

IN THE SENATE

SENATE BILL NO. 1305

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO URBAN AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 22, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Title 22, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 10, Title 22, Idaho Code, and to read as follows:

CHAPTER 10
URBAN AGRICULTURE

22-1001. LEGISLATIVE FINDINGS. The legislature finds that urban agriculture is the production of food and other agricultural products in urban areas of city impact settings. This includes in-ground and raised-bed production as well as aquaponic and hydroponic production systems. Additionally, urban agriculture also includes the rearing of honeybees, fish, and livestock where allowed by local government. There are four (4) broad categories of urban agriculture: Market gardening, urban farming, community gardening, and victory gardening. Urban agriculture can be a profession, supplemental or livelihood, a form of therapeutic work, a form of recreation, a mode of education, a practice of community development, an effort to increase food security and community nutrition, and a way to regenerate and beautify neighborhoods. The legislature also finds that urban agriculture is a natural right and is recognized as a permitted use throughout the state of Idaho.

22-1002. DEFINITIONS. (1) "Community gardening" means a single plot of land that is gardened collectively by a group of people. Community gardens can be further divided into single plots or maintained as one (1) large plot. Entities, including but not limited to schools, food pantries, and faith-based organizations, often host community gardens. City or county land bank properties as well as privately owned plots are used for community gardens.

(2) "Market gardening" means small scale production of agricultural products grown to sell through marketing channels such as farmers markets and community supported agriculture shares.

(3) "Urban farming" means farming that produces food crops for sale to others and can be larger in scale than market gardening. Urban farms may be organized as for-profit businesses operated by individuals or as nonprofit social enterprises designed to provide food to address food insecurity, provide vocational training, or address another community issue, typically

1 at the neighborhood level. Urban farms operated as social enterprises are
2 typically managed by nongovernmental organizations. Urban farming in-
3 cludes indoor controlled-environment production, including hydroponic and
4 aquaponic systems.

5 (4) "Victory gardening" means producing food at one's residence pri-
6 marily for household consumption or donation.

7 SECTION 2. An emergency existing therefor, which emergency is hereby
8 declared to exist, this act shall be in full force and effect on and after
9 July 1, 2024.