

Chapter 39

(House Bill 104)

AN ACT concerning

Maryland Farms and Families Fund – Purpose and Use – Alterations

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

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 1–101(a) and (g), 10–2001, and 10–2002

Annotated Code of Maryland

(2016 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 10–2003 and 10–2004

Annotated Code of Maryland

(2016 Replacement Volume and 2024 Supplement)

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

Article – Agriculture1–101.

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

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

10–2001.

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

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

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

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

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

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

10–2002.

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

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

10–2003.

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

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

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

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

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

(c) The Secretary shall administer the Fund.

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

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

(e) The Fund consists of:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The appropriation required under paragraph (1) of this subsection shall be in addition to, and may not supplant, any funding appropriated to the [Marketing and

Promotion Division] **AGRICULTURE AND SEAFOOD MARKETING PROGRAM** in the Department.

10–2004.

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

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

(ii) Implementing funds distributing and reporting processes;

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 8, 2025.