STATE OF NEW YORK

4892--A

Cal. No. 463

2021-2022 Regular Sessions

IN SENATE

February 17, 2021

Introduced by Sens. HINCHEY, BORRELLO, JORDAN, KRUEGER, PARKER -- 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 report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the agriculture and markets law, in relation to the Nourish New York program

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

Section 1. The agriculture and markets law is amended by adding a new article 27 to read as follows:

ARTICLE 27

NOURISH NEW YORK

Section 450. Declaration of legislative findings and intent.
451. Definitions.
452. Nourish New York program.

§ 450. Declaration of legislative findings and intent. While the Nourish New York program was developed in response to disrupted food supply chains due to the COVID-19 pandemic, it has emerged as an important innovation, significantly supporting the state's farms while providing nourishing fresh foods to people experiencing food insecurity. The COVID-19 crisis unveiled the weaknesses in our state's food supply system and has caused serious economic hardships for the state's farms and agribusinesses. But, in the ten months since its inception, Nourish New York has already strengthened the state's food supply network and expanded markets for New York farm products. The local food movement has also gained significant momentum during the pandemic, with increasing numbers of New Yorkers wanting to know where their food is sourced. This presents the state with a major opportunity to support our local

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

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economies and create greater equity in our food system by providing greater access to local, healthy options in food insecure areas through making the Nourish New York program permanent.

§ 451. Definitions. 1. "Food relief organization" means a religious organization or other not-for-profit that provides food for free to persons experiencing food insecurity, including but not limited to a food pantry, food bank, or soup kitchen or community-based organization that provides food for free to persons experiencing food insecurity.

2. "Surplus agricultural products" means consumable or edible agricultural products grown in New York but shall not include condiments, sweeteners or beverages containing alcohol.

§ 452. Nourish New York program. 1. The commissioner shall, to the extent permitted by state or federal appropriations for such purpose, facilitate programming that ensures surplus agricultural products are provided to food relief organizations at competitive wholesale prices.

2. The commissioner shall provide technical assistance and information about the program to food relief organizations, producers of surplus agricultural products and the public, including, but not limited to, information posted on the department's website.

3. The commissioner shall provide means, which may include posting on the department's website, for producers to make available surplus agricultural products and for food relief organizations to access surplus agricultural products.

4. The commissioner, in consultation with the department of health, shall review the current funding structure, funding adequacy and current service levels of the hunger prevention nutrition assistance program in all regions of the state. Review of current service levels shall take into account the size of the service area, the population in need of such hunger prevention nutrition assistance program and the need for additional facilities within a region in order to address increasing food insecurity and hunger. Following such review, the commissioner shall make and report any recommendations, including but not limited to, increasing the maximum amount of money each food pantry may be allocated by such program, whether such program funding should be indexed for inflation annually, and any structural and funding adequacy changes deemed necessary.

5. The commissioner shall review and report on the need to establish a grant program to fund the purchase of cold storage equipment for regional food banks, food pantries and other emergency food organizations. Such grant program shall prioritize regions of the state that have the highest demand for emergency food and regions of the state where regional food banks and pantries have determined the need for more capacity to safely store perishable food before such food is distributed. Such report shall be completed and submitted to the governor and the legislature no later than February first, two thousand twenty-two.

§ 2. This act shall take effect immediately.