

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL**No. 1321**

Introduced by Assembly Member Ting
(Principal coauthor: Assembly Member Bonta)
(Principal coauthor: Senator Wolk)
(Coauthors: Assembly Members Levine and Perea)

February 27, 2015

An act to add Chapter 13 (commencing with Section 49010) to Division 17 of the Food and Agricultural Code, relating to food and agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1321, as introduced, Ting. Nutrition Incentive Matching Grant Program.

Existing law establishes the Office of Farm to Fork within the Department of Food and Agriculture, and requires the office, to the extent that resources are available, to work with various entities, including, among others, the agricultural industry and other organizations involved in promoting food access, to increase the amount of agricultural products available to underserved communities and schools in the state. Existing law requires the office to, among other things, identify urban and rural communities that lack access to healthy food, and to coordinate with local, state, and federal agencies to promote and increase awareness of programs that promote greater food access. Existing law creates the Farm to Fork Account in the Department of Food and Agriculture Fund that would consist of money made available from federal, state, industry, and other sources, and would continuously appropriate the money deposited in the account without regard to fiscal years to carry out the purposes of the Office of Farm to Fork.

This bill would establish the Nutrition Incentive Matching Grant Program in the Office of Farm to Fork, and would create the Nutrition Incentive Matching Grant Account in the Farm to Fork Account to collect matching funds received from a specified federal grant program and funds from other public and private sources to provide grants under the Nutrition Incentive Matching Grant Program and to administer the Nutrition Incentive Matching Grant Program. The bill would require that moneys in the Nutrition Incentive Matching Grant Account be awarded in the form of grants to qualified entities, as defined, for consumer incentive programs, as defined, subject to an appropriation in the annual Budget Act and in accordance with certain priorities. The bill would require the Office of Farm to Fork to establish minimum standards, funding schedules, and procedures for awarding grants, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 13 (commencing with Section 49010)
2 is added to Division 17 of the Food and Agricultural Code, to read:

3
4 CHAPTER 13. NUTRITION INCENTIVE MATCHING GRANT
5 PROGRAM
6

7 49010. This chapter shall be known, and may be cited, as the
8 California Nutrition Incentives Act.

9 49011. The Nutrition Incentive Matching Grant Program is
10 hereby established in the Office of Farm to Fork for purposes of
11 encouraging the purchase and consumption of California fresh
12 fruits, nuts, and vegetables by directly linking California fresh
13 fruit, nut, and vegetable producers with nutrition benefit clients.

14 49012. For purposes of this article, the following definitions
15 shall apply:

16 (a) "Nutrition benefit client" means a person who receives
17 services or payments through any of the following:

18 (1) California Special Supplemental Food Program for Women,
19 Infants, and Children, as described in Section 123280 of the Health
20 and Safety Code.

1 (2) CalWORKS program, as described in Chapter 2
2 (commencing with Section 11200) of Part 3 of Division 9 of the
3 Welfare and Institutions Code.

4 (3) CalFresh, as described in Section 18900.2 of the Welfare
5 and Institutions Code.

6 (4) Implementation of the federal WIC Farmers' Market
7 Nutrition Act of 1992 (Public Law 102-314).

8 (5) The Senior Farmers' Market Nutrition Program, as described
9 in Section 3007 of Title 7 of the United States Code.

10 (6) Supplemental Security Income or State Supplementary
11 Payment, as described in Section 1381 et seq. of Title 42 of the
12 United States Code.

13 (b) "Qualified entity," for purposes of this article, means either
14 of the following:

15 (1) A certified farmers' market, as described in Section 47004,
16 an association of certified producers, or a nonprofit organization
17 representing a collective or association of certified producers that
18 is authorized by the United States Department of Agriculture to
19 accept federal Supplemental Nutrition Assistance Program (Chapter
20 51 (commencing with Section 2011) of Title 7 of the United States
21 Code) benefits from recipient purchasers at a farmers' market.
22 Certified producers shall be certified by the county agricultural
23 commissioner pursuant to Section 47020.

24 (2) A small business, as defined in Section 14837 of the
25 Government Code, that sells California grown fresh fruits, nuts,
26 and vegetables and that is authorized to accept nutrition benefits
27 from any of the programs listed in paragraphs (1) to (6), inclusive,
28 of subdivision (a).

29 (c) "Consumer incentive program" means a program
30 administered by a qualified entity that doubles the purchasing value
31 of a nutrition benefit client's benefits when the benefits are used
32 to purchase California fresh fruits, nuts, and vegetables.

33 49013. The Nutrition Incentive Matching Grant Account is
34 hereby created in the Farm to Fork Account to collect matching
35 funds from the federal Food Insecurity Nutrition Incentives Grant
36 Program (7 U.S.C. Sec. 7517), and other public and private sources,
37 to provide grants under the Nutrition Incentive Matching Grant
38 Program and to administer the Nutrition Incentive Matching Grant
39 Program in accordance with all of the following:

(a) Subject to the regulations adopted by the National Institute of Food and Agriculture in the United States Department of Agriculture in accordance with the federal Agricultural Act of 2014 (Public Law 113-79) and an appropriation in the annual Budget Act, moneys in the Nutrition Incentive Matching Account shall be awarded in the form of grants to qualified entities for consumer incentive programs.

(b) (1) The Office of Farm to Fork shall establish minimum standards, funding schedules, and procedures for awarding grants in consultation with the United States Department of Agriculture and other interested stakeholders, including, but not limited to, the State Department of Public Health, State Department of Social Services, organizations with expertise in nutrition benefit programs or consumer incentive programs, small business owners that may qualify as a qualified entity, and certified farmers' market operators.

(2) The department shall not use more than one-third of the Nutrition Incentive Matching Grant Program funds for consumer incentive programs with entities described in paragraph (2) of subdivision (b) of Section 49012.

(c) Priority in the awarding of grants by the department to qualified entities shall be based on, but not limited to, the following:

(1) The degree of the existence of the following demographic conditions and the character of the communities in which sales of California grown fresh fruits, nuts, and vegetables are made to the public by authorized vendors operating in conjunction with a qualified entity:

(A) The number of people who are eligible for, or receiving, nutrition benefit program services.

(B) The prevalence of diabetes, obesity, and other diet-related illnesses.

(C) The availability of access to fresh fruits, nuts, and vegetables.

(2) Demonstrated efficiency in the administration of a consumer incentive program.

(3) The service of an area of population currently not being served by a consumer incentive program.

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