

Submitter: Kim Wallis

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB4153

This bill provides important clarification regarding permitted activities on Oregon's farmland, allowing those engaged in agricultural enterprises to have additional opportunities to generate income and promote Oregon agriculture. Regulation is important, because many people are exploiting agritourism to bypass county zoning ordinances and building codes, allowing for large parties, parking lots, and non-farm structures on agricultural land. In some cases, farms are devolving into venues for weddings, concerts, and sporting events that have little to do with actual farming, which raises the question whether land is being preserved for its intended agricultural use. This bill is a good start at addressing such issues but doesn't go far enough. In particular, the proposed definition of "agri-tourism activity" in this bill is a bit vague, and needs to be more clearly defined ensure this activity is specifically and solely agriculture related. Section 2. (1)a(A)viii "Other seasonal or holiday events" is extremely vague and open to wide interpretation.

The Committee should recommend further clarification of definition of "agri-tourism". There is a growing body of case law which this Committee would be well advised to review. In general, courts are holding that agritourism activities MUST have a direct connection to agriculture. Concerts, weddings, moto-cross events, and the like have not been held to be agritourism. A case law summary can be found at this link: <https://aglawjournal.wp.drake.edu/wp-content/uploads/sites/66/2024/11/c.-Hall-Final.pdf>