

Chapter 574

(House Bill 84)

AN ACT concerning

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

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

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

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

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

Article – Agriculture

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]:

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

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

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

(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.

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

(e) The Fund consists of:

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

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

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

(I) NONPROFIT ORGANIZATIONS THAT:

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

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

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

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

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

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

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

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

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

10–2004.

(a) **(1)** A nonprofit organization is qualified to receive a grant in accordance with this subtitle if the Department determines that the nonprofit organization has a demonstrated record of:

- ~~(1)~~ **(I)** [Building a statewide network;
- (2) Designing and implementing successful healthy food incentive programs that connect federal food benefits recipients with local producers;
- ~~[(3)] ~~(2)~~~~ **(II)** Implementing funds distributing and reporting processes;
- ~~[(4)] ~~(3)~~~~ **(III)** Providing training and technical assistance to farmers markets;
- ~~[(5)] ~~(4)~~~~ **(IV)** Conducting community outreach and data collection, including customer surveys; and
- ~~[(6)] ~~(5)~~~~ **(V)** Providing a full accounting and administration of funds distributed to farmers markets.

(2) IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, IN AWARDING A GRANT IN ACCORDANCE WITH THIS SUBTITLE, THE DEPARTMENT MAY CONSIDER WHETHER THE NONPROFIT ORGANIZATION HAS A DEMONSTRATED RECORD OF PROVIDING SERVICES IN FOOD DESERTS.

(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.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.