

STATE OF NEW YORK

8707

IN SENATE

January 7, 2026

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing farm security resiliency grant awards for farm employers who have suffered eligible losses as a result of eligible weather conditions or events

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The agriculture and markets law is amended by adding a new
2 article 26-D to read as follows:

ARTICLE 26-D

FARM SECURITY RESILIENCY GRANT AWARDS

Section 440. Definitions.

6 441. Farm security resiliency grant awards board.

7 442. Powers and duties of the board.

8 443. Application process.

9 444. Grant awards.

10 445. Reporting.

11 § 440. Definitions. For purposes of this article, the following terms
12 shall have the following meanings:

13 1. "Farm security resiliency grant award board", or "board", shall
14 mean the farm security resiliency grant award board established pursuant
15 to section four hundred forty-one of this article.

16 2. "Eligible weather condition" shall mean any of the following weath-
17 er conditions:

18 (a) high winds;

19 (b) excessive moisture or precipitation, including hail, flooding, or
20 excessive snowfall;

21 (c) prolonged lack of precipitation, including drought;

22 (d) extreme temperatures including heat or freeze conditions;

23 (e) widespread fire; or

24 (f) any other severe weather or growing condition determined by the
25 board to substantially impact agricultural income.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 3. "Eligible losses" shall mean income lost or costs incurred as a
2 result of eligible weather conditions, including:

- 3 (a) lost wages or other compensation;
4 (b) lost income from destroyed crops, livestock, or other agricultural
5 products;
6 (c) debt payment or other ongoing costs;
7 (d) costs of replanting;
8 (e) costs of replacing livestock feed;
9 (f) infrastructure or equipment repair or replacement costs;
10 (g) farm road or access road repair costs;
11 (h) other losses as determined by the commissioner in consultation
12 with the review board.

13 4. "Farm employer" shall mean a corporation, including a New York S
14 corporation, a sole proprietorship, a limited liability company, or a
15 partnership whose principal business is farming activity.

16 § 441. Farm security resiliency grant awards board. 1. There shall be
17 established within the department the farm security resiliency grant
18 awards board for purposes of making recommendations to the commissioner
19 for grant awards pursuant to section four hundred forty-four of this
20 article.

21 2. The board shall consist of seven members selected for their experi-
22 ence and expertise related to areas of board responsibility and
23 comprised of diverse members of the agriculture industry, including:

- 24 (a) the commissioner or the commissioner's designee;
25 (b) the commissioner of the division of homeland security and emergen-
26 cy services or such commissioner's designee;
27 (c) three representatives of agricultural organizations with demon-
28 strated experience offering technical assistance to or advocacy on
29 behalf of farmers, to be appointed by the commissioner; and
30 (d) two current farmers, to be appointed by the commissioner.

31 3. The terms of office of members of the board shall be three years.
32 Members of the board may be reappointed for additional terms by the
33 commissioner. Vacancies shall be filled by the commissioner for the
34 remainder of the unexpired term and may be reappointed for additional
35 terms by the commissioner.

36 4. A majority of appointed members of the board shall constitute a
37 quorum.

38 5. The board shall meet at least quarterly and may meet additionally
39 upon request of the commissioner.

40 § 442. Powers and duties of the board. 1. The board shall review all
41 administratively complete applications for grants under this program
42 received from the commissioner at the first board meeting following the
43 board's receipt of such applications.

44 2. The board shall recommend to the commissioner, by majority vote,
45 whether an applicant should receive a grant award pursuant to this arti-
46 cle.

47 3. The board may recommend to the commissioner a modified amount for
48 an award requested by an applicant.

49 § 443. Application process. 1. The commissioner shall develop an
50 application form and process for farm employers to seek grant awards
51 under this article. The application form developed pursuant to this
52 subdivision shall include, but not be limited to, the following informa-
53 tion:

- 54 (a) A description of the damage that occurred;
55 (b) An attestation that an eligible weather condition or event
56 occurred;

1 (c) An estimate of eligible losses, including documentation as
2 required by the commissioner;

3 (d) A year-end report of farm income and expenses from schedule F of
4 United States Internal Revenue Form 1040 for the previous calendar year;
5 and

6 (e) Documentation of any other funds sought or acquired related to the
7 eligible weather condition or eligible losses, such as insurance.

8 2. An application for a grant award under this article may be made at
9 any time and shall be processed in the order such application was
10 received. Applications shall be accepted until all appropriated funds
11 for grant awards pursuant to this article have been awarded for the
12 applicable year.

13 3. An application for a grant award under this article shall be made
14 to the commissioner. The commissioner shall provide such application to
15 the board for review pursuant to section four hundred forty-two of this
16 article as soon as possible upon determination that such application is
17 administratively complete.

18 § 444. Grant awards. 1. Upon receipt of a recommendation from the
19 board pursuant to section four hundred forty-two of this article, the
20 commissioner shall make a determination regarding the approval, disap-
21 proval, or modification of a grant award within thirty calendar days of
22 such board approval.

23 2. In making such determinations, the commissioner may modify the
24 amount of the grant award from the amount requested.

25 3. Within the amount of monies appropriated for such purpose, the
26 commissioner shall award grants to farm employers that have incurred
27 substantial financial losses or substantial increased expenses as a
28 result of eligible weather conditions.

29 4. Grants awarded pursuant to this section shall reimburse a farm
30 employer for up to fifty percent of uninsured or otherwise uncovered
31 eligible losses due to eligible weather conditions up to a maximum award
32 of one hundred fifty thousand dollars per applicant per year.

33 5. Grants awarded pursuant to this section shall be distributed to
34 awardees in a timely manner consistent with all applicable laws and
35 regulations.

36 6. Applicants whose applications are not approved shall receive a
37 written explanation from the commissioner of the reasons why such appli-
38 cation was not approved.

39 § 445. Reporting. 1. By April first of each calendar year, the board
40 shall submit an annual report to the governor and the legislature which
41 includes, but need not be limited to:

42 (a) The total amount of grants awarded pursuant to this article within
43 the previous calendar year;

44 (b) Information regarding the application process, including but not
45 limited to the number of applications received and the number of appli-
46 cations that were approved in the previous calendar year; and

47 (c) Any recommendations for improving the functioning of the program,
48 including ways to improve accessibility for potential applicants.

49 § 2. This act shall take effect on the ninetieth day after it shall
50 have become a law.