
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1132 Session of
2023

INTRODUCED BY RABB, FREEMAN, McNEILL, MADDEN, GUENST, KINSEY,
ROZZI, HILL-EVANS, MALAGARI, SANCHEZ, PARKER, HOWARD AND
FLEMING, MAY 10, 2023

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MAY 10, 2023

AN ACT

1 Establishing the Pennsylvania Agroforestry Program and the
2 Pennsylvania Agroforestry Fund; providing grants to resident
3 farmers and resident businesses; and imposing duties on
4 Department of Agriculture.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania
9 Agroforestry Program Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Agroforestry." A method or system of farming which
15 incorporates the use of trees and undergrowth, including, but
16 not limited to, alley cropping, forest farming, riparian forest
17 buffers, silvopasture or windbreaks.

18 "Alley cropping." Planting crops between rows of trees to

1 provide income while the trees mature. Alley cropping may be
2 designed to produce fruits, vegetables, grains, flowers, herbs,
3 bioenergy feedstocks and other similar products.

4 "Department." The Department of Agriculture of the
5 Commonwealth.

6 "Forest farming." Farming operations which grow food,
7 herbal, botanical or decorative crops under a forest canopy that
8 is managed to provide ideal shade levels as well as other
9 products.

10 "Program." The Pennsylvania Agroforestry Program established
11 under section 3.

12 "Resident business." A business that has owners who are
13 residents of this Commonwealth, has less than 100 employees and
14 is located and conducts business in this Commonwealth.

15 "Resident farmer." A commercial farmer who utilizes lands in
16 this Commonwealth for the practice of farming as a primary
17 income and whose primary occupation is farming and employs no
18 more than 20 full-time equivalent employees and whose farm is no
19 more than 250 acres.

20 "Riparian forest buffers." Natural or reestablished areas
21 along rivers and streams made up of trees, shrubs and grasses
22 which help filter farm runoff and prevent erosion.

23 "Silvopasture." Combining trees with livestock and forage on
24 one piece of land.

25 "Windbreak." Trees planted to shelter crops, animals,
26 buildings and soil from the elements of the weather.

27 Section 3. Program.

28 (a) Establishment.--The Pennsylvania Agroforestry Program is
29 established and shall be administered by the department in
30 consultation with the Department of Conservation and Natural

1 Resources.

2 (b) Purpose.--The purpose of the program is to:

3 (1) Provide incentives for farmers to incorporate
4 agroforestry methods into farming practices.

5 (2) Encourage businesses within this Commonwealth to
6 purchase or process produce derived from agroforestry.

7 (3) Educate the public regarding agroforestry and the
8 resulting products available in this Commonwealth.

9 Section 4. Administration.

10 (a) Application.--A resident farmer or resident business may
11 submit an application to the department, in a form and manner
12 prescribed by the department, for participation in the program.

13 (b) Application period.--When money is available for the
14 program during a fiscal year, the department shall begin to
15 accept applications from resident farmers and resident
16 businesses to obtain money provided for under this act. The
17 department shall provide notice of the application period and
18 process on the department's publicly accessible Internet
19 website.

20 (c) Application deadline.--The department shall establish a
21 deadline for the submission of applications during a fiscal year
22 and post the application deadline on the department's publicly
23 accessible Internet website.

24 (d) Review.--

25 (1) The department shall review completed applications
26 for participation in the program.

27 (2) If accepted for participation, a resident farmer or
28 resident business shall be required to agree, in writing, to
29 the terms and conditions established by the department.

30 (3) If participation is denied in whole or in part, the

1 department shall provide the applicant with the reason for
2 the denial.

3 (e) Agreement.--

4 (1) The department shall require:

5 (i) All participating resident farmers to contribute
6 at least 20% of the award received under this act toward
7 the cost of participating in the program.

8 (ii) All participating resident businesses to
9 contribute 10% of the award received under this act
10 toward the cost of participating in the program.

11 (2) The department shall require all participating
12 resident farmers to establish and maintain agroforestry
13 practices for a period of 10 years or maintain a tree nursery
14 to grow conservation trees utilized in agroforestry, such as
15 fruit and nut trees, that generates an annual income for a
16 period of 10 years.

17 (3) The department shall require all participating
18 resident businesses to purchase or process produce derived
19 from agroforestry in this Commonwealth subject to the
20 department's guidelines. The department shall establish
21 guidelines detailing the amount or percentage of business
22 that must include the purchasing or processing of produce
23 derived from agroforestry in this Commonwealth.

24 (4) A participating resident farmer or resident business
25 who fails to maintain the required practices and comply with
26 all the terms of the agreement shall be required to return
27 all money received under the program.

28 (5) At the successful completion of participation in the
29 program, a participating resident farmer may agree to
30 participate in the program for one additional 10-year period

1 and a participating resident business may agree to
2 participate in the program for one additional seven-year
3 period.

4 (f) Awareness.--

5 (1) The department shall engage in efforts to educate
6 resident farmers and resident business owners about the
7 program and increase public awareness of the program,
8 including the benefits of supporting resident farmers and
9 resident business owners who utilize agroforestry practices
10 in this Commonwealth.

11 (2) The education and awareness efforts shall be
12 accomplished through printed material, media-related efforts
13 and other sources that may include public service
14 announcements, public awareness campaigns and media literacy.

15 Section 5. Pennsylvania Agroforestry Fund and awards.

16 (a) Establishment.--The Pennsylvania Agroforestry Fund is
17 established as a fund within the State Treasury to be used to
18 fund the program and award money under this act.

19 (b) Resident farmer award.--

20 (1) The department shall establish award amounts for
21 each 10-year participation agreement which may not exceed
22 \$100,000 for a single participating resident farmer, of which
23 up to \$5,000 may be used by participating resident farmers to
24 obtain training, advice and support from consultants on
25 agroforestry practices.

26 (2) The department shall consider the acreage utilized
27 and number of agroforestry practices applied when determining
28 the amount of each award.

29 (3) In cases of tree nurseries, the department may
30 consider the number of tree nurseries within this

1 Commonwealth that are producing conservation trees that
2 generate an annual income and the output of the existing tree
3 nurseries.

4 (4) The department may allow larger award amounts for
5 increased acreage utilized and the utilization of multiple
6 types of agroforestry practices.

7 (c) Resident business award.--

8 (1) The department shall award amounts up to \$10,000 for
9 resident businesses which agree to purchase or process
10 produce derived from agroforestry in this Commonwealth.

11 (2) A participating resident business must agree to
12 purchase or process a minimum amount of produce each year for
13 a seven-year period which is established by the department.

14 (d) Funding.--In addition to money appropriated to the
15 department from the General Assembly to fund the program, the
16 department may accept additional money from government or
17 private sources, including donations.

18 (e) Apportionment of awards.--Of the total sums received for
19 the program, 90% shall be apportioned for awards to
20 participating resident farmers and 10% shall be apportioned for
21 awards to participating resident businesses.

22 Section 6. Effective date.

23 This act shall take effect in 60 days.