

STATE OF NEW YORK

2488

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

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

AN ACT to amend the agriculture and markets law and the New York state urban development corporation act, in relation to creating a farm investment fund

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

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

3 52. Cooperate with the empire state development corporation to develop
4 a farm investment fund program to provide grants to farmers for the
5 purposes of making investments in their farm and farm practices, includ-
6 ing, but not limited to, infrastructure, equipment and marketing of farm
7 products. Such investments may also include updating and improving agri-
8 cultural environmental management, as defined in article eleven-A of
9 this chapter, practices, equipment and infrastructure. Farm investment
10 is especially important for farms that are being transitioned from long-
11 time owners to new owners and beginning farmers.

12 § 2. Section 1 of chapter 174 of the laws of 1968, constituting the
13 New York state urban development corporation act, is amended by adding a
14 new section 16-bb to read as follows:

15 § 16-bb. Farm investment fund. 1. The farm investment fund is hereby
16 created. The purpose of the farm investment fund is to make grants to
17 eligible applicants for investments in their farm and farm practices,
18 including, but not limited to, infrastructure, equipment and marketing
19 of farm products. Such investment may also include updating and improv-
20 ing agricultural environmental management, as defined in article
21 eleven-A of the agriculture and markets law, practices, equipment and
22 infrastructure. Farm investment is especially important for farms that
23 are being transitioned from long-time owners to new owners and beginning
24 farmers.

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

LBD04699-01-1

1 2. The corporation shall consult with the department of agriculture
2 and markets in order to establish such criteria governing the award of
3 grants as authorized by this section, as the corporation and such
4 department deem necessary. Such criteria shall include, but not be
5 limited to:

6 (a) farmers who will materially and substantially participate in the
7 production of an agricultural product within a region of the state;

8 (b) farmers who demonstrate innovative plans for investing in their
9 farms that would result in the growth of business within the state and
10 the concomitant creation of jobs and tax revenues for the state; and

11 (c) farmers who have developed a formal business plan.

12 3. The corporation shall establish a competitive rating process for
13 the evaluation of applicants for the farm investment fund. Such rating
14 criteria to be considered for eligibility include, but are not limited
15 to:

16 (a) plans that show concrete steps for growth, protection of assets
17 and sales development;

18 (b) education, including a post secondary degree in an agriculture
19 related field of study or online training; and

20 (c) experience working on a farm.

21 The corporation may give preference to veterans, those transferring a
22 family farm to a new farmer and to farmers expanding an existing farm.
23 When awarding funds pursuant to this section, the corporation shall
24 ensure that applicants meet the criteria and requirements established by
25 the corporation pursuant to this section.

26 4. The farm investment fund shall not invest an amount in any single
27 beneficiary that exceeds fifty thousand dollars, subject to any
28 exceptions to be established by guidelines of the corporation.

29 5. Notwithstanding any provision of law to the contrary, the corpo-
30 ration may establish a program fund for program use and pay into such
31 fund any eligible funds available to the corporation from any source,
32 including moneys appropriated by the state.

33 6. The corporation shall submit a report annually on December thirty-
34 first to the director of the budget, the temporary president of the
35 senate, the speaker of the assembly, the minority leader of the senate
36 and the minority leader of the assembly detailing:

37 (a) the total amount of funds committed to each applicant;

38 (b) the location of each applicant; and

39 (c) such other information as the corporation deems necessary.

40 7. The corporation is hereby authorized to establish guidelines for
41 the administration of the program, including application procedures and
42 disbursement terms. Such guidelines shall require the repayment of funds
43 received by the beneficiary if the beneficiary leaves New York state or
44 otherwise ceases farming activity within five years. Any such repaid
45 moneys shall be returned to the farm investment fund.

46 § 3. Funding for such program shall consist of all revenue received
47 pursuant to an appropriation thereto, and all other monies appropriated,
48 credited or transferred from any other source pursuant to law. Nothing
49 in this section shall be deemed to prevent the state from receiving
50 grants, gifts or bequests for the purpose of the program. Grants shall
51 only be awarded based upon the availability of funds.

52 § 4. This act shall take effect on the first of April next succeeding
53 the date on which it shall have become a law. Effective immediately the
54 addition, amendment and/or repeal of any rule or regulation necessary
55 for the implementation of this act on its effective date are authorized
56 to be made on or before such date.