STATE OF NEW YORK

3400

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

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

AN ACT to incentivize the purchase of local produce in supermarkets and grocery stores through the FreshConnect program

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

Section 1. (a) For the purposes of this act the following terms shall have the following meanings:

(i) "local produce" means produce grown by a producer with the pride of New York symbol of the business claiming the local produce tax credit within the state of New York, from seed or conception through final product.

(ii) "producer" means an individual, whether acting individually or through a cooperative, corporation, partnership, business association, or educational institution, who is a farmer, student farmer or manufacturer of foods or goods in New York state. It shall not, however, include a wholesaler or distributor.

(iii) "supermarket" or "grocery store" means a retail store at a given location devoted to the sale of foods, food stuffs and groceries for human consumption regularly and customarily sold in a bona fide manner for consumption off of the premises. The following shall not be considered supermarkets or grocery stores for the purposes of this act: hotels, motels, restaurants, cafeterias, bakeries, caterers, hospitals, assisted living facilities, independent living facilities, nursing homes, hospices, group homes, drug stores, educational institutions, food courts in shopping malls, food retailers at airports or other transportation facilities, gas stations, sports arenas, movie theaters or any other similar establishments.

(b) The commissioner of agriculture and markets shall expand the FreshConnect program, which improves access to local produce by providing certain people with two dollar rebates to be used for the purchase

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

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of further local produce for every five dollars of local produce purchased, to include local produce sold in supermarkets and grocery stores.

§ 2. This act shall take effect on the one hundred eightieth 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 on or before such date.