

Section 2. Amend § 7103, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 7103. Definitions.

(b) For the purposes of this title, “farm” means as defined in § 106 of Title 3.

23 ~~(b) “Farming~~ (c) For the purposes of this title, “farming operations” ~~shall mean any activity which is involved in~~
24 ~~the production of agriculture, livestock, dairy or poultry products for sale~~ means as defined in § 106 of Title 3.

SYNOPSIS

Title 3 and Title 7 do not currently define the term “farm” and Title 3 does not currently define the term “farm operations.” This Act defines “farm” and “farming operations” for the purposes of Title 3 and Title 7. This Act amends the definition of “farm operations” in Title 7 to make it consistent with the definition added to Title 3.

Under this Act, “farm” means the land, buildings, and machinery used in a farm operation; “farm operations” means a condition or activity that occurs on a farm in connection with the production of agriculture, livestock, dairy, poultry, or aquacultural products for sale and has annual sales of at least \$2,000.

Author: Senator Lawson