

Assembly Bill No. 2720

Passed the Assembly August 27, 2010

Chief Clerk of the Assembly

Passed the Senate August 25, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2720, 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.

This bill would, until January 1, 2014, 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. The bill would also require, to the extent that federal funds are made available, the Department of Food and Agriculture to implement the initiative. The bill would require the Department of Food and Agriculture to coordinate efforts to maximize the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

The bill would create the California Healthy Food 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.

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

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) California has some of the most productive farmlands in the world. California's farmlands produce more than 350 commodities and food items. These farmlands require protection and efficient

operations to maintain our food supply and guarantee a natural resource for California's future generations.

(b) California's cultural heritage provides the basis for a variety of food items that are available to the state's 36 million residents.

(c) The production and preparation of food needs to be conducted in a healthy and humane manner.

(d) Access to healthy food items is a basic human right. Lack of access to healthy, affordable food items may result in higher levels of obesity and other diet-related diseases. Communities without access to affordable, quality, and nutritious foods are known as food deserts.

(e) Opportunities for increasing the number of grocery stores, urban and rural farm stands, farmers' markets, community gardens, direct farm to institution, and direct farmer to consumer marketing activities in underserved communities should be actively pursued and fostered to ensure that all Californians have access to healthy foods.

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

Article 3. California Healthy Food Financing Initiative

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

104661. (a) 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, shall prepare recommendations, to be presented upon request of the Legislature, regarding actions that need to be taken to promote food access in the state.

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

(c) The Department of Food and Agriculture, in consultation with the State Department of Public Health, the State Department of Social Services, and the Treasurer, may coordinate efforts to maximize the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

104662. (a) The Department of Food and Agriculture, in consultation with the State Department of Public Health, the State Department of Social Services, and the Treasurer shall implement the California Healthy Food Financing Initiative. This national initiative is intended to expand access to nutritious foods in underserved, urban and rural communities and to eliminate food deserts across the country within seven years.

(b) This section shall be implemented only to the extent that federal funds are made available for the purposes of this section.

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

(b) Moneys in the fund shall be expended upon appropriation by the Legislature, and shall be used, to the extent practicable, to leverage other funding, including, but not limited to, new markets tax credits, federal and foundation grant programs, incentives available to designated enterprise zones, and funding from private sector financial institutions pursuant to the federal Community Reinvestment Act.

104664. This article shall remain in effect only until January 1, 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.

Approved _____, 2010

Governor