

118TH CONGRESS
2D SESSION

H. R. 8198

To reauthorize and improve the relending program to resolve ownership and succession on farmland, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2024

Mr. BISHOP of Georgia (for himself and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To reauthorize and improve the relending program to resolve ownership and succession on farmland, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Heirs Education and
5 Investment to Resolve Succession of Property Act”.

1 **SEC. 2. REAUTHORIZATION OF THE HEIRS PROPERTY**
2 **INTERMEDIARY RELENDING PROGRAM.**

3 Section 310I(g) of the Consolidated Farm and Rural
4 Development Act (7 U.S.C. 1936c(g)) is amended by
5 striking “2023” and inserting “2028”.

6 **SEC. 3. COOPERATIVE AGREEMENTS FOR HEIRS PROPERTY**
7 **RESOLUTION THROUGH DIRECT PUBLIC IN-**
8 **TEREST LEGAL SERVICES.**

9 Section 310I of the Consolidated Farm and Rural
10 Development Act (7 U.S.C. 1936c) is amended—

11 (1) by redesignating subsections (f) and (g) as
12 subsections (g) and (h), respectively; and

13 (2) by inserting after subsection (e) the fol-
14 lowing:

15 “(f) COOPERATIVE AGREEMENTS FOR HEIRS PROP-
16 ERTY RESOLUTION THROUGH DIRECT PUBLIC INTEREST
17 LEGAL SERVICES.—

18 “(1) IN GENERAL.—The Secretary shall enter
19 into cooperative agreements with eligible entities to
20 provide legal or accounting services to underserved
21 heirs, at no cost to the underserved heirs, to assist
22 in resolving issues related to ownership and succes-
23 sion on farmland or forest land that has multiple
24 owners. Such a cooperative agreement must be for
25 any of the following purposes:

1 “(A) To assist with transitioning land to
2 agricultural production.

3 “(B) To maintain land in agricultural pro-
4 duction.

5 “(C) To increase access to programs ad-
6 ministered by the Secretary through the resolu-
7 tion of real property claims in order to allow
8 real property owners to meet land ownership
9 eligibility requirements for participation in a
10 program administered by the Secretary.

11 “(2) ADMINISTRATION OF COOPERATIVE
12 AGREEMENTS.—

13 “(A) DURATION.—

14 “(i) IN GENERAL.—A cooperative
15 agreement under paragraph (1) shall be in
16 effect for not more than 5 years, subject to
17 clause (ii).

18 “(ii) SPECIAL RULE.—The Secretary
19 may re-enter into a cooperative agreement
20 with the same or a different eligible entity
21 to provide continued services for heirs if
22 property ownership is not resolved within
23 the initial term of the original cooperative
24 agreement, and the entity certifies that the
25 entity understands that the cooperative

1 agreement is not guaranteed to be funded
2 for more than 5 years after the commence-
3 ment of the original cooperative agreement.

4 “(B) MANAGEMENT OF PERFORMANCE.—

5 “(i) ANNUAL REPORTS.—An eligible
6 entity must provide annual reports to the
7 Secretary summarizing the progress made
8 during each fiscal year towards achieving
9 the goals of the cooperative agreement for
10 the heirs for whom services are provided
11 under the cooperative agreement.

12 “(ii) INFORMATION AND DATA.—The
13 Secretary may require an eligible entity to
14 provide the Secretary with such informa-
15 tion or data, other than personally identifi-
16 able information or data, as the Secretary
17 deems necessary to determine that the eli-
18 gible entity is making acceptable progress.

19 “(iii) EFFECT OF FAILURE TO DEM-
20 ONSTRATE SUCCESS.—If an eligible entity
21 providing services under such a cooperative
22 agreement does not demonstrate success,
23 as determined by the Secretary, in resolv-
24 ing or reasonably attempting to resolve the
25 property claims of an heir, the Secretary

1 may terminate the agreement, or elect to
2 not enter into a new cooperative agreement
3 with the eligible entity after the initial
4 term of the original cooperative agreement.

5 “(C) IMPLEMENTATION.—The Secretary
6 may utilize requests for public input or the for-
7 mal rulemaking process to effectuate this sub-
8 section. At a minimum, the Secretary shall
9 make publicly available the criteria for selecting
10 an eligible entity to enter into an agreement to
11 provide services, the administrative and per-
12 formance requirements for cooperative agree-
13 ments under this subsection, as well as codify
14 within its internal policy its implementation
15 process.

