

HOUSE BILL No. 2564

By Committee on Appropriations

Requested by Mallory Lutz on behalf of the Kansas Food and Farm Coalition

1-22

1 AN ACT concerning agriculture; relating to the Kansas department of
2 agriculture; establishing a farm-to-food bank program to expand the
3 availability of Kansas agricultural food products for the state of Kansas'
4 emergency food system.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. Sections 1 through 4, and amendments thereto, shall be
8 known and may be cited as the Kansas farm-to-food bank program act.

9 Sec. 2. As used in the Kansas farm-to-food bank program act:

10 (a) "Agricultural entity" means a grower, producer or processor of
11 Kansas agricultural food products.

12 (b) "Department" means the Kansas department of agriculture.

13 (c) "Food" means the same as defined in K.S.A. 65-656, and
14 amendments thereto.

15 (d) "Food bank" means a public or charitable institution that
16 maintains an established operation involving the provision of food to food
17 pantries, soup kitchens, hunger relief centers or other feeding programs
18 that, as an integral part of their normal activities, provide meals or food to
19 needy persons.

20 (e) "Kansas agricultural food product" means food that has been
21 grown, raised or produced in Kansas.

22 (f) "Kansas emergency food system" means food pantries, soup
23 kitchens, hunger relief centers or other feeding programs that, as an
24 integral part of their normal activities, provide meals or food to needy
25 persons.

26 (g) "Program" means the Kansas farm-to-food bank program.

27 (h) "Program participant" means a food bank that receives Kansas
28 agricultural food products under the Kansas farm-to-food bank program to
29 be distributed to food pantries, soup kitchens, hunger relief centers or other
30 feeding programs that provide meals or food to needy persons.

31 (i) "Secretary" means the secretary of agriculture.

32 Sec. 3. (a) There is hereby established within the Kansas department
33 of agriculture a Kansas farm-to-food bank program to help expand the
34 availability of nutritious, locally grown, raised or produced foods for the
35 Kansas emergency food system.

1 (b) (1) The program shall acquire Kansas agricultural food products
2 from agricultural entities or aggregators and distribute such products to the
3 Kansas emergency food system.

4 (2) All Kansas agricultural food products distributed under the
5 program shall be safe for human consumption and only be distributed
6 within Kansas.

7 (c) The program may use funds to purchase Kansas agricultural food
8 products or to facilitate the donation of Kansas agricultural food products,
9 including, but not limited to, harvesting, packing and transportation.

10 (d) The program may distribute funds to food banks with the
11 infrastructure to accept, store and distribute foods through the emergency
12 food system in compliance with federal, state and local health and food
13 safety requirements. Foods may be sourced directly from an agricultural
14 entity or through Kansas-based aggregators if such foods meet program
15 requirements.

16 (e) The program is subject to appropriation and shall dedicate not less
17 than 75% of available funds to acquisition and distribution of Kansas
18 agricultural food products.

19 Sec. 4. (a) (1) The secretary shall engage food banks to administer the
20 program.

21 (2) Participating food banks shall collectively cover every county of
22 the state and distribute food to food pantries and soup kitchens without
23 duplication.

24 (3) Participating food banks shall pass a scored, third-party food
25 safety audit and adhere to federal, state and local health and food safety
26 regulations.

27 (4) Participating food banks may not assess fees on foods from the
28 program to recipient distribution sites, programs, individuals or
29 households.

30 (b) The secretary's duties in administering the program shall be:

31 (1) Building relationships with agricultural entities;

32 (2) assessing the needs of food-insecure Kansans;

33 (3) coordinating the acquisition of Kansas agricultural food products
34 and distribution of such products to the Kansas emergency food system;
35 and

36 (4) issuing an annual report that summarizes the program's activities
37 from the prior calendar year.

38 (c) The secretary shall adopt rules and regulations to carry out the
39 provisions of this act, including, but not limited to:

40 (1) Eligible costs related to acquisition and distribution of food,
41 including, but not limited to, harvesting, packing and transportation;

42 (2) health and safety requirements for program participants, farmers
43 and transportation;

- 1 (3) food quality standards;
- 2 (4) contracting requirements and purchasing options; and
- 3 (5) data collection, evaluation and annual plan and reporting
- 4 requirements.
- 5 Sec. 5. This act shall take effect and be in force from and after its
- 6 publication in the statute book.