

AMENDED IN SENATE AUGUST 18, 2010

AMENDED IN SENATE AUGUST 10, 2010

AMENDED IN ASSEMBLY MAY 12, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2720

Introduced by Assembly Members John A. Pérez and Bass

(Principal coauthor: Senator Alquist)

(Coauthors: Assembly Members Galgiani and Hall)

February 19, 2010

An act to add *and repeal* Article 3 (commencing with Section 104660) to Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2720, as amended, John A. Pérez. Public health: food access.

Existing law requires the Department of Food and Agriculture, headed by the Secretary of Food and Agriculture, to promote and protect the agricultural industry of the state.

Existing law, until January 1, 2011, requires the State Department of Public Health to develop a "Healthy Food Purchase" pilot program to increase the sale and purchase of fresh fruits and vegetables in low-income communities, as specified.

This bill would, *until January 1, 2014, and to the extent federal funds are made available for this purpose*, create the California Healthy Food Financing Initiative. It would require, by July 1, 2011, the Department of Food and Agriculture, in consultation with the State Department of Public Health and the State Department of Social Services, to prepare recommendations, to be presented upon request to the Legislature,

regarding actions that need to be taken to promote food access in the state. It would also require the Department of Food and Agriculture to coordinate efforts to implement the initiative and maximize the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

The bill would create the California Healthy Foods Financing Initiative Fund in the State Treasury, to be comprised of federal, state, and private funds for the purpose of expanding access to healthy foods in underserved communities and, to the extent practicable, to leverage other funding, as specified. Moneys in the fund shall be expended upon appropriation by the Legislature.

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

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

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) California has some of the most productive farmlands in the
- 4 world. California's farmlands produce more than 350 commodities
- 5 and food items. These farmlands require protection and efficient
- 6 operations to maintain our food supply and guarantee a natural
- 7 resource for California's future generations.
- 8 (b) California's cultural heritage provides the basis for a variety
- 9 of food items that are available to the state's 36 million residents.
- 10 (c) The production and preparation of food needs to be
- 11 conducted in a healthy and humane manner.
- 12 (d) Access to healthy food items is a basic human right. Lack
- 13 of access to healthy, affordable food items may result in higher
- 14 levels of obesity and other diet-related diseases. Communities
- 15 without access to affordable, quality, and nutritious foods are
- 16 known as food deserts.
- 17 (e) Opportunities for increasing the number of grocery stores,
- 18 urban and rural farm stands, farmers' markets, community gardens,
- 19 direct farm to institution, and direct farmer to consumer marketing
- 20 activities in underserved communities should be actively pursued
- 21 and fostered to ensure that all Californians have access to healthy
- 22 foods.

1 SEC. 2. Article 3 (commencing with Section 104660) is added
2 to Chapter 2 of Part 3 of Division 103 of the Health and Safety
3 Code, to read:

4
5 Article 3. California Healthy Food Financing Initiative
6

7 104660. This article shall be known, and may be cited, as the
8 California Healthy Food Financing Initiative.

9 104661. (a) By July 1, 2011, the Department of Food and
10 Agriculture, in consultation with the State Department of Public
11 Health and the State Department of Social Services, shall prepare
12 recommendations, to be presented upon request of the Legislature,
13 regarding actions that need to be taken to promote food access in
14 the state.

15 (b) The Secretary of Food and Agriculture may establish an
16 advisory group to assist the agencies in complying with the
17 requirements of subdivision (a). If established, the advisory group
18 shall consist of representatives from the Legislature, food policy
19 advocates, *representatives from the grocery industry* and financial
20 institutions, food systems researchers, representatives from the
21 agricultural industry, and *representatives from* nonprofit
22 organizations with expertise in this area.

23 104662. The Department of Food and Agriculture, in
24 consultation with the State Department of Public Health, the State
25 Department of Social Services, and the Treasurer shall implement
26 the California Healthy Food Financing Initiative, including, but
27 not limited to, coordinating efforts to maximize the funding
28 opportunities provided by the federal 2010 Healthy Food Financing
29 Initiative. This national initiative is intended to expand access to
30 nutritious foods in underserved urban and rural communities and
31 eliminate food deserts across the country within seven years.

32 104663. (a) There is hereby established in the State Treasury
33 the California Healthy Food Financing Initiative Fund, which shall
34 be comprised of federal, state, and private funds for the purpose
35 of expanding access to healthy foods in underserved communities.

36 (b) Moneys in the fund shall be expended upon appropriation
37 by the Legislature, and shall be used, to the extent practicable, to
38 leverage other funding, including, but not limited to, new markets
39 tax credits, federal and foundation grant programs, incentives
40 available to designated enterprise zones, and funding from private

1 sector financial institutions pursuant to the federal Community
2 Reinvestment Act.

3 104664. (a) *This article shall be implemented only to the extent*
4 *that federal funds are made available for the purposes of this*
5 *article.*

6 (b) *This article shall remain in effect only until January 1, 2014,*
7 *and as of that date is repealed, unless a later enacted statute, that*
8 *is enacted before January 1, 2014, deletes or extends that date.*