

117TH CONGRESS
1ST SESSION

S. 1092

To direct the Secretary of Agriculture to establish a program under which the Secretary awards grants to States or State departments of agriculture for the purpose of providing support to agricultural fairs for losses sustained due to COVID–19.

IN THE SENATE OF THE UNITED STATES

APRIL 13, 2021

Ms. SMITH (for herself and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To direct the Secretary of Agriculture to establish a program under which the Secretary awards grants to States or State departments of agriculture for the purpose of providing support to agricultural fairs for losses sustained due to COVID–19.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Agricultural Fairs Res-

5 cue Act”.

6 **SEC. 2. AGRICULTURAL FAIR RESCUE GRANTS.**

7 (a) DEFINITIONS.—In this section:

1 (1) COVID–19 NATIONAL EMERGENCY.—The
2 term “COVID–19 national emergency” means the
3 national emergency declared by the President under
4 the National Emergencies Act (50 U.S.C. 1601 et
5 seq.) on March 13, 2020, with respect to the
6 Coronavirus Disease 2019 (COVID–19).

7 (2) ELIGIBLE AGRICULTURAL FAIR.—The term
8 “eligible agricultural fair” means a local, county, or
9 State fair that—

10 (A) is—

11 (i) a subunit of a government entity;

12 (ii) a public corporation organized and
13 existing pursuant to State law; or

14 (iii) owned and operated as an organi-
15 zation described in section 501(c) of the
16 Internal Revenue Code of 1986 and ex-
17 empt from taxation under section 501(a)
18 of that Code; and

19 (B) helps farmers, ranchers, or foresters—

20 (i) promote their products; or

21 (ii) expand agricultural markets
22 through conservation programs, agricul-
23 tural research, educational programs, or
24 other events that encourage agriculture,
25 horticulture, and the domestic arts.

1 (3) STATE.—The term “State” means—

2 (A) each of the several States;

3 (B) the District of Columbia;

4 (C) the Commonwealth of Puerto Rico;

5 (D) Guam;

6 (E) American Samoa;

7 (F) the United States Virgin Islands; and

8 (G) the Commonwealth of the Northern
9 Mariana Islands.

10 (4) STATE DEPARTMENT OF AGRICULTURE.—

11 The term “State department of agriculture”
12 means—

13 (A) the agency, commission, or department
14 of a State government responsible for agri-
15 culture in the State; or

16 (B) another appropriate State agency as-
17 signed with the promotion of agricultural fairs.

18 (b) AUTHORIZATION FOR GRANTS.—Not later than
19 September 30, 2021, the Secretary of Agriculture, acting
20 through the Administrator of the Agricultural Marketing
21 Service, shall award a grant to each State department of
22 agriculture for the purpose of providing support to eligible
23 agricultural fairs for losses sustained by those eligible ag-
24 ricultural fairs due to COVID–19.

1 (c) AMOUNT OF GRANT.—The amount of a grant to
2 a State department of agriculture under this section shall
3 be based on the difference between—

4 (1) the average attendance at agricultural fairs
5 in the applicable State for—

6 (A) a calendar year occurring during the
7 3-calendar-year period beginning with calendar
8 year 2017; or

9 (B) if attendance data is not available for
10 the entire 3-calendar-year period described in
11 subparagraph (A), a period shorter than a cal-
12 endar year occurring during that 3-calendar-
13 year period; and

14 (2) the average attendance at agricultural fairs
15 in the applicable State for calendar year 2020.

16 (d) CONDITIONS.—As a condition on the receipt of
17 a grant under this section, a State department of agri-
18 culture shall agree—

19 (1) to prioritize supporting eligible agricultural
20 fairs in the State facing the greatest financial hard-
21 ship; and

22 (2) to use not more than 5 percent of grant
23 funds for administrative costs incurred in providing
24 support to eligible agricultural fairs.

1 (e) USE OF FUNDS.—A State department of agri-
2 culture that receives a grant under this section may only
3 use grant funds to assist eligible agricultural fairs that—

4 (1) host annual events that are drivers and pro-
5 moters of agribusiness in the State (as determined
6 by the State);

7 (2) have experienced a closure, stoppage, or
8 cancellation of local, county, or State fair operations
9 as a direct or indirect result of—

10 (A) the COVID–19 national emergency; or

11 (B) any associated actions taken by any
12 governmental authority at the Federal, State,
13 county, or municipal level in response to that
14 national emergency;

15 (3) agree to, and demonstrate the intent to, re-
16 establish a fair not later than 18 months after the
17 termination of the COVID–19 national emergency;

18 (4) agree to use all grant funds during the 18-
19 month period that begins on the date on which those
20 funds are received;

21 (5) agree to use funds received under this sec-
22 tion—

23 (A) for operating capital expenses;

1 (B) to reimburse operating expenses paid
 2 from reserves not originally intended for oper-
 3 ating expenses;

4 (C) to repay indebtedness incurred to pay
 5 operating expenses; or

6 (D) to repay other third parties that con-
 7 tributed to funding operating expenses; and

8 (6) agree not to use funds received under this
 9 section for capital improvements.

10 (f) FUNDING.—

11 (1) IN GENERAL.—There is authorized to be
 12 appropriated to make grants under this section
 13 \$500,000,000 for—

14 (A) fiscal year 2021;

15 (B) each succeeding fiscal year occurring
 16 during the COVID–19 national emergency; and

17 (C) the first fiscal year immediately fol-
 18 lowing the fiscal year in which the COVID–19
 19 national emergency is terminated.

20 (2) ADMINISTRATIVE EXPENSES.—Of the funds
 21 made available under paragraph (1) to carry out this
 22 section for a fiscal year, not more than 8 percent
 23 may be used for expenses related to administering
 24 the program under this section.

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