STATE OF NEW YORK

6381

2021-2022 Regular Sessions

IN ASSEMBLY

March 16, 2021

Introduced by M. of A. KELLES -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to providing fresh produce to food deserts in the state

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

Section 1. Section 16 of the agriculture and markets law is amended by adding a new subdivision 52 to read as follows:

52. (a) Establish a program in the state to purchase fresh produce from farms located in the state utilizing all monies appropriated to such program and distribute such fresh produce in areas of the state determined by the commissioner to be food deserts. The commissioner shall promulgate for such program:

(i) eligibility and application criteria for individuals in areas in the state designated as food deserts to receive fresh produce pursuant to the program;

(ii) eligibility and application criteria for farms in the state to register as vendors to expedite the acquisition and distribution of fresh produce from such farms;

(iii) criteria that promotes opportunities for market participation by farmers from under-represented communities, including but not limited to farmers who are black, indigenous, or from communities of color. The program shall promote a consistent demand of products and services from under-represented farmers, including opportunities for farmers who are black, indigenous, or from communities of color to re-establish farm ownership.

(b) As used in this subdivision "food desert" shall have the same meaning as defined by the United States department of agriculture. For the purposes of the program established pursuant to paragraph (a) of this subdivision, the commissioner shall additionally consider readily available access to fresh foods, the socio-economics of an area, and the

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

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distance to food establishments that provide healthy and/or organic foods when determining what areas of the state are considered to be a food desert for the purposes of the program.

(c) The commissioner shall promulgate any rules or regulations necessary to effectuate the provisions of this subdivision.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.