

HOUSE BILL 855

M4, C8

2lr1990
CF 2lr3144

By: **Delegate Boyce**

Introduced and read first time: February 7, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Urban Agriculture Water and Power Infrastructure Grant**
3 **Program and Fund – Establishment**

4 FOR the purpose of establishing the Urban Agriculture Water and Power Infrastructure
5 Grant Program in the Department of Agriculture to increase the viability of urban
6 farming and community gardens and improve access to urban-grown foods;
7 establishing the Urban Agriculture Water and Power Infrastructure Grant Fund as
8 a special, nonlapsing fund; and generally relating to the Urban Agriculture Water
9 and Power Infrastructure Grant Program and Fund.

10 BY adding to

11 Article – Agriculture

12 Section 2–2101 through 2–2104 to be under the new subtitle “Subtitle 21. Urban
13 Agriculture Water and Power Infrastructure Grant Program”

14 Annotated Code of Maryland

15 (2016 Replacement Volume and 2021 Supplement)

16 BY adding to

17 Article – Tax – Property

18 Section 13–209(g)(4)(i)5.

19 Annotated Code of Maryland

20 (2019 Replacement Volume and 2021 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Agriculture**

24 **SUBTITLE 21. URBAN AGRICULTURE WATER AND POWER INFRASTRUCTURE**
25 **GRANT PROGRAM.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **2-2101.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "FARM PRODUCT" MEANS:

5 (1) ANY AGRICULTURAL, HORTICULTURAL, VEGETABLE, OR FRUIT
6 PRODUCT OF THE SOIL, WHETHER RAW OR CANNED, FROZEN, DRIED, PICKLED, OR
7 OTHERWISE PROCESSED;

8 (2) LIVESTOCK, MEATS, MARINE FOOD PRODUCTS, POULTRY, EGGS,
9 OR DAIRY PRODUCTS;

10 (3) WOOL, HIDES, FEATHERS, NUTS, OR HONEY; OR

11 (4) ANY PRODUCT OF FARM, FOREST, ORCHARD, GARDEN, OR WATER.

12 (C) "FUND" MEANS THE URBAN AGRICULTURE WATER AND POWER
13 INFRASTRUCTURE GRANT FUND.

14 (D) "PROGRAM" MEANS THE URBAN AGRICULTURE WATER AND POWER
15 INFRASTRUCTURE GRANT PROGRAM.

16 (E) "QUALIFIED NONPROFIT ORGANIZATION" MEANS A NONPROFIT
17 ORGANIZATION THAT OPERATES A FARM OR COMMUNITY GARDEN IN AN URBAN
18 AREA OF THE STATE, AS DEFINED BY THE DEPARTMENT.

19 (F) "URBAN AGRICULTURAL PRODUCER" MEANS ANY PERSON THAT:

20 (1) ANNUALLY PRODUCES FARM PRODUCTS IN AN URBAN AREA OF
21 THE STATE, AS DEFINED BY THE DEPARTMENT; AND

22 (2) SELLS, PLANS TO SELL, OR NORMALLY WOULD HAVE SOLD AT
23 LEAST \$1,000 ANNUALLY OF FARM PRODUCTS PRODUCED FROM A FARMING
24 OPERATION IN THE STATE.

25 **2-2102.**

26 (A) THERE IS AN URBAN AGRICULTURE WATER AND POWER
27 INFRASTRUCTURE GRANT PROGRAM IN THE DEPARTMENT.

1 **(B) THE PURPOSE OF THE PROGRAM IS TO INCREASE THE VIABILITY OF**
2 **URBAN FARMING AND COMMUNITY GARDENS AND IMPROVE ACCESS TO**
3 **URBAN-GROWN FOODS.**

4 **2-2103.**

5 **(A) THERE IS AN URBAN AGRICULTURE WATER AND POWER**
6 **INFRASTRUCTURE GRANT FUND.**

7 **(B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO URBAN**
8 **AGRICULTURAL PRODUCERS AND QUALIFIED NONPROFIT ORGANIZATIONS FOR THE**
9 **PURCHASE AND INSTALLATION OF:**

10 **(1) AGRICULTURE EQUIPMENT ASSOCIATED WITH WATER SUPPLY**
11 **AND IRRIGATION; AND**

12 **(2) ELECTRIC POWER ACCESS.**

13 **(C) THE SECRETARY SHALL ADMINISTER THE FUND.**

14 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
15 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

16 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
17 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

18 **(E) THE FUND CONSISTS OF:**

19 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

20 **(2) MONEY APPROPRIATED TO THE FUND UNDER § 13-209 OF THE**
21 **TAX - PROPERTY ARTICLE; AND**

22 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
23 **THE BENEFIT OF THE FUND.**

24 **(F) THE FUND MAY BE USED ONLY FOR:**

25 **(1) PROVIDING UP TO 87.5% OF MATCHING FUNDS TO URBAN**
26 **AGRICULTURAL PRODUCERS AND QUALIFIED NONPROFIT ORGANIZATIONS FOR THE**
27 **PURCHASE AND INSTALLATION OF:**

28 **(I) WATER METERS;**

1 (II) WATER PIPES;

2 (III) IRRIGATION HOSES;

3 (IV) ELECTRIC METERS;

4 (V) ELECTRICAL LINES; OR

5 (VI) ANY OTHER EQUIPMENT ASSOCIATED WITH WATER SUPPLY
6 AND IRRIGATION OR ELECTRIC POWER ACCESS THE DEPARTMENT DETERMINES IS
7 APPROPRIATE; AND

8 (2) ADMINISTRATIVE COSTS FOR THE DEPARTMENT TO ADMINISTER
9 THE PROGRAM.

10 (G) ON OR BEFORE OCTOBER 15 EACH YEAR, BEGINNING IN 2024, THE
11 DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE
12 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND
13 TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE
14 EFFECTIVENESS OF THE FUNDING PROVIDED UNDER THIS SECTION.

15 2-2104.

16 THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS
17 SUBTITLE.

18 Article – Tax – Property

19 13-209.

20 (g) (4) (i) 5. FOR EACH OF FISCAL YEARS 2024, 2025, 2026, AND
21 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL
22 FUND APPROPRIATION OF \$500,000 TO THE URBAN AGRICULTURE WATER AND
23 POWER INFRASTRUCTURE GRANT FUND ESTABLISHED UNDER § 2-2103 OF THE
24 AGRICULTURE ARTICLE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2022.