

FIRST REGULAR SESSION

HOUSE BILL NO. 882

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

1937H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 261, RSMo, by adding thereto one new section relating to the agri-ready county designation program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 261, RSMo, is amended by adding thereto one new section, to be
2 known as section 261.320, to read as follows:

261.320. 1. **There is hereby established the “Agri-Ready County Designation
2 Program” within the department of agriculture as a voluntary program whereby any
3 county or city not within a county may apply with the department to become designated
4 as an agri-ready county if it meets the requirements of this section.**

5 2. **To qualify as an agri-ready county, a county or city not within a county shall:**

6 (1) **Not have any health or zoning ordinances that discourage or prevent new
7 agricultural operations;**

8 (2) **Not have agricultural setback requirements that are more stringent than
9 department of natural resources regulations;**

10 (3) **Not have permit fees that are greater than five hundred dollars annually;**

11 (4) **Not require additional cash, surety bonds, or insurance above the concentrated
12 animal feeding operation indemnity fund requirements under section 640.740;**

13 (5) **Not define agricultural operations as nuisances;**

14 (6) **Not have a definition of any animal agricultural operation that is more stringent
15 than state laws or regulations;**

16 (7) **Not require air monitoring or have containment requirements for air particles
17 other than those required under chapter 643;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(8) Allow land application at a minimum at the agronomic rate based on data from**
19 **the college of agriculture, food, and natural resources at the University of Missouri-**
20 **Columbia; and**

21 **(9) Not have any regulations or ordinances more restrictive than state laws to**
22 **discourage or prevent processing facilities.**

23 **3. No later than March 31, 2016, the department of agriculture shall establish**
24 **application requirements and review procedures for the agri-ready county designation**
25 **program. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
26 **created under the authority delegated in this section shall become effective only if it**
27 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
28 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
29 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
30 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
31 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2015,**
32 **shall be invalid and void.**

33 **4. Any county or city not within a county that receives a designation as an agri-**
34 **ready county shall submit a report annually to the department of agriculture that will**
35 **include, but not be limited to, the following information:**

36 **(1) Any changes to ordinances, permit fees, or other factors necessary to meet the**
37 **requirements of this section;**

38 **(2) The number of new agricultural operations in the county or city not within a**
39 **county. No identifying information regarding any operation shall be required;**

40 **(3) The number of expanded agricultural operations in the county or city not within**
41 **a county. No identifying information regarding any operation shall be required; and**

42 **(4) Any other information deemed necessary by the department of agriculture.**

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44 **The report required under this subsection shall be no longer than one page. The**
45 **department of agriculture shall allow for online submission of the report.**

46 **5. If the department determines that a county or city not within a county no longer**
47 **meets the requirements of this section, it may withdraw the agri-ready county designation.**

48 **6. The department of agriculture shall develop an agri-ready county logo. Any**
49 **county or city not within a county designated as agri-ready by the department of**
50 **agriculture may use the agri-ready county logo on any sign, brochure, website, or other**
51 **marketing material.**

52 **7. Any county or city not within a county designated as agri-ready by the**
53 **department of agriculture may request the department of transportation to erect and**

54 **maintain appropriate signs designating it as agri-ready. If requested, the department of**
55 **transportation shall erect and maintain such signs, with the cost to be paid by the county**
56 **or city not within a county.**

57 **8. The department of agriculture shall publish and maintain a list of all agri-ready**
58 **counties on its website.**

59 **9. In evaluating any grant proposal based on a point system, the department of**
60 **agriculture, department of natural resources, and department of economic development**
61 **shall increase the total number of points awarded by five percent to the following:**

62 **(1) Any agri-ready county or city not within a county;**

63 **(2) Any political subdivision located within an agri-ready county; or**

64 **(3) Any agricultural operation located within or proposing to locate within an agri-**
65 **ready county.**

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67 **If an agri-ready county loses its agri-ready designation at any point during the grant**
68 **period, the agri-ready county shall be responsible for repaying any grant funding received.**

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