

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 936 (Montgomery County Delegation)
Ways and Means

Montgomery County Public Schools - Local Food Procurement
MC 7-26

This bill requires, by September 1, 2027, Montgomery County Public Schools (MCPS) to identify the dollar amounts of food procured for school meals in the 2026-2027 school year from certified local farms and certified Chesapeake invasive species providers, and publish the data on the school system’s website. Using the data for the 2026-2027 school year as a baseline, MCPS must set target increases for the dollar amount of food procured from certified local farms and certified Chesapeake invasive species providers for the 2028-2029, 2030-2031, 2031-2032, 2033-2034, and 2036-2037 school years. MCPS, in coordination with the Montgomery County Office of Food Systems Resilience and Public Input, must establish a plan to meet the target increases. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: None. The bill affects only MCPS.

Local Effect: MCPS expenditures increase by an indeterminate amount in FY 2027 for staffing and one-time information technology costs. MCPS expenditures for purchasing food also likely increase with higher targets for purchasing local food under the bill, as discussed below. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Meaningful.

Analysis

Current Law:

Certified Local Farm and Fish Program

Chapters 2 and 32 of 2021 established the Certified Local Farm Enterprise Program and office in the Maryland Department of Agriculture (MDA) to encourage State agencies (including public four-year universities) to achieve an overall goal of purchasing 20% of food from certified local farm enterprises. Chapters 575 and 576 of 2023 added certified Chesapeake invasive species providers to the calculation of the 20% goal as well as to certification requirements and grant-making opportunities. The Acts also renamed the program as the Certified Local Farm and Fish Program. The Office for the Certified Local Farm and Fish Program within MDA administers the program, including certifying local farms and invasive species providers.

A certified local farm is a local farm enterprise that (1) meets the nutrient management requirements established in statute and (2) is certified by MDA.

Each State agency must structure its procurement procedures to try to achieve an overall percentage goal of 20% of its total dollar value of procurement contracts for food being made directly or indirectly to certified local farms and certified Chesapeake invasive species providers. An agency may achieve the goal through competitive sealed bids and proposals and small procurements under terms in current law.

Jane Lawton Farm-to-School Program

MDA currently runs the Jane Lawton Farm-to-School Program to (1) promote the sale of farm products grown in Maryland to schools; (2) solicit farmers to sell their farm products to Maryland schools; (3) develop and regularly update a database of farmers interested in selling their farm products to Maryland schools, including what and when the farmers want to sell; (4) facilitate purchases from farmers by interested Maryland schools, in consultation with MSDE; and (5) provide outreach and guidance to farmers concerning the value of and procedure for selling their farm products to interested Maryland schools. In consultation with MSDE, school food service directors, and interested farming organizations, the program also supports events that promote State agriculture and farm products to children through school meal and classroom programs. At the start of each calendar year, each local school system participating in the program must report to MDA the types and amounts of farm products purchased from farms in the State.

State Program to Facilitate Purchase of Local Foods

Chapters 1 and 15 of the 2025 Special Session required (when funding is available) the establishment of a State program to procure local food for local school systems, including the creation of a centralized platform to facilitate the procurement of foods for local school systems, such as those from certified local farms and certified Chesapeake invasive species providers.

Local Expenditures: MCPS does not currently track the dollar amount spent on food procured from certified local farms and certified Chesapeake invasive species providers. MCPS advises that it will need to create a system to identify food items that meet the bill's criteria and to track purchases. MCPS will also need to hire a full-time staff person to manage the county's program and ensure that it meets specified targets. Accordingly, expenditures for MCPS increase in fiscal 2027 for one-time contractual services to develop a system to track applicable purchases and to hire one staff person to oversee the program. MCPS did not specify a total expenditure amount.

Furthermore, to the extent that foods that meet the specified criteria under the bill are higher in cost than food purchased from noncertified vendors, increasing targets for purchases of foods from certified farms and seafood providers may increase MCPS' expenditures for food. However, a reliable estimate of the magnitude of any such increases is not feasible.

MCPS notes that food vendors do not detail which items on their invoices meet the criteria in the bill, making it difficult to track the source of foods that are not purchased directly from certified local farms and certified Chesapeake invasive species providers. To the extent that food from some vendors cannot be verified as meeting the county's targets, MCPS may need to shift purchases to vendors that can provide the required documentation regarding the source of the food; doing so may increase food procurement costs. However, to the extent that State funds become available to assist local school systems in the procurement of the specified foods, local expenditures may be mitigated.

Small Business Effect: Sales for small businesses that are certified local farms or certified Chesapeake invasive species providers may increase as MCPS' targets for buying from those vendors increase.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Montgomery County; Maryland Department of Agriculture; Department of Natural Resources; Montgomery County Public Schools; Department of Legislative Services

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