

**Assembly Bill No. 2367**

CHAPTER 428

An act to add Section 51798 to the Education Code, relating to school gardens.

[Approved by Governor September 21, 2012. Filed with  
Secretary of State September 21, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2367, Bonilla. School gardens: sale of produce.

Existing law establishes the Instructional School Gardens Program for the promotion, creation, and support of instructional school gardens. Under existing law, a school district, charter school, or county office of education may apply to the Superintendent of Public Instruction for funding for a 3-year grant in order to develop and maintain an instructional school garden. Existing law limits the grants to a maximum of \$2,500 per schoolsite, except as provided.

This bill would authorize a school district, charter school, or county office of education to sell produce grown in a school garden, regardless of whether the school participates in the Instructional School Gardens Program, if the school district, charter school, or county office of education complies with applicable federal, state, and local health and safety requirements for the production, processing, and distribution of the produce.

*The people of the State of California do enact as follows:*

SECTION 1. Section 51798 is added to the Education Code, to read:

51798. A school district, charter school, or county office of education that is operating a school garden may sell produce grown in the school garden, regardless of whether the school participates in the Instructional School Gardens Program, if the school district, charter school, or county office of education complies with applicable federal, state, and local health and safety requirements for the production, processing, and distribution of the produce.

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