STATE OF NEW YORK

2767--A

Cal. No. 428

2019-2020 Regular Sessions

IN SENATE

January 29, 2019

Introduced by Sens. COMRIE, BIAGGI, CARLUCCI, HARCKHAM, HOYLMAN, KAPLAN, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law, in relation to expanding the production of fresh fruits and vegetables by community gardens

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

Section 1. Section 31-f of the agriculture and markets law, as added by chapter 528 of the laws of 2013, is amended to read as follows:

§ 31-f. Legislative findings. The legislature hereby finds and declares that community gardens provide significant health, educational and social benefits to the general public, especially for those who reside in urban and suburban areas of this state. Furthermore, it is the articulated public policy of this state to promote and foster growth in the number of community gardens and the acreage of such gardens. The community garden movement continues to provide low cost food that is fresh and nutritious for those who may be unable to readily afford **or have easy access to** fresh fruits and vegetables for themselves or their families, promotes public health and healthier individual lifestyles by encouraging better eating habits and increased physical activity by growing their own food, fosters the retention and expansion of open spaces, particularly in urban environments, enhances urban and suburban environmental quality and community beautification, provides inexpensive community building activities, recreation and physical exercise for all age groups, establishes a safe place for community involvement and helps

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

LBD06133-03-9

to reduce the incidence of crime, engenders a closer relationship between urban residents, nature and their local environment, and fosters green job training and ecological education at all levels. It is therefore the intent of the legislature and the purpose of this article to foster growth in the number, size and scope of community gardens in this state by encouraging state agencies, municipalities and private parties in their efforts to promote community gardens.

§ 2. Paragraph f of subdivision 2 of section 31-h of the agriculture and markets law, as added by chapter 528 of the laws of 2013, is amended to read as follows:

f. Assist, support and encourage communication, and the sharing of resources between community garden organizations [~~and~~], the New York Harvest For New York Kids Week program established by the department pursuant to subdivision five-b of section sixteen of this chapter[~~,~~] and individual farm-to-school and school garden programs**, and, where applicable, the department of health, the department of state, the office of children and family services and the division of housing and community renewal**.

§ 3. Paragraph (a) of subdivision 4 of section 31-j of the agriculture and markets law, as amended by chapter 154 of the laws of 2015, is amended to read as follows:

(a) The goals of the task force may include, but are not limited to, the study, evaluation and development of recommendations: (i) to encourage the establishment and expansion of community gardens by state agencies, municipal governments and private parties, (ii) to encourage cooperation between the activities and operations of community gardens and provision of donated food to local voluntary food assistance programs for the poor and disadvantaged, (iii) to increase the benefits that community gardens may provide to the local community in which they are located, [~~and~~] (iv) to encourage cooperation with community-based organizations to increase the opportunities for seniors, those aged sixty years of age or older, to participate in community gardens**, and (v) to encourage the expansion of the production of fresh fruits and vegetables in areas served by community gardens so that such fresh produce can be consumed locally to help encourage healthier life styles and wellness, and to help reduce the incidence of adult and childhood obesity**.

§ 4. This act shall take effect immediately.