

Repeal of Kansas Corporate Farm Law Introduced

Senate Bill 191 introduced in the Kansas Legislature this session would repeal much of what remains of the state's corporate farming law. SB 191 strikes every instance in the current law's definitions that lists a limit on the number of stockholders, or requires on-farm residence or that at least one person be actively engaged in farming or management, or have a family relationship.

Thus, while other legislation over the past 30 years has cracked open the barn door, and maintained some semblance of protecting family farming, or family farm corporations, this blows the door off the barn and opens Kansas to corporate farm ownership, non-farm and investor only owners. It also does away with the county option for citizens to vote that they do not want corporate dairies or swine in their county. It is unclear what it means for those counties that have already passed resolutions against corporate hogs or dairies. As this goes to press, a hearing is scheduled before the Senate Natural Resources Committee.

Kansas passed the nation's first anti-corporate farming law in 1931. It was largely a reaction to absentee out of state owners and investors moving into the High Plains to become what was at the time considered mammoth wheat producers.

Family farmers in the late 1920's were outraged and feared they could never compete. It was a time when people on the land still mattered; owner-operator status was still a goal within reach of individuals, and corporations were considered outsiders with no commitment to the state let alone the local community.

Earlier in the session, Ks. Secretary of Agriculture Dale Rodman (and former executive with Cargill) said the existing law hinders the recruitment of agribusinesses and the growth of agriculture in the state.

The law currently limits corporate ownership of agricultural land to family farm corporations, family partnerships or corporations with 15 or fewer stockholders, who must all be Kansas residents. The state also generally requires at least one partner or shareholder to live on the land or be actively engaged in supervising the work.

Exceptions to the law for feedlots and poultry operations exist. Also, counties can allow corporate dairies and hog farms within their borders, and legislators last year made it easier for them to do so.