

# HOUSE BILL 84

M4, B1

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CF SB 483

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By: **Delegates Charkoudian, Hettleman, Feldmark, Glenn, Guyton, Hill, Jackson, Korman, Lehman, R. Lewis, Lierman, McIntosh, Queen, Smith, Stewart, Terrasa, Washington, C. Watson, and Wilkins**

Introduced and read first time: January 17, 2019

Assigned to: Environment and Transportation

Reassigned: Appropriations, January 21, 2019

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant**  
3 **Qualifications – Alterations**

4 FOR the purpose of altering the purpose and use of the Maryland Farms and Families  
5 Fund; requiring the Governor to include a certain appropriation to the Fund in the  
6 annual budget bill each fiscal year, beginning in a certain fiscal year; providing that  
7 the appropriation is in addition to certain other funding for a certain division in the  
8 Department of Agriculture; altering certain qualifications for certain nonprofit  
9 organizations to receive a certain grant from the Fund; making stylistic changes; and  
10 generally relating to the Maryland Farms and Families Fund.

11 BY repealing and reenacting, without amendments,  
12 Article – Agriculture  
13 Section 10–2001 and 10–2002  
14 Annotated Code of Maryland  
15 (2016 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Agriculture  
18 Section 10–2003 and 10–2004  
19 Annotated Code of Maryland  
20 (2016 Replacement Volume and 2018 Supplement)

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### 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.



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

3 **Article – Agriculture**

4 10–2001.

- 5 (a) In this subtitle the following words have the meanings indicated.
- 6 (b) “FMNP” means the federal Farmers Market Nutrition Program.
- 7 (c) “Fund” means the Maryland Farms and Families Fund.
- 8 (d) “Program” means the Maryland Farms and Families Program.
- 9 (e) “SNAP” means the federal Supplemental Nutrition Assistance Program.
- 10 (f) “WIC” means the federal Special Supplemental Food Program for Women,  
11 Infants, and Children.

12 10–2002.

- 13 (a) There is a Maryland Farms and Families Program in the Department.
- 14 (b) The purpose of the Program is to double the purchasing power of food–insecure  
15 Maryland residents with limited access to fresh fruits and vegetables and to increase  
16 revenue for farmers through redemption of federal nutrition benefits at Maryland farmers  
17 markets.

18 10–2003.

- 19 (a) There is a Maryland Farms and Families Fund.
- 20 (b) The purpose of the Fund is to provide grants to [nonprofit]:

21 **(1) NONPROFIT** organizations that match purchases made with FMNP,  
22 SNAP, and WIC benefits at participating farmers markets [throughout the State];

23 **(2) NONPROFIT FARMERS MARKETS TO IMPLEMENT THE PROGRAM**  
24 **AT THE FARMERS MARKETS; AND**

25 **(3) LOCAL NONPROFIT ORGANIZATIONS TO IMPLEMENT THE**  
26 **PROGRAM IN PARTNERSHIP WITH ONE OR MORE PARTICIPATING LOCAL FARMERS**  
27 **MARKETS.**

1 (c) The Secretary shall administer the Fund.

2 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of  
3 the State Finance and Procurement Article.

4 (2) The State Treasurer shall hold the Fund separately, and the  
5 Comptroller shall account for the Fund.

6 (e) The Fund consists of:

7 (1) Money appropriated in the State budget to the Fund; and

8 (2) Any other money from any other source accepted for the benefit of the  
9 Fund.

10 (f) (1) In accordance with this subsection, the Fund shall be used to provide  
11 grants to [nonprofit organizations that meet the qualifications established in § 10–2004 of  
12 this subtitle]:

13 (I) **NONPROFIT ORGANIZATIONS THAT:**

14 1. **MEET THE QUALIFICATIONS ESTABLISHED IN §**  
15 **10–2004 OF THIS SUBTITLE; AND**

16 2. **DISTRIBUTE THE GRANT MONEY TO FARMERS**  
17 **MARKETS AND LOCAL NONPROFIT ORGANIZATIONS IN ACCORDANCE WITH THIS**  
18 **SUBTITLE;**

19 (II) **NONPROFIT FARMERS MARKETS TO IMPLEMENT THE**  
20 **PROGRAM AT THE FARMERS MARKETS; AND**

21 (III) **LOCAL NONPROFIT ORGANIZATIONS TO IMPLEMENT THE**  
22 **PROGRAM IN PARTNERSHIP WITH ONE OR MORE LOCAL FARMERS MARKETS.**

23 (2) A qualified nonprofit organization that receives a grant under this  
24 section:

25 (i) Shall distribute at least 70% of the grant money it receives [to  
26 participating Maryland farmers markets for healthy local food incentives] **DIRECTLY TO**  
27 **PARTICIPATING FARMERS MARKETS AS MATCHING DOLLARS FOR PURCHASES MADE**  
28 **WITH FMNP, SNAP, AND WIC BENEFITS; and**

29 (ii) May not use more than 30% of the grant money it receives for  
30 [statewide] Program development, promotion and outreach, farmers market training and  
31 capacity building, technical assistance, program data collection, evaluation,  
32 administration, and reporting.

1 (g) **(1)** [Subject to the limitations of the State budget] ~~FOR SUBJECT TO~~  
 2 **PARAGRAPH (2) OF THIS SUBSECTION, FOR FISCAL YEAR 2021 AND EACH FISCAL**  
 3 **YEAR THEREAFTER**, the Governor shall include in the annual budget bill [a proposed  
 4 General Fund] **AN** appropriation ~~OF \$500,000~~ **\$100,000** to the Fund [of \$500,000 for each  
 5 fiscal year].

6 **(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS**  
 7 **SUBSECTION SHALL BE IN ADDITION TO, AND MAY NOT SUPPLANT, ANY FUNDING**  
 8 **APPROPRIATED TO THE MARKETING AND PROMOTION DIVISION IN THE**  
 9 **DEPARTMENT.**

10 10–2004.

11 (a) A nonprofit organization is qualified to receive a grant in accordance with this  
 12 subtitle if the Department determines that the nonprofit organization has a demonstrated  
 13 record of:

14 (1) [Building a statewide network;

15 (2)] Designing and implementing successful healthy food incentive  
 16 programs that connect federal food benefits recipients with local producers;

17 [(3)] (2) Implementing funds distributing and reporting processes;

18 [(4)] (3) Providing training and technical assistance to farmers markets;

19 [(5)] (4) Conducting community outreach and data collection, including  
 20 customer surveys; and

21 [(6)] (5) Providing a full accounting and administration of funds  
 22 distributed to farmers markets.

23 (b) Within 90 days after the end of a grant cycle, a qualified nonprofit  
 24 organization that received a grant in accordance with this subtitle shall submit a report to  
 25 the Department that includes the following information:

26 (1) The names and locations of Maryland farmers markets that received  
 27 funds under the Program;

28 (2) The dollar amount of funds awarded to each participating farmers  
 29 market;

30 (3) The dollar amount of FMNP, SNAP, and WIC benefits, and funds  
 31 provided under the Program that were spent at participating farmers markets, as well as  
 32 any unspent funds;

1           (4)    The number of FMNP, SNAP, and WIC transactions carried out at  
2 participating farmers markets; and

3           (5)    The impact of the Program on increasing the quantity of fresh fruits  
4 and vegetables consumed by FMNP, SNAP, and WIC families, as determined by customer  
5 surveys.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
7 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.