

Senate Bill 396

By: Senators Goodman of the 8th, Jones II of the 22nd, Walker III of the 20th, Harper of the 7th, Sims of the 12th and others

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 17 of Title 2 of the Official Code of Georgia Annotated, relating to the  
2 Georgia State Nutrition Assistance Program (SNAP), so as to rename such program the  
3 Georgia Grown Farm to Food Bank Program (F2FB); to require food procured pursuant to  
4 such program be Georgia grown; to require annual reporting related to such program to  
5 identify Georgia grown farmers who supplied food; to authorize persons who provide  
6 services to such program or the Department of Agriculture to receive food from the program  
7 if qualified as a recipient; to provide for related matters; to repeal conflicting laws; and for  
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 17 of Title 2 of the Official Code of Georgia Annotated, relating to the Georgia State  
12 Nutrition Assistance Program (SNAP), is amended as follows:

S. B. 396

13

## "CHAPTER 17

14 2-17-1.

15 This chapter shall be known and may be cited as the '~~Georgia State Nutrition Assistance~~  
16 ~~Program (SNAP)~~ Georgia Grown Farm to Food Bank Program (F2FB).'

17 2-17-2.

18 As used in this chapter, the term:

19 (1) 'Department' means the Georgia Department of Agriculture.

20 (2) 'Emergency food provider' means a nonprofit, charitable organization that offers  
21 groceries or meals to people who are in need of food assistance and who reside in this  
22 state.

23 (3) 'Program' means the ~~Georgia State Nutrition Assistance Program (SNAP)~~ Georgia  
24 Grown Farm to Food Bank Program (F2FB) created by this chapter.

25 (4) 'Program participant' means an individual or household which is in need of short-term  
26 food assistance to supplement the diet in order to prevent hunger or malnutrition, or both.

27 (5) 'Regional food bank' means an established nonprofit charitable organization which  
28 is qualified as exempt from taxation under the provisions of Section 501(c)(3) of the  
29 Internal Revenue Code of 1986 and which, as part of an existing food bank network,  
30 maintains a food distribution operation providing food to nonprofit food pantries and  
31 feeding centers that offer groceries or meals to people in need of food assistance.

32 (6) 'State nutrition information organization' means an established nonprofit charitable  
33 organization which is qualified as exempt from taxation under the provisions of  
34 Section 501(c)(3) of the Internal Revenue Code of 1986 and which, as part of its mission,  
35 fosters and promotes general health through nutrition education of the public.

36 2-17-3.

37 (a) ~~The Georgia State Nutrition Assistance Program (SNAP)~~ Georgia Grown Farm to Food  
38 Bank Program (F2FB) is established to provide grants to regional food banks within this  
39 state for the purchase, transportation, storage, and distribution of food to emergency food  
40 providers and program participants. Such grants shall be made from funds available to the  
41 department for such purpose. Grants made pursuant to the program shall be used only for  
42 the purchase of food or agricultural commodities from Georgia based grown products, as  
43 that term is used in Code Section 2-8-90, purveyors or, producers, or processors for  
44 repacking or processing, or both, of food for distribution to emergency food providers and  
45 program participants.

46 (b) The program shall be administered by the department ~~and all administrative costs shall~~  
47 ~~be reimbursed to the department from the funds described in subsection (a) of this Code~~  
48 ~~section.~~

49 (c) All food purchases made through the use of program funds shall be made in accordance  
50 with the following standards:

51 (1) All food shall be procured from Georgia based grown sources;

52 (2) Food shall be purchased at ~~wholesale, competitive bid prices or better~~ a level equal  
53 to or greater than the seller's input costs plus one-half of the projected appreciation costs;  
54 and

55 (3) Food purchased with funds through the program shall not duplicate food available  
56 through the federal commodities program of the United States Department of Agriculture.

57 (d) ~~Not more than 7 percent of the grant funds made available through the program shall~~  
58 ~~be used by any regional food bank for the payment of administrative and incidental costs.~~

59 (e) The department shall contract with regional food banks for the operation of the  
60 program. The department, in conjunction with regional food banks, is authorized to take  
61 appropriate actions, including the entry of subcontracts, to ensure uniform access to the  
62 program by needy residents of this state. The department may allow a state nutrition

63 information organization to provide free nutrition education as part of the program to  
64 residents of this state.

65 ~~(f)~~(e) The department shall, by rule or regulation, establish and enforce procedures and  
66 guidelines for the determination of eligibility for participation in the program. Such rules,  
67 regulations, and procedures shall not limit or affect the established guidelines used by  
68 emergency food providers for any of their programs for which no funds are provided  
69 through the program established pursuant to this chapter. No person who is eligible for  
70 food funded by the program shall be charged for food or encouraged to contribute money  
71 in order to receive food under the program.

72 2-17-4.

73 The program established pursuant to this chapter and any funds granted pursuant to this  
74 chapter or expenditures made with such funds are subject to review and audit by the  
75 department and the state auditor to determine proper operation of the program and  
76 compliance with statutes, regulations, and policies. Contractors, subcontractors, and others  
77 receiving funds or commodities under this chapter shall be subject to audit and review by  
78 the state auditor at reasonable times.

79 2-17-5.

80 Within 90 days of the conclusion of the state's fiscal year, any entity with which the  
81 department has contracted for the operation of the program shall submit to the department  
82 an annual report which shall account fully for and shall specify the expenditure of funds  
83 made pursuant to the program, the dollar value of Georgia grown products distributed, the  
84 number of people and households served in each county, ~~and~~ the type and weight of food  
85 purchased, and the names of each Georgia grown product purveyor, producer, or processor  
86 from whom the program participant procured food. Within 180 days of the end of the  
87 state's fiscal year, the Commissioner shall submit an annual report to the Governor, the

88 President of the Senate, and the Speaker of the House of Representatives. Such report shall  
89 include, but not be limited to, relevant information concerning the operation of the program  
90 for the preceding fiscal year, the quantity and dollar value of Georgia products distributed,  
91 the number of people and households served in each county, and the type and weight of  
92 food purchased.

93 2-17-6.

94 It shall be unlawful for any person providing ~~voluntary~~ services to the department or to any  
95 regional food bank or emergency food provider which receives funds or food through the  
96 program or for any official or employee of the department to receive food for personal use,  
97 unless qualified as a recipient through the program, or to provide services for profit  
98 pursuant to the program created by this chapter. Any person violating this Code section  
99 shall be guilty of a misdemeanor."

100

## **SECTION 2.**

101 All laws and parts of laws in conflict with this Act are repealed.