

HOUSE BILL 104

M4

(PRE-FILED)

51r0028
CF SB 226

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Agriculture)**

Requested: October 6, 2024

Introduced and read first time: January 8, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 18, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Farms and Families Fund – Purpose and Use – Alterations**

3 FOR the purpose of altering the purpose and use of the Maryland Farms and Families
4 Fund; and generally relating to the Maryland Farms and Families Fund.

5 BY repealing and reenacting, without amendments,
6 Article – Agriculture
7 Section 1–101(a) and (g), 10–2001, and 10–2002
8 Annotated Code of Maryland
9 (2016 Replacement Volume and 2024 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Agriculture
12 Section 10–2003 and 10–2004
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2024 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

Article – Agriculture

18 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) In this article the following words have the meanings indicated.

2 (g) “Person” includes the State, any county, municipal corporation or other
3 political subdivision of the State, or any of their units, or an individual, receiver, trustee,
4 guardian, executor, administrator, fiduciary, or representative of any kind, or any
5 partnership, firm, association, public or private corporation, or any other entity, unless
6 otherwise provided.

7 10–2001.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) “FMNP” means the federal Farmers Market Nutrition Program.

10 (c) “Fund” means the Maryland Farms and Families Fund.

11 (d) “Program” means the Maryland Farms and Families Program.

12 (e) “SNAP” means the federal Supplemental Nutrition Assistance Program.

13 (f) “WIC” means the federal Special Supplemental Food Program for Women,
14 Infants, and Children.

15 10–2002.

16 (a) There is a Maryland Farms and Families Program in the Department.

17 (b) The purpose of the Program is to double the purchasing power of food–insecure
18 Maryland residents with limited access to fresh fruits and vegetables and to increase
19 revenue for farmers through redemption of federal nutrition benefits at Maryland farmers
20 markets.

21 10–2003.

22 (a) There is a Maryland Farms and Families Fund.

23 (b) The purpose of the Fund is [to provide grants] to:

24 (1) [Nonprofit organizations that match] **MATCH** purchases made with
25 FMNP, SNAP, and WIC benefits at participating farmers markets and farm stands;

26 (2) [Nonprofit] **SUPPORT NONPROFIT** farmers markets to implement the
27 Program [at the farmers markets] **BY PROVIDING LOGISTICAL AND MARKETING**
28 **SUPPORT TO INCREASE THE USE OF FEDERAL NUTRITION PROGRAMS AT THESE**
29 **FARMERS MARKETS;** and

1 (3) [Local] **SUPPORT** nonprofit organizations **AND OTHER RESPONSIBLE**
2 **PERSONS** to implement the Program in partnership with one or more participating local
3 farmers markets.

4 (c) The Secretary shall administer the Fund.

5 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
6 the State Finance and Procurement Article.

7 (2) The State Treasurer shall hold the Fund separately, and the
8 Comptroller shall account for the Fund.

9 (e) The Fund consists of:

10 (1) Money appropriated in the State budget to the Fund; and

11 (2) Any other money from any other source accepted for the benefit of the
12 Fund.

13 (f) (1) In accordance with this subsection, **THE DEPARTMENT MAY USE** the
14 Fund [shall be used to provide grants] **FOR EITHER ONE OR BOTH OF THE FOLLOWING**
15 **PURPOSES:**

16 (i) [Nonprofit organizations that:] **TO IMPLEMENT, IN WHOLE OR**
17 **IN PART, THE PROGRAM WITHIN THE DEPARTMENT; AND**

18 1. Meet the qualifications established in § 10–2004 of this
19 subtitle; and

20 2. Distribute the grant money to farmers markets and local
21 nonprofit organizations in accordance with this subtitle;]

22 (ii) [Nonprofit farmers markets to implement the Program at the
23 farmers markets; and] **TO PROVIDE FUNDS TO A QUALIFIED NONPROFIT**
24 **ORGANIZATION OR OTHER RESPONSIBLE PERSON TO IMPLEMENT, IN WHOLE OR IN**
25 **PART, THE PROGRAM.**

26 [(iii) Local nonprofit organizations to implement the Program in
27 partnership with one or more local farmers markets.]

28 (2) A qualified nonprofit organization **OR OTHER PERSON** that receives [a
29 grant] **FUNDS** under this section:

1 (i) Shall distribute at least 60% of the [grant] money it receives
2 directly to participating farmers markets as funding for local market access coordinators
3 and matching dollars for purchases made with FMNP, SNAP, and WIC benefits; and

4 (ii) May not use more than 40% of the [grant] money it receives for
5 Program development, promotion and outreach, farmers market training and capacity
6 building, technical assistance, program data collection, evaluation, administration, and
7 reporting.

8 (g) (1) Subject to paragraph (2) of this subsection, the Governor shall include
9 in the annual budget bill an appropriation to the Fund as follows:

10 (i) For fiscal years 2021 through 2023, \$100,000; and

11 (ii) For fiscal year 2024 and each fiscal year thereafter, \$300,000.

12 (2) The appropriation required under paragraph (1) of this subsection shall
13 be in addition to, and may not supplant, any funding appropriated to the [Marketing and
14 Promotion Division] **AGRICULTURE AND SEAFOOD MARKETING PROGRAM** in the
15 Department.

16 10–2004.

17 (a) (1) A nonprofit organization **OR OTHER PERSON** is qualified to receive [a
18 grant] **FUNDS** in accordance with this subtitle if the Department determines that the
19 [nonprofit] organization **OR PERSON** has a demonstrated record of:

20 (i) Designing and implementing successful healthy food incentive
21 programs that connect federal food benefits recipients with local producers;

22 (ii) Implementing funds distributing and reporting processes;

23 (iii) Providing training and technical assistance to farmers markets;

24 (iv) Conducting community outreach and data collection, including
25 customer surveys; and

26 (v) Providing a full accounting and administration of funds
27 distributed to farmers markets.

28 (2) In addition to the requirements under paragraph (1) of this subsection,
29 in awarding [a grant] **FUNDS** in accordance with this subtitle, the Department may
30 consider whether the [nonprofit] organization **OR PERSON** has a demonstrated record of
31 providing services in healthy food priority areas.

1 (b) Within 90 days after the end of a [grant cycle] **CALENDAR YEAR**, [a qualified
2 nonprofit] **AN** organization **OR PERSON** that received [a grant] **FUNDS** in accordance with
3 this subtitle shall submit a report to the Department that includes the following
4 information:

5 (1) The names and locations of Maryland farmers markets that received
6 funds under the Program;

7 (2) The dollar amount of funds awarded to each participating farmers
8 market;

9 (3) The dollar amount of FMNP, SNAP, and WIC benefits, and funds
10 provided under the Program that were spent at participating farmers markets, as well as
11 any unspent funds;

12 (4) The number of FMNP, SNAP, and WIC transactions carried out at
13 participating farmers markets; and

14 (5) The impact of the Program on increasing the quantity of fresh fruits
15 and vegetables consumed by FMNP, SNAP, and WIC families, as determined by customer
16 surveys.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.