

Assembly Bill No. 1577

CHAPTER 400

An act to amend Section 18995 of, and to amend the heading of Chapter 14.5 (commencing with Section 18995) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to food banks.

[Approved by Governor September 21, 2016. Filed with
Secretary of State September 21, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1577, Eggman. CalFood Program: CalFood Account.

Existing law requires the State Department of Social Services to establish and administer the State Emergency Food Assistance Program (SEFAP), to provide food and funding for the provision of emergency food to food banks, as provided. Existing law creates the State Emergency Food Assistance Program Account and, upon appropriation by the Legislature, allocates the moneys in the account to SEFAP and requires that those moneys be used for the purchase, storage, and transportation of food grown or produced in California and for the department's administrative costs.

This bill would rename the State Emergency Food Assistance Program as the CalFood Program and would rename the State Emergency Food Assistance Program Account as the CalFood Account. The bill would make other conforming changes in this regard.

This bill would incorporate additional changes to Section 18995 of the Welfare and Institutions Code proposed by AB 1747 that would become operative if this bill and AB 1747 are both enacted and this bill is enacted last.

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

SECTION 1. The heading of Chapter 14.5 (commencing with Section 18995) of Part 6 of Division 9 of the Welfare and Institutions Code is amended to read:

CHAPTER 14.5. THE CALFOOD PROGRAM

SEC. 2. Section 18995 of the Welfare and Institutions Code is amended to read:

18995. (a) On and after January 1, 2017, the State Emergency Food Assistance Program (SEFAP), administered by the State Department of Social Services, shall be renamed as the "CalFood Program." The CalFood Program shall provide food and funding for the provision of emergency

food to food banks established pursuant to the federal Emergency Food Assistance Program (7 C.F.R. Parts 250 and 251) whose ongoing primary function is to facilitate the distribution of food to low-income households.

(b) The CalFood Account is hereby established in the Emergency Food Assistance Program Fund established pursuant to Section 18852 of the Revenue and Taxation Code, and may receive federal funds and voluntary donations or contributions.

(c) Notwithstanding Section 18853 of the Revenue and Taxation Code, the following shall apply:

(1) All moneys received by the CalFood Account shall, upon appropriation by the Legislature, be allocated to the State Department of Social Services for allocation to the CalFood Program and, with the exception of those contributions made pursuant to Section 18851 of the Revenue and Taxation Code and funds received through Parts 250 and 251 of Title 7 of the Code of Federal Regulations, shall be used for the purchase, storage, and transportation of food grown or produced in California. Storage and transportation expenditures shall not exceed 10 percent of the CalFood Program fund's annual budget.

(2) Notwithstanding paragraph (1), funds received by the CalFood Account shall, upon appropriation by the Legislature, be allocated to the State Department of Social Services for allocation to the CalFood Program as described in paragraph (1), and shall, in part, be used to pay for the department's administrative costs associated with the administration of the CalFood Program.

SEC. 2.5. Section 18995 of the Welfare and Institutions Code is amended to read:

18995. (a) On and after January 1, 2017, the State Emergency Food Assistance Program (SEFAP), administered by the State Department of Social Services, shall be renamed as the "CalFood Program." The CalFood Program shall provide food and funding for the provision of emergency food to food banks established pursuant to the federal Emergency Food Assistance Program (7 C.F.R. Parts 250 and 251) whose ongoing primary function is to facilitate the distribution of food to low-income households.

(b) (1) The CalFood Account is hereby established in the Emergency Food Assistance Program Fund established pursuant to Section 18852 of the Revenue and Taxation Code, and may receive federal funds and voluntary donations or contributions.

(2) Notwithstanding Section 18853 of the Revenue and Taxation Code, the following shall apply:

(A) All moneys received by the CalFood Account shall, upon appropriation by the Legislature, be allocated to the State Department of Social Services for allocation to the CalFood Program and, with the exception of those contributions made pursuant to Section 18851 of the Revenue and Taxation Code and funds received through Parts 250 and 251 of Title 7 of the Code of Federal Regulations, shall be used for the purchase, storage, and transportation of food grown or produced in California. Storage

and transportation expenditures shall not exceed 10 percent of the CalFood Program fund's annual budget.

(B) Notwithstanding subparagraph (A), funds received by the CalFood Account shall, upon appropriation by the Legislature, be allocated to the State Department of Social Services for allocation to the CalFood Program as described in subparagraph (A), and shall, in part, be used to pay for the department's administrative costs associated with the administration of the CalFood Program.

(c) (1) The Public Higher Education Pantry Assistance Program Account is hereby established in the Emergency Food Assistance Program Fund established pursuant to Section 18852 of the Revenue and Taxation Code.

(2) Notwithstanding Section 18853 of the Revenue and Taxation Code, funds in the Public Higher Education Pantry Assistance Program Account shall, upon appropriation by the Legislature, be allocated to the State Department of Social Services for allocation to food banks established pursuant to Parts 250 and 251 of Title 7 of the Code of Federal Regulations that meet both of the following criteria:

(A) The primary function of the food bank is the distribution of food to low-income households.

(B) The food bank has identified specific costs associated with supporting on-campus pantry and hunger relief efforts serving low-income students.

SEC. 3. Section 2.5 of this bill incorporates amendments to Section 18995 of the Welfare and Institutions Code proposed by both this bill and Assembly Bill 1747. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2017, (2) each bill amends Section 18995 of the Welfare and Institutions Code, and (3) this bill is enacted after Assembly Bill 1747, in which case Section 2 of this bill shall not become operative.