

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act defining agritourism.

PETITION OF:

NAME:

Edward J. Kennedy

DISTRICT/ADDRESS:

First Middlesex

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2469 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act defining agritourism.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 135A. Chapter 128 of the General Laws is hereby amended by inserting after
2 section 1A the following section:-

3 Section 1B. (a) For the purposes of this section, the following terms shall, unless the
4 context clearly requires otherwise, have the following meanings:

5 "Agritourism", an agriculturally related educational, entertainment, historical, cultural,
6 commercial, or recreational activity that allows or invites members of the general public to
7 observe, participate in, experience and enjoy that activity, and that serves to encourage the
8 purchase of agricultural products grown on the land where the activity takes place.

9 "Land", an entire parcel of land or multiple contiguous whole parcels of land owned by
10 the same person.

11 (b) Agritourism may be conducted on land primarily used for commercial agriculture,
12 aquaculture, silviculture, horticulture, floriculture or viticulture. Agritourism may be conducted
13 on land not primarily used for commercial agriculture, aquaculture, silviculture, horticulture,
14 floriculture or viticulture if: (i) at least 75 per cent of the acreage of said land is dedicated to
15 agriculture; (ii) at least 50 per cent of the agricultural product produced on said land, by either
16 gross annual sales or annual volume, is utilized in agritourism activities; (iii) at least 25 per cent
17 of the gross annual income from all activities on the land on which the agritourism activity is
18 located results from the sale of products that have been produced on said land; and (iv) at least an
19 additional 50 per cent of the gross annual income from all activities on said land results from the
20 sale of products that have been produced on said land or on land in Massachusetts used for the
21 primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or
22 viticulture.