

**STATE OF TENNESSEE
OFFICE OF THE ATTORNEY GENERAL**

July 26, 2017

Opinion No. 17-35

Application of the Statutory Definition of “Agriculture” to the Word “Agricultural”

Question

Does the definition of “agriculture” in Tenn. Code Ann. §§ 1-3-105(a)(2)(A) and 43-1-113(b)(1) apply in determining the meaning of “agricultural” as used in Tenn. Code Ann. § 5-1-118(b), Tenn. Code Ann. § 5-1-122, and Tenn. Code Ann. § 13-7-114?

Opinion

Yes.

ANALYSIS

Tennessee Code Annotated §§ 1-3-105(a)(2)(A) and 43-1-113(b)(1) identically define the noun “agriculture.” That definition applies wherever “agriculture” appears in the Code, unless either “the context otherwise requires” (Tenn. Code Ann. § 1-3-105(a)) or “a different definition is specifically made applicable to the part, chapter, or section in which the term appears” (Tenn. Code Ann. § 43-1-113(a)). *See* Op. Tenn. Att’y Gen. No. 17-30 (Apr. 17, 2017). The Code provides no separate definition of “agricultural,” the adjectival form of the noun.

Undefined words in the Code must “be given their natural and ordinary meaning, without forced or subtle construction that would limit or extend the meaning of the language, except when a contrary intention is clearly manifest.” Tenn. Code Ann. § 1-3-105(b). Thus, the undefined adjective “agricultural” must be given its natural and ordinary meaning wherever it appears in the Code, unless the context requires otherwise.

The natural and ordinary meaning of “agricultural” is “of or relating to agriculture.” New Oxford American Dictionary, 3rd ed. Since the meaning of “agricultural” is tied to the meaning of “agriculture,” one must then look to the applicable definition of “agriculture” to determine to what, precisely, the adjective relates as it is used in the Code. The source for the applicable definition of “agriculture” here is the generally applicable definition of “agriculture” in Tenn. Code Ann. §§ 1-3-105(a)(2)(A) and 43-1-113(b)(1). That definition applies to determine the meaning of “agricultural” wherever “agricultural” appears in the Code, including Title 5 and Title 13. *See Shore v. Maple Lane Farms, LLC*, 411 S.W.3d 405, 427–31 (Tenn. 2013) (applying a previous statutory definition of “agriculture” to the term “agricultural uses” in Tenn. Code Ann. § 13-7-114); Op. Tenn. Att’y Gen. No. 14-79 (Sept. 4, 2014) (discussing the current definition of “agricultural” in Tenn. Code Ann. §§ 1-3-105(a)(2)(A) and 43-1-113(b)(1) in relation to the term “agricultural enterprise” in Tenn. Code Ann. § 13-7-114).

In short, the definition of “agriculture” in Tenn. Code Ann. §§ 1-3-105(a)(2)(A) and 43-1-113(b)(1) applies in determining the meaning of “agricultural” as used in Tenn. Code Ann. § 5-1-118(b), Tenn. Code Ann. § 5-1-122, and Tenn. Code Ann. § 13-7-114.

HERBERT H. SLATERY III
Attorney General and Reporter

ANDRÉE SOPHIA BLUMSTEIN
Solicitor General

JAMES P. URBAN
Assistant Attorney General

Requested by:

The Honorable Mike Bell
State Senator
309 War Memorial Building
Nashville, TN 37243