

S.1205 - Local Farms and Food Act of 2023

118th Congress (2023-2024) | [Get alerts](#)

Sponsor: [Sen. Brown, Sherrod \[D-OH\]](#) (Introduced 04/19/2023)

Committees: Senate - Agriculture, Nutrition, and Forestry

Latest Action: Senate - 04/19/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. ([All Actions](#))

Tracker: 

Introduced > Passed Senate > Passed House > To President > Became Law

Summary(0) **Text(1)** Actions(1) Titles(2) Amendments(0) Cosponsors(6) Committees(1) Related Bills(1)



There is one version of the bill. **Text available as:** XML/HTML | [XML/HTML \(new window\)](#) | [TXT](#) | [PDF \(239KB\)](#) 

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Introduced in Senate (04/19/2023)

118TH CONGRESS
1ST SESSION

S. 1205

To modify market development programs under the Department of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2023

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

A BILL

To modify market development programs under the Department of Agriculture, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Local Farms and Food Act of 2023”.

SEC. 2. LOCAL AGRICULTURE MARKET PROGRAM REFORM.

Section 210A of the Agricultural Marketing Act of 1946 ([7 U.S.C. 1627c](#)) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (5) through (13) as paragraphs (6) through (14), respectively; and

(B) by inserting after paragraph (4) the following:

“(5) FOOD HUB.—The term ‘food hub’ means a business or organization that actively manages the aggregation, distribution, and marketing of source-identified food products to multiple buyers from multiple producers, who are primarily local and regional producers, to strengthen the ability of those producers to satisfy local and regional wholesale, retail, and institutional demands.”;

(2) in subsection (b)(4), by inserting “, regional food chain coordination,” after “collaboration”;

(3) in subsection (c)(4), by striking “stakeholders.” and inserting “stakeholders, including eligible entities described in subsection (d)(6)(B) that receive a grant by submitting an application under subsection (d)(6)(D) through a competitive cooperative agreement with a nongovernmental organization, before and after providing grants under the Program.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “2019 through 2023” and inserting “2024 through 2028”;

(B) in paragraph (2)—

(i) in subparagraph (I), by striking “or” at the end;

(ii) in subparagraph (J)(ii), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(K) to support the purchase of general purpose equipment; or

“(L) to support the logistics required for the redemption of Federal nutrition benefits at direct producer-to-consumer markets.”;

(C) in paragraph (5)(E)—

(i) by striking “An eligible entity” and inserting the following:

“(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity”;

and

(ii) by adding at the end the following:

“(ii) EXCEPTION.—

“(I) IN GENERAL.—An eligible entity described in subparagraph (B) that has an adjusted gross income of not more than \$250,000 averaged over the previous 3 years shall contribute an amount of non-Federal funds in the form of cash or an in-kind contribution that is equal to 25 percent of the amount of Federal funds received.

“(II) LIMITATION.—The amount of Federal funds received under a grant by an eligible entity that provides a reduced non-Federal contribution in accordance with subclause (I) may not exceed \$200,000.

“(III) REQUIRED DOCUMENTATION.—The Secretary shall consider a letter from an accountant stating that the adjusted gross income of an eligible entity described in subparagraph (B) is not more than \$250,000 averaged over the previous 3 years, based on the line on Internal Revenue Service form 1040 that describes adjusted gross income, sufficient to demonstrate eligibility for a reduced non-Federal contribution under subclause (I).”; and

(D) in paragraph (6)—

(i) in subparagraph (B)—

(I) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(II) by inserting after clause (vi) the following:

“(vii) a food hub.”;

(ii) in subparagraph (C)—

(I) in the matter preceding clause (i), by inserting “, outreach, and technical assistance” after “applications”;

(II) in clause (i)—

(aa) by inserting “would” before “benefit”; and

(bb) by striking “or” at the end;

(III) by redesignating clause (ii) as clause (iii);

(IV) by inserting after clause (i) the following:

“(ii) would provide greater geographic balance relative to the benefits of the Program; or”; and

(V) in clause (iii) (as so redesignated), by striking “are used” and inserting “would be used”;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(iv) by inserting after subparagraph (C) the following:

“(D) SIMPLIFIED APPLICATIONS.—

“(i) IN GENERAL.—The Secretary shall establish a simplified ‘turnkey’ application form for eligible entities described in subparagraph (B) that—

“(I) request less than \$100,000; and

“(II) chose from the project categories described in clause (ii), which shall include a specific, limited set of key activities with predefined requirements established by the Secretary.

