STATE OF NEW YORK

8868

IN SENATE

January 12, 2026

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

AN ACT to amend the agriculture and markets law, in relation to enacting the New York state food security purchase and processing act; and making an appropriation therefor

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

Section 1. Short title. This act shall be known and may be cited as the "New York state food security purchase and processing act".

§ 2. Legislative findings and intent. 1. The legislature hereby finds that the COVID-19 pandemic exposed vulnerabilities in national food supply chains and underscored the importance of resilient, local and regional food systems.

2. New York State's farmers, food processors, and emergency food networks have demonstrated their essential roles in maintaining food access during times of disruption.

3. The federal Local Food Purchase Assistance Program has shown the potential of state-facilitated procurement to simultaneously reduce food insecurity and support agricultural viability.

4. The legislature finds that transitioning to a state-funded, permanent food procurement program that requires in-state processing will expand local economic impacts, promote sustainability, and increase food system self-reliance.

5. Therefore, the legislature declares the necessity of establishing a state-level program that purchases food grown or raised by New York farmers, requires processing within New York State, and distributes such food to communities in need.

§ 3. The agriculture and markets law is amended by adding a new article 27-A to read as follows:

ARTICLE 27-A

NEW YORK STATE FOOD SECURITY PURCHASE AND PROCESSING ACT

Section 460. Definitions.

461. Establishment of the New York state food security purchase and processing program.

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

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462. Program requirements.
463. Reporting.

§ 460. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Program" shall mean the New York state food security purchase and processing program established pursuant to section four hundred sixty-one of this article.

2. "Eligible entity" shall mean any food bank, emergency food relief organization, nonprofit food distributor, tribal government, or local municipality approved by the department to receive and distribute food.

3. "New York state food producer" shall mean any person or business that grows, raises, harvests, or processes food within the state.

4. "Processing" shall mean any activity that alters raw agricultural products, including but not limited to cutting, butchering, packaging, freezing, cooking, preserving, or otherwise preparing for consumption, and must occur within the state.

5. "Underserved community" shall mean a geographic area or population experiencing high levels of food insecurity or limited access to fresh and nutritious food, as determined by the department.

§ 461. Establishment of the New York state food security purchase and processing program. 1. The department is hereby authorized and directed to establish and administer the New York state food security purchase and processing program.

2. The purpose of the program shall be to:

(a) purchase food grown and/or raised by New York state food producers;

(b) ensure all food purchased under the program is processed within the state;

(c) distribute such food through eligible entities to communities facing food insecurity;

(d) support historically underserved and socially disadvantaged farmers and food processors; and

(e) strengthen regional food systems and enhance economic development in rural and agricultural communities.

§ 462. Program requirements. 1. Not less than ninety percent of program funds shall be used for the purchase of food that is:

(a) grown or raised within the state; and

(b) processed within the state at a licensed or inspected facility.

2. The department shall prioritize proposals and contracts that demonstrate the following:

(a) involvement of small to mid-sized farms and processors;

(b) support for black, indigenous, and people of color (BIPOC), immigrant, beginning, and historically underserved producers;

(c) provision of culturally appropriate or minimally processed foods; and

(d) contributions to regional food system infrastructure.

3. All procurement agreements shall comply with fair market pricing, food safety standards, and demonstrate a clear plan for food distribution to underserved communities.

§ 463. Reporting. 1. The department shall prepare and submit to the governor, the president of the senate, and the speaker of the assembly an annual report on or before March first of each year, which shall include:

(a) a summary of program expenditures;

(b) quantities and types of food purchased;

(c) geographic distribution of funding;

(d) demographics and types of producers and processors engaged; and

(e) program impact on food insecurity and local food economies.

2. The department is authorized to convene an advisory committee of stakeholders including but not limited to food producers, processors, emergency food providers, and regional food planners, to provide input on program implementation and evaluation.

§ 4. Appropriation. The sum of thirty million dollars ($30,000,000), or so much thereof as may be necessary, is hereby appropriated to the department of agriculture and markets out of any moneys in the state treasury in the general fund not otherwise appropriated, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the State Comptroller on vouchers certified or approved by the commissioner of agriculture and markets.

§ 5. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 6. This act shall take effect immediately.