

Legislative Analysis



"FREEDOM TO GARDEN ACT"

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House Bill 4887

Sponsor: Rep. Paul Opsommer

Committee: Agriculture

Complete to 10-18-11

A SUMMARY OF HOUSE BILL 4887 AS INTRODUCED 8-24-11

The bill would amend Section 204 of the Zoning Enabling Act to provide that the planting and harvesting of fruits and vegetables at a residence for personal consumption or transfer is a lawful use and is not subject to a special use or conditional use permit, provided the residence itself is a lawful use under a zoning ordinance.

Transfer would be defined to include "*the trading or free sharing of residentially grown fruits and vegetables for personal consumption, or foodstand or similar sales of a de minimis value.*"

The bill would not prohibit sales of fruits and vegetables above a de minimis value where otherwise authorized by law.

This subsection would be known and cited as the "Freedom to Garden Act."

MCL 125.3204

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Jeff Stoutenburg
Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.