

IN THE SENATE

SENATE BILL NO. 1305, As Amended

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

1 RELATING TO URBAN AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDI-  
2 TION OF A NEW CHAPTER 10, TITLE 22, IDAHO CODE, TO PROVIDE LEGISLATIVE  
3 FINDINGS AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY AND PROVIDING  
4 AN EFFECTIVE DATE.  
5

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

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

10 CHAPTER 10  
11 URBAN AGRICULTURE

12 22-1001. LEGISLATIVE FINDINGS. The legislature finds that urban agri-  
13 culture is the production of food and other agricultural products in urban  
14 areas of city impact settings. This includes in-ground and raised-bed pro-  
15 duction as well as aquaponic and hydroponic production systems. Addition-  
16 ally, urban agriculture also includes the rearing of honeybees, fish, and  
17 livestock where allowed by local government. There are four (4) broad cat-  
18 egories of urban agriculture: Market gardening, urban farming, community  
19 gardening, and victory gardening. Urban agriculture can be a profession,  
20 supplemental or livelihood, a form of therapeutic work, a form of recre-  
21 ation, a mode of education, a practice of community development, an effort to  
22 increase food security and community nutrition, and a way to regenerate and  
23 beautify neighborhoods.

24 22-1002. DEFINITIONS. (1) "Community gardening" means a single plot  
25 of land that is gardened collectively by a group of people. Community gar-  
26 dens can be further divided into single plots or maintained as one (1) large  
27 plot. Entities, including but not limited to schools, food pantries, and  
28 faith-based organizations, often host community gardens. City or county  
29 land bank properties as well as privately owned plots are used for community  
30 gardens.

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

34 (3) "Urban farming" means farming that produces food crops for sale to  
35 others and can be larger in scale than market gardening. Urban farms may be  
36 organized as for-profit businesses operated by individuals or as nonprofit  
37 social enterprises designed to provide food to address food insecurity,  
38 provide vocational training, or address another community issue, typically  
39 at the neighborhood level. Urban farms operated as social enterprises are  
40 typically managed by nongovernmental organizations. Urban farming in-

1 cludes indoor controlled-environment production, including hydroponic and  
2 aquaponic systems.

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

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