16 “(D) HEIRS PROPERTY NOT IN FARM-
17 ING.—On a limited basis, and when determined
18 by the Secretary to meet the purposes of a pro-
19 gram administered by the Secretary and to ex-
20 pand access to such a program, the Secretary
21 may allow an eligible entity to provide services
22 at no cost to an heir who is not an underserved
23 heir if—

24 “(i) the land with respect to which the
25 services are to be provided is not farmland

1 or in agricultural production, but could be
2 viably productive for agricultural, con-
3 servation, or forestry purposes;

4 “(ii) the heir satisfies all other re-
5 quirements of the definition of ‘under-
6 served heir’;

7 “(iii) the heir can provide proof to
8 substantiate that the heir is in control of
9 the real property; and

10 “(iv) the heir certifies to the Secretary
11 that the heir intends to apply for, and
12 make a good faith effort to enroll the land
13 in, a program administered by the Sec-
14 retary once property claims to the land are
15 resolved through services provided under a
16 cooperative agreement entered into under
17 this subsection.

18 “(3) DEFINITIONS.—In this subsection:

19 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
20 ble entity’ means a nonprofit organization
21 that—

22 “(i) provides legal or accounting serv-
23 ices to an underserved heir at no cost to
24 the underserved heir; and

1 “(ii) has demonstrated experience in
2 resolving issues related to ownership and
3 succession on farmland or forest land that
4 has multiple owners.

5 “(B) LIMITED RESOURCE HEIR.—An heir
6 shall be considered a limited resource heir for
7 purposes of this subsection if—

8 “(i) the total household income of the
9 heir is at or below the national poverty
10 level for a family of 4, or less than 50 per-
11 cent of the county median household in-
12 come for the 2 immediately preceding cal-
13 endar years, as determined annually using
14 data of the Department of Commerce; or

15 “(ii) the property of the heir for which
16 legal services are provided pursuant to a
17 cooperative agreement entered into under
18 this subsection is in a persistent poverty
19 community, as determined annually on the
20 basis of data from the Department of
21 Commerce, or a socially vulnerable area, as
22 designated by the Centers on Disease Con-
23 trol and Prevention.

24 “(C) UNDERSERVED HEIR.—The term ‘un-
25 derserved heir’ means an heir with an undivided

1 ownership interest in farmland that has mul-
2 tiple owners, who is—

3 “(i) a limited resource heir;

4 “(ii) a member of a socially disadvan-
5 taged group (as defined in section 2501(a)
6 of the Food, Agriculture, Conservation,
7 and Trade Act of 1990); or

8 “(iii) a veteran (as defined in section
9 101(2) of title 38, United States Code).

10 “(4) ANNUAL REPORTS TO CONGRESS.—Within
11 1 year after the date of the enactment of this sub-
12 section, and annually thereafter, the Secretary shall
13 prepare, make public, and submit to the Committee
14 on Agriculture of the House of Representatives and
15 the Committee on Agriculture, Nutrition, and For-
16 estry of the Senate a written report on the activities
17 carried out under this subsection in the year covered
18 by the report.

19 “(5) LIMITATIONS ON AUTHORIZATION OF AP-
20 PROPRIATIONS.—

21 “(A) IN GENERAL.—To carry out this sub-
22 section, there is authorized to be appropriated
23 to the Secretary \$60,000,000 for each of fiscal
24 years 2024 through 2028.

1 “(B) LIMITATION ON USE OF FUNDS FOR
2 ADMINISTRATION.—The Secretary may expend
3 for administrative purposes not more than 3
4 percent of the amounts made available under
5 subparagraph (A).”.

6 **SEC. 4. ANNUAL REPORT ON OPERATIONS AND OUTCOMES**
7 **UNDER THE RELENDING PROGRAM TO RE-**
8 **SOLVE OWNERSHIP AND SUCCESSION ON**
9 **FARMLAND.**

10 Section 310I(g) of the Consolidated Farm and Rural
11 Development Act, as so redesignated by section 3 of this
12 Act, is amended by striking “Not later than 1 year after
13 the date of enactment of this section, the Secretary shall”
14 and inserting “The Secretary shall annually”.

15 **SEC. 5. REPORTS ON LAND ACCESS AND FARMLAND OWN-**
16 **ERSHIP DATA COLLECTION.**

17 Section 12607(c) of the Agriculture Improvement Act
18 of 2018 (7 U.S.C. 2204i(c)) is amended by striking “2019
19 through 2023” and inserting “2024 through 2028”.

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