

ASSEMBLY, No. 5048

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Establishes “Adopt-A-Farm” school partnership program in public secondary schools; establishes liability protections therefor.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/7/2020)

1 AN ACT establishing an “Adopt-A-Farm” school partnership
2 program and supplementing Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Department of Education, in consultation with the
9 Department of Agriculture, shall establish and coordinate a farm-
10 based education program, to be called the “Adopt-a-Farm” school
11 partnership program, which may be instituted at public secondary
12 schools.

13 A school and farm partnership may include, but need not be
14 limited to, students supplying materials, preparing soil for planting,
15 planting crops, harvesting, gleaning, setting up an irrigation system,
16 ploughing a field, cutting grass, tilling beds, watering plants,
17 weeding, milking cows, feeding animals, cleaning pens, general
18 maintenance, and participating in the daily chores of running the
19 farm.

20 The level of involvement between a school and a farm shall be
21 determined by the partnership.

22
23 2. a. A farmer that organizes or hosts students on agricultural
24 land for educational purposes pursuant to this act, including preparing
25 soil for planting, planting crops, harvesting, gleaning, setting up an
26 irrigation system, ploughing a field, cutting grass, tilling beds,
27 watering plants, weeding, milking cows, feeding animals, cleaning
28 pens, general maintenance, and participating in the daily chores of
29 running the farm, shall not be liable for damages in any civil action
30 for any injury due to the presence or activity of the students on the
31 land, unless the injury is a direct result of the gross negligence,
32 recklessness, or knowing misconduct on the farm.

33 b. The “Adopt-a-Farm” school partnership program shall be
34 protected from liability under the “Food Bank Good Samaritan
35 Act,” P.L.1982, c.178 (C.24:4A-1 et seq.), for food donations,
36 gleaning, and other activities related to the school and farm
37 partnership.

38
39 3. This act shall take effect immediately.

40

41

42

STATEMENT

43

44 This bill would establish a farm-based education program, called
45 the “Adopt-a-Farm” school partnership program in public schools.
46 The level of involvement between the school and the farm will be
47 determined by each partnership. Students may be involved in
48 supplying materials, preparing soil for planting, planting crops,

1 harvesting, gleaning, setting up an irrigation system, ploughing a
2 field, cutting grass, tilling beds, watering plants, weeding, milking
3 cows, feeding animals, cleaning pens, general maintenance, and
4 participating in the daily chores of running the farm.

5 This program should serve to increase awareness of the
6 important role that local, fresh produce plays in promoting good
7 health and of its availability in the State, as well as develop an
8 educated agricultural workforce and accelerate garden and farm-
9 based education for public school students in the State.

10 This bill would provide civil immunity from liability for injuries
11 sustained on farms where school and farm partnership activities on
12 agricultural land are conducted. This immunity would not apply to the
13 gross negligence, recklessness, or knowing misconduct on the farm. In
14 addition, under current federal and State law, farmers are immune
15 from civil liability for injuries that take place on their farms during
16 gleanings and farmers, nonprofit organizations, and volunteers are
17 immune for damages caused by the food they glean or donate in good
18 faith.