

FIRST REGULAR SESSION

# HOUSE BILL NO. 752

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEVENS (46).

1537H.03I

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 208.285, RSMo, and to enact in lieu thereof one new section relating to the Missouri farmers' market nutrition program.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 208.285, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.285, to read as follows:

208.285. 1. The department of agriculture shall apply for a grant under the United States Department of Agriculture's Senior Farmers' Market Nutrition Program **and apply for a grant and submit a state plan under the United States Department of Agriculture's Women, Infants and Children (WIC) Farmers' Market Nutrition Program** to provide low-income seniors **and pregnant and postpartum women, infants, and children under five years of age who are found to be at nutritional risk** with vouchers or other approved and acceptable methods of payment including, but not limited to, electronic cards that may be used to purchase eligible foods at farmers' markets~~[- roadside stands, and community-supported agriculture (CSA) programs]~~.

2. There is hereby established the "Missouri ~~[Senior]~~ Farmers' Market Nutrition Program" within the department of agriculture. Upon receipt of any grant moneys under subsection 1 of this section, the program shall supply Missouri-grown, fresh produce to ~~[senior]~~ participants through the distribution of vouchers or other approved methods of payment that may be used only at designated Missouri farmers' markets~~[- roadside stands, and CSA programs]~~. The program is designed to provide a supplemental source of fresh produce for the dietary needs of low-income seniors **and pregnant and postpartum women, infants, and children under five years of age who are found to be at nutritional risk**; to stimulate an increased demand for

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 Missouri-grown produce at farmers' markets[, roadside stands, and CSA programs]; and to  
19 develop new and additional farmers' markets[, roadside stands, and CSA programs].

20 3. Eligible seniors **and pregnant and postpartum women, infants, and children**  
21 **under five years of age who are found to be at nutritional risk** shall receive [senior] farmers'  
22 market nutrition program vouchers or other approved methods of payment from designated  
23 distribution sites in their county of residence **or a neighboring county**. Upon the issuance of  
24 vouchers or other approved methods of payment, participants shall be provided with a list of  
25 participating farmers[,] **and farmers' markets[, roadside stands, and CSA programs]**. ~~The~~  
26 ~~department shall provide distribution site information at all county area agencies on aging].~~

27 4. For purposes of this section, "[senior] participant" means a person who is sixty years  
28 of age or older [by December thirty-first of the program year] **at the time of application** and  
29 who meets the income eligibility criteria based on guidelines published annually by the United  
30 States Department of Agriculture **or a person who participates in the women, infants and**  
31 **children (WIC) special supplemental nutrition program administered by the department**  
32 **of health and senior services.**

33 5. **The department of agriculture and any other state department, state or local**  
34 **government agency, or nonprofit entity participating in the Missouri farmers' market**  
35 **nutrition program shall cooperate as necessary including, but not limited to, entering into**  
36 **written agreements in order to effectively establish and maintain the United States**  
37 **Department of Agriculture's Senior Farmers' Market and the Women, Infants and**  
38 **Children (WIC) Farmers' Market Nutrition Programs.**

39 6. The department may promulgate rules to implement the provisions of this section.  
40 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
41 authority delegated in this section shall become effective only if it complies with and is subject  
42 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
43 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant  
44 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
45 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed  
46 or adopted after August 28, [2018] **2019**, shall be invalid and void.

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