STATE OF NEW YORK

10878

IN ASSEMBLY

April 8, 2026

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

AN ACT to amend the agriculture and markets law, in relation to establishing farm security resiliency grant awards for farm employers who have suffered eligible losses as a result of eligible weather conditions or events

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 26-D to read as follows:

ARTICLE 26-D

FARM SECURITY RESILIENCY GRANT AWARDS

Section 440. Definitions.

441. Farm security resiliency grant board.

442. Powers and duties of the board.

443. Application process.

444. Grant awards.

445. Reporting.

§ 440. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. "Farm security resiliency grant board", or "board", shall mean the farm security resiliency grant board established pursuant to section four hundred forty-one of this article.

2. "Eligible weather condition" shall mean any of the following weather conditions:

(a) high winds;

(b) excessive moisture or precipitation, including hail, flooding, or excessive snowfall;

(c) prolonged lack of precipitation, including drought;

(d) extreme temperatures including heat or freeze conditions;

(e) widespread fire; or

(f) any other severe weather or growing condition determined by the board to substantially impact agricultural income.

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

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3. "Eligible losses" shall mean income lost or costs incurred as a result of eligible weather conditions, including:

(a) lost wages or other compensation;

(b) lost income from destroyed crops, livestock, or other agricultural products;

(c) debt payment or other ongoing costs;

(d) costs of replanting;

(e) costs of replacing livestock feed;

(f) infrastructure or equipment repair or replacement costs;

(g) farm road or access road repair costs;

(h) other losses as determined by the commissioner in consultation with the review board.

4. "Farm employer" shall mean a corporation, including a New York S corporation, a sole proprietorship, a limited liability company, or a partnership whose principal business is farming activity.

§ 441. Farm security resiliency grant board. 1. There shall be established within the department the farm security resiliency grant board for purposes of advising the commissioner regarding the program established pursuant to this article.

2. The board shall consist of seven members selected for their experience and expertise related to areas of board responsibility and comprised of diverse members of the agriculture industry, including:

(a) the commissioner or the commissioner's designee;

(b) the commissioner of the division of homeland security and emergency services or such commissioner's designee;

(c) three representatives of agricultural organizations with demonstrated experience offering technical assistance to or advocacy on behalf of farmers, to be appointed by the commissioner; and

(d) two current farmers, to be appointed by the commissioner.

3. The terms of office of members of the board shall be three years. Members of the board may be reappointed for additional terms by the commissioner. Vacancies shall be filled by the commissioner for the remainder of the unexpired term and may be reappointed for additional terms by the commissioner.

4. A majority of appointed members of the board shall constitute a quorum.

5. The board shall meet at least quarterly and may meet additionally upon request of the commissioner.

§ 442. Powers and duties of the board. The board shall advise the commissioner on matters relating to the program established pursuant to this article, including but not limited to sharing feedback from impacted parties including farmers and agricultural organizations and making recommendations related to program administration and efficiency.

§ 443. Application process. 1. The commissioner shall develop an application form and process for farm employers to seek grant awards under this article. The application form developed pursuant to this subdivision shall include, but not be limited to, the following information:

(a) A description of the damage that occurred;

(b) An attestation that an eligible weather condition or event occurred;

(c) An estimate of eligible losses, including documentation as required by the commissioner;

(d) A year-end report of farm income and expenses from schedule F of United States Internal Revenue Form 1040 for the previous calendar year; and

(e) Documentation of any other funds sought or acquired related to the eligible weather condition or eligible losses, such as insurance.

2. Applications for a grant award under this article shall be made to the commissioner. Such applications may be made at any time and shall be processed in the order such application was received. Applications shall be accepted until all appropriated funds for grant awards pursuant to this article have been awarded for the applicable year.

§ 444. Grant awards. 1. Upon receipt of an application for a grant award pursuant to this article, the commissioner shall make a determination regarding the approval, disapproval, or modification of a grant award within thirty calendar days of such receipt, provided such application is administratively complete.

2. In making such determinations, the commissioner may modify the amount of the grant award from the amount requested.

3. Within the amount of monies appropriated for such purpose, the commissioner shall award grants to farm employers that have incurred substantial financial losses or substantial increased expenses as a result of eligible weather conditions.

4. Grants awarded pursuant to this section shall reimburse a farm employer for up to fifty percent of uninsured or otherwise uncovered eligible losses due to eligible weather conditions up to a maximum award of one hundred fifty thousand dollars per applicant per year.

5. Grants awarded pursuant to this section shall be distributed to awardees in a timely manner consistent with all applicable laws and regulations.

6. Applicants whose applications are not approved shall receive a written explanation from the commissioner of the reasons why such application was not approved.

§ 445. Reporting. 1. By April first of each calendar year, the board shall submit an annual report to the governor and the legislature which includes, but need not be limited to:

(a) The total amount of grants awarded pursuant to this article within the previous calendar year;

(b) Information regarding the application process, including but not limited to the number of applications received and the number of applications that were approved in the previous calendar year; and

(c) Any recommendations for improving the functioning of the program, including ways to improve accessibility for potential applicants.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.