

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 606

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE RIGHT TO FARM; AMENDING SECTION 22-4502, IDAHO CODE, TO RE-
VISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
TIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 22-4502, Idaho Code, be, and the same is hereby
amended to read as follows:

22-4502. DEFINITIONS. As used in this chapter:

(1) "Agricultural facility" includes, without limitation, any land,
building, structure, ditch, drain, pond, impoundment, appurtenance, ma-
chinery or equipment that is used in an agricultural operation.

(2) "Agricultural operation" means an activity or condition that oc-
curs in connection with the production of agricultural products for food,
fiber, fuel and other lawful uses, and includes, without limitation:

(a) Construction, expansion, use, maintenance and repair of an agri-
cultural facility;

(b) Preparing land for agricultural production;

(c) Applying pesticides, herbicides or other chemicals, compounds or
substances labeled for insects, pests, crops, weeds, water or soil;

(d) Planting, irrigating, growing, fertilizing, harvesting or pro-
ducing agricultural, horticultural, floricultural and viticultural
crops, fruits and vegetable products, field grains, seeds, hay, sod
and nursery stock, and other plants, plant products, plant byproducts,
plant waste and plant compost;

(e) Breeding, hatching, raising, producing, feeding and keeping live-
stock, dairy animals, swine, fur-bearing animals, poultry, eggs, fish
and other aquatic species, and other animals, animal products and an-
imal byproducts, animal waste, animal compost, and bees, bee products
and bee byproducts;

(f) Processing and packaging agricultural products, including the
processing and packaging of agricultural products into food and other
agricultural commodities;

(g) Manufacturing animal feed;

(h) Transporting agricultural products to or from an agricultural fa-
cility;

(i) Noise, odors, dust, fumes, light and other conditions associated
with an agricultural operation or an agricultural facility;

(j) Selling agricultural products at a farmers or roadside market;

(k) Participating in a government-sponsored agricultural program;
and

(l) The ingress and egress of agricultural aircraft to agricultural
lands or treatment areas.

1 (3) "Nonagricultural activities," for the purposes of this chapter,
2 means residential, commercial or industrial property development and use
3 not associated with the production of agricultural products.

4 (4) "Improper or negligent operation" means that the agricultural op-
5 eration is not undertaken in conformity with federal, state and local laws
6 and regulations or permits, and adversely affects the public health and
7 safety.

8 SECTION 2. An emergency existing therefor, which emergency is hereby
9 declared to exist, this act shall be in full force and effect on and after
10 July 1, 2022.