

AMENDED IN SENATE JUNE 30, 2016
AMENDED IN ASSEMBLY MAY 31, 2016
AMENDED IN ASSEMBLY MAY 11, 2016
AMENDED IN ASSEMBLY APRIL 4, 2016
AMENDED IN ASSEMBLY MARCH 28, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1747

Introduced by Assembly Member Weber
(Coauthors: Assembly Members Chiu, Gonzalez, Lopez, and
Williams)
(Coauthors: Senators Hancock and Leyva)

February 2, 2016

An act to add Section 66025.93 to the Education Code, and to amend Sections 18904.3 and 18995 of the Welfare and Institutions Code, relating to food assistance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1747, as amended, Weber. Food assistance: higher education students.

(1) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing state law authorizes a county to deliver CalFresh benefits through the use of an electronic benefits transfer (EBT) system.

Existing federal law authorizes counties to participate in the Restaurant Meals Program.

This bill would require each public and private postsecondary educational institution that is located in a county that participates in the Restaurant Meals Program to apply to become an approved food vendor for the program, if the institution operates any qualifying food facilities on campus, or to provide contracting food vendors with specified information about the program. By imposing these requirements on community colleges, this bill would impose a state-mandated local program.

(2) Existing law requires the State Department of Social Services, if private nonprofit organizations are successful in raising money for CalFresh outreach activities and have secured a local governmental agency to serve as the contracting agency, upon request and subject to approval by the United States Department of Agriculture, to act as their state entity for the receipt of matching funds.

~~This bill would include public postsecondary educational institutions among the entities that may receive matching funds for conducting CalFresh outreach activities, as specified.~~

This bill would additionally require the department to act as the state entity for the receipt of federal reimbursement for CalFresh outreach activities on behalf of state educational institutions or other state or local agencies, subject to certain conditions.

(3) Existing law requires the State Department of Social Services to establish and administer the State Emergency Food Assistance Program, 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 within the Emergency Food Assistance Program Fund and requires that moneys in the account, upon appropriation by the Legislature, be used by the program for the purchase, storage, and transportation of food grown or produced in California and for the department's administrative costs.

This bill would establish the Public Higher Education Pantry Assistance *Program* Account in the Emergency Food Assistance Program Fund, and would require that moneys in the account, upon appropriation by the Legislature, be allocated to the department for allocation to food banks that support on-campus pantry and hunger relief efforts serving low-income students, as specified.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. It is the intent of the Legislature to increase the
2 college graduation rates of low-income Californians and to reduce
3 the incidence of economic hardship and hunger among low-income
4 college students.

5 SEC. 2. Section 66025.93 is added to the Education Code,
6 immediately following Section 66025.92, to read:

7 66025.93. (a) Each public or private postsecondary ~~education~~
8 *educational* institution that is located in a county that participates
9 in the Restaurant Meals Program established pursuant to Section
10 2020 of Title 7 of the United States Code shall do all of the
11 following:

12 (1) Apply to become an approved food vendor for the Restaurant
13 Meals Program, if the institution operates any qualifying food
14 facility on campus.

15 (2) Annually provide all on-campus food vendors not operated
16 by the institution with information regarding the Restaurant Meals
17 Program and the manner in which to apply.

18 (3) If an on-campus food vendor has been approved to
19 participate in the Restaurant Meals Program, annually inform
20 students about the program using information provided by the
21 State Department of Social Services.

22 (b) This section does not require an institution to create, operate,
23 or maintain an EBT system on behalf of on-campus food vendors.

24 (c) *An approved food vendor participating in the Restaurant*
25 *Meals Program pursuant to this section, and a county in which*
26 *the program is operated, shall meet the requirements of the*
27 *Restaurant Meals Program.*

1 SEC. 3. Section 18904.3 of the Welfare and Institutions Code
 2 is amended to read:

3 ~~18904.3. (a) If a private nonprofit organization or a public~~
 4 ~~postsecondary educational institution is successful in raising money~~
 5 ~~for CalFresh outreach activities and has secured a local~~
 6 ~~governmental agency to serve as the contracting agency, the~~
 7 ~~department shall, upon request and subject to approval by the~~
 8 ~~United States Department of Agriculture, act as the organization's~~
 9 ~~or institution's state entity for receipt of matching funds.~~

10 *18904.3. (a) If a private nonprofit organization, public*
 11 *postsecondary educational institution, or other state or local*
 12 *agency secures funds for CalFresh outreach activities that are*
 13 *allowable for partial federal reimbursement, and complies with*
 14 *contracting requirements established in state and federal law, the*
 15 *department shall, subject to approval of the state's outreach plan*
 16 *by the United States Department of Agriculture, act as the state*
 17 *entity for receipt of federal reimbursement on behalf of the*
 18 *organization, institution, or agency.*

19 (b) Any reduction in federal funding to the state that is due to
 20 the result of any audit of CalFresh outreach contracts or activities
 21 shall be applied to the appropriate local government that served
 22 as the contracting agency for CalFresh outreach activities.

23 SEC. 4. Section 18995 of the Welfare and Institutions Code is
 24 amended to read:

25 18995. (a) On and after January 1, 2012, the State Department
 26 of Social Services shall establish and administer the State
 27 Emergency Food Assistance Program (SEFAP). The SEFAP shall
 28 provide food and funding for the provision of emergency food to
 29 food banks established pursuant to the federal Emergency Food
 30 Assistance Program (7 C.F.R. Parts 250 and 251) whose ongoing
 31 primary function is to facilitate the distribution of food to
 32 low-income households.

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

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

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

11 (B) Notwithstanding paragraph (1), funds received by the State
12 Emergency Food Assistance Program Account shall, upon
13 appropriation by the Legislature, be allocated to the State
14 Department of Social Services for allocation to the SEFAP as
15 described in paragraph (1), and shall, in part, be used to pay for
16 the department's administrative costs associated with the
17 administration of the SEFAP.

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

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

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

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

34 SEC. 5. If the Commission on State Mandates determines that
35 this act contains costs mandated by the state, reimbursement to
36 local agencies and school districts for those costs shall be made
37 pursuant to Part 7 (commencing with Section 17500) of Division
38 4 of Title 2 of the Government Code.

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