



HOUSE BILL 126: Revise Voluntary Ag. District Laws.

2025-2026 General Assembly

Committee:	House Housing and Development. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 9, 2025
Introduced by:	Reps. Dixon, N. Jackson	Prepared by:	Karyl Smith
Analysis of:	PCS to First Edition H126-CSCJ-7		Committee Co-Counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) to House Bill 126 would amend the process for State and local agencies and governmental units to condemn or rezone qualifying farmland in a voluntary agricultural district (VAD) by:*

- *Requiring an ordinance establishing a VAD to limit the ability of a State or local public agency or government entity to condemn or rezone qualifying farmland in a VAD by requiring the agency or entity to request that the agricultural advisory board (Board) hold a public hearing on the proposed condemnation or rezoning.*
- *Extending the period within which a Board must hold a public hearing on a proposed State or local agency condemnation or rezoning from 30 days to 45 days.*
- *Prohibiting an agency from formally initiating a condemnation or rezoning action until 120 days after the date on which the Board submits its findings and recommendations to the agency.*

The PCS changes the first edition of the bill by making the provisions above applicable to the process for State and local agencies and governmental units to rezone qualifying farmland in a VAD.

This act would become effective October 1, 2025, and would apply to condemnation and rezoning actions initiated by any State or local agency or governmental unit on or after that date.

[As introduced, this bill was identical to S59, as introduced by Sens. Galey, Jackson, Jones, which is currently in House Rules, Calendar, and Operations of the House.]

CURRENT LAW AND BACKGROUND: Under current law, a local government may adopt an ordinance establishing a voluntary agricultural district (VAD) and appointing an agricultural advisory board (Board). Farmland may qualify for inclusion in a VAD if it meets all of the following criteria:

- It is used for bona fide farm purposes.
- It is managed in accordance with Soil Conservation Service defined erosion control practices.
- It is under a conservation agreement with the local government prohibiting nonfarm use or development of the land for at least 10 years, except for the creation of up to three lots that meet applicable zoning and subdivision regulations.

The ordinance establishing the VAD may limit the ability of any State or local public agency or governmental unit to condemn any interest in qualifying farmland within a VAD until the agency has

Kara McCraw
Director



Legislative Analysis
Division
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requested the Board to hold a public hearing. The Board must hold a public hearing within 30 days of receiving a request to hold the public hearing. Following the public hearing, the Board must submit written findings and a recommendation to the decision-making body of the agency proposing acquisition of the qualifying farm property. The agency may not initiate a condemnation action while the proposed condemnation is before the Board.

BILL ANALYSIS: The PCS to House Bill 126 would make the following changes regarding condemnations and rezonings in a VAD:

- An ordinance establishing a VAD would be required to limit the ability of a State or local agency or government entity to condemn or rezone qualifying farmland in a VAD by requiring the agency or entity to request that the Board hold a public hearing on the proposed condemnation or rezoning.
- The Board would have 45 days, instead of 30 days, to hold the public hearing.
- The agency would be prohibited from initiating a condemnation or rezoning action until 120 days after the date the Board submits its findings and recommendations to the agency.

EFFECTIVE DATE: This act would become effective October 1, 2025, and would apply to condemnation and rezoning actions initiated by any State or local agency or governmental unit on or after that date.

Chris Saunders and Aaron McGlothlin, staff attorneys with the Legislative Analysis Division, substantially contributed to this summary.