“(ii) PROJECT CATEGORIES.—

“(I) DIRECT-TO-CONSUMER PROJECTS.—In the case of a direct-to-consumer project, an application form described in clause (i) shall be available for the following categories of projects:

“(aa) An outreach and promotion project.

“(bb) A project to provide funding for farmers market manager staff time.

“(cc) A project to provide vendor training.

“(dd) A planning and design project.

“(ee) A data collection and evaluation project.

“(II) LOCAL AND REGIONAL FOOD MARKETS AND ENTERPRISE PROJECTS.—In the case of a local and regional food market and enterprise project, an application form described in clause (i) shall be available for the following categories of projects:

“(aa) A food hub feasibility study project.

“(bb) A project to provide funding for regional food chain coordination staff time.

“(cc) A project to provide technical assistance.

“(dd) A data collection and evaluation project.

“(ee) A project to purchase general purpose equipment.

“(iii) GENERAL PURPOSE EQUIPMENT GRANTS.—In the case of a project described in clause (ii)(II)(ee), the Secretary, acting through the Administrator of the Agricultural Marketing Service, in coordination with the Administrator of the Rural Business-Cooperative Service, shall fulfill the applicable documentation and monitoring requirements under sections 200.313 and 200.439 of title 2, Code of Federal Regulations (as in effect on the date of enactment of this clause).”; and

(v) in subparagraph (E) (as so redesignated), by striking clause (ii) and inserting the following:

“(ii) EXCEPTION.—An eligible entity described in subparagraph (B) may use—

“(I) not more than \$100,000 of the amount of a grant for an eligible activity described in subparagraph (J) or (K) of paragraph (2)—

“(aa) to purchase or upgrade equipment to improve food safety; or

“(bb) to purchase general purpose equipment; and

“(II) any amount of a grant to purchase general purpose equipment in accordance with subparagraph (D)(ii)(II)(ee).”;

(5) in subsection (e)(2)(A), by striking “2019” and all that follows through the period at the end and inserting the following: “2024 through 2028 to support partnerships—

“(i) to plan a local or regional food system;

“(ii) to implement a local or regional food system plan;

“(iii) to develop and implement a regional food chain coordination project; and

“(iv) to develop and implement a regional outreach, technical assistance, and evaluation project.”;

(6) in subsection (f)(1)—

(A) in subparagraph (A), by striking “subsection (d); or” and inserting “subsection (d)(5);”

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) are eligible to submit an application in accordance with subsection (d)(6)(D); or”; and

(7) in subsection (i)—

(A) in paragraph (1), by striking “\$50,000,000 for fiscal year 2019” and inserting “\$75,000,000 for fiscal year 2024”;

(B) in paragraph (2), by striking “\$20,000,000 for fiscal year 2019” and inserting “\$30,000,000 for fiscal year 2024”; and

(C) in paragraph (3)(B)—

(i) by striking “Of the funds” and inserting the following:

“(i) IN GENERAL.—Of the funds”; and

(ii) by adding at the end the following:

“(ii) SIMPLIFIED APPLICATIONS.—Of the funds made available for grants under subsection (d)(6) for a fiscal year, not less than 25 percent, and not more than 50 percent, shall be used to provide grants to eligible entities that submit an application in accordance with subsection (d)(6)(D).”.

SEC. 3. FUNDING FOR THE SENIORS FARMERS' MARKET NUTRITION PROGRAM.

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 ([7 U.S.C. 3007\(a\)](#)) is amended by striking “Of the funds” and all that follows through the period at the end and inserting the following:

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers' market nutrition program \$20,600,000 for each of fiscal years 2024 through 2028.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2024 through 2028.”.

SEC. 4. FEDERAL SHARE FOR ACTIVITIES UNDER GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM.

Section 4405(b)(1)(C) of the Food, Conservation, and Energy Act of 2008 ([7 U.S.C. 7517\(b\)\(1\)\(C\)](#)) is amended by striking “50” and inserting “75”.

SEC. 5. PANEL TO REVIEW PRODUCE PRESCRIPTION PROGRAM APPLICATIONS.

Section 4405(c)(3) of the Food, Conservation, and Energy Act of 2008 ([7 U.S.C. 7517\(c\)\(3\)](#)) is amended by adding at the end the following:

“(C) PANEL TO REVIEW APPLICATIONS.—

“(i) IN GENERAL.—The Secretary shall establish a panel—

“(I) to review applications submitted to the Secretary pursuant to this paragraph; and

“(II) to make recommendations to the Secretary with respect to those applications.

“(ii) MEMBERS.—The panel required under clause (i) shall include—

“(I) at least 1 member with experience as a healthcare provider; and

“(II) at least 1 member with experience administering health plans.”.