

SENATE BILL 278

M4

7lr1255
CF HB 586

By: **Senators Middleton, Benson, Guzzone, Mathias, Peters, Reilly, and Smith**

Introduced and read first time: January 20, 2017

Assigned to: Finance and Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2017

CHAPTER _____

1 AN ACT concerning

2 **Maryland Farms and Families Act**

3 FOR the purpose of establishing the Maryland Farms and Families Program in the
4 Department of Agriculture; establishing the purpose of the Program; establishing a
5 Maryland Farms and Families Fund in accordance with certain requirements;
6 requiring the Fund to be used for a certain purpose and in a certain manner;
7 requiring the Governor to include a certain appropriation to the Fund each fiscal
8 year subject to certain limitations; establishing certain qualifications for certain
9 nonprofit organizations to receive a certain grant under the Program; requiring
10 certain grant recipients to report certain information to the Department; authorizing
11 the Department to adopt certain regulations; defining certain terms; and generally
12 relating to grants to nonprofit organizations to match federal nutrition benefits.

13 BY adding to

14 Article – Agriculture

15 Section 10–2001 through 10–2005 to be under the new subtitle “Subtitle 20.
16 Maryland Farms and Families Program”

17 Annotated Code of Maryland

18 (2016 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Agriculture**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



SUBTITLE 20. MARYLAND FARMS AND FAMILIES PROGRAM.

10-2001.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "FMNP" MEANS THE FEDERAL FARMERS MARKET NUTRITION PROGRAM.

(C) "FUND" MEANS THE MARYLAND FARMS AND FAMILIES FUND.

(D) "PROGRAM" MEANS THE MARYLAND FARMS AND FAMILIES PROGRAM.

(E) "SNAP" MEANS THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(F) "WIC" MEANS THE FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.

10-2002.

(A) THERE IS A MARYLAND FARMS AND FAMILIES PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE PROGRAM IS TO DOUBLE THE PURCHASING POWER OF FOOD-INSECURE MARYLAND RESIDENTS WITH LIMITED ACCESS TO FRESH FRUITS AND VEGETABLES AND TO INCREASE REVENUE FOR FARMERS THROUGH REDEMPTION OF FEDERAL NUTRITION BENEFITS AT MARYLAND FARMERS MARKETS.

10-2003.

(A) THERE IS A MARYLAND FARMS AND FAMILIES FUND.

(B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO NONPROFIT ORGANIZATIONS THAT MATCH PURCHASES MADE WITH FMNP, SNAP, AND WIC BENEFITS AT PARTICIPATING FARMERS MARKETS THROUGHOUT THE STATE.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
2 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

3 **(E) THE FUND CONSISTS OF:**

4 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**
5 **AND**

6 **(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
7 **THE BENEFIT OF THE FUND.**

8 **(F) (1) IN ACCORDANCE WITH THIS SUBSECTION, THE FUND SHALL BE**
9 **USED TO PROVIDE GRANTS TO NONPROFIT ORGANIZATIONS THAT MEET THE**
10 **QUALIFICATIONS ESTABLISHED IN § 10-2004 OF THIS SUBTITLE.**

11 **(2) A QUALIFIED NONPROFIT ORGANIZATION THAT RECEIVES A**
12 **GRANT UNDER THIS SECTION:**

13 **(I) SHALL DISTRIBUTE AT LEAST 70% OF THE GRANT MONEY IT**
14 **RECEIVES TO PARTICIPATING MARYLAND FARMERS MARKETS FOR HEALTHY LOCAL**
15 **FOOD INCENTIVES; AND**

16 **(II) MAY NOT USE MORE THAN 30% OF THE GRANT MONEY IT**
17 **RECEIVES FOR STATEWIDE PROGRAM DEVELOPMENT, PROMOTION AND OUTREACH,**
18 **FARMERS MARKET TRAINING AND CAPACITY BUILDING, TECHNICAL ASSISTANCE,**
19 **PROGRAM DATA COLLECTION, EVALUATION, ADMINISTRATION, AND REPORTING.**

20 **(G) ~~THE~~ SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE**
21 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A PROPOSED GENERAL**
22 **FUND APPROPRIATION TO THE FUND OF \$500,000 FOR EACH FISCAL YEAR.**

23 **10-2004.**

24 **(A) A NONPROFIT ORGANIZATION IS QUALIFIED TO RECEIVE A GRANT IN**
25 **ACCORDANCE WITH THIS SUBTITLE IF THE DEPARTMENT DETERMINES THAT THE**
26 **NONPROFIT ORGANIZATION HAS A DEMONSTRATED RECORD OF:**

27 **(1) BUILDING A STATEWIDE NETWORK;**

28 **(2) DESIGNING AND IMPLEMENTING SUCCESSFUL HEALTHY FOOD**
29 **INCENTIVE PROGRAMS THAT CONNECT FEDERAL FOOD BENEFITS RECIPIENTS WITH**
30 **LOCAL PRODUCERS;**

(3) IMPLEMENTING FUNDS DISTRIBUTING AND REPORTING PROCESSES;

(4) PROVIDING TRAINING AND TECHNICAL ASSISTANCE TO FARMERS MARKETS;

(5) CONDUCTING COMMUNITY OUTREACH AND DATA COLLECTION, INCLUDING CUSTOMER SURVEYS; AND

(6) PROVIDING A FULL ACCOUNTING AND ADMINISTRATION OF FUNDS DISTRIBUTED TO FARMERS MARKETS.

(B) WITHIN 90 DAYS AFTER THE END OF A GRANT CYCLE, A QUALIFIED NONPROFIT ORGANIZATION THAT RECEIVED A GRANT IN ACCORDANCE WITH THIS SUBTITLE SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT INCLUDES THE FOLLOWING INFORMATION:

(1) THE NAMES AND LOCATIONS OF MARYLAND FARMERS MARKETS THAT RECEIVED FUNDS UNDER THE PROGRAM;

(2) THE DOLLAR AMOUNT OF FUNDS AWARDED TO EACH PARTICIPATING FARMERS MARKET;

(3) THE DOLLAR AMOUNT OF FMNP, SNAP, AND WIC BENEFITS, AND FUNDS PROVIDED UNDER THE PROGRAM THAT WERE SPENT AT PARTICIPATING FARMERS MARKETS, AS WELL AS ANY UNSPENT FUNDS;

(4) THE NUMBER OF FMNP, SNAP, AND WIC TRANSACTIONS CARRIED OUT AT PARTICIPATING FARMERS MARKETS; AND

(5) THE IMPACT OF THE PROGRAM ON INCREASING THE QUANTITY OF FRESH FRUITS AND VEGETABLES CONSUMED BY FMNP, SNAP, AND WIC FAMILIES, AS DETERMINED BY CUSTOMER SURVEYS.

10–2005.

THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.