

House File 2626

H-8227

1 Amend the amendment, H-8206, to House File 2626 as follows:

2 1. Page 13, after line 9 by inserting:

3 <DIVISION ____

4 LOCAL FARM PRODUCE PROGRAM

5 Sec. ____ . NEW SECTION. 190A.11 **Definitions.**

6 As used in this subchapter, unless the context otherwise
7 requires:

8 1. "*Department*" means the department of agriculture and land
9 stewardship.

10 2. "*Farm source*" means a farmer who produces fresh farm
11 produce and sells directly to consumers or to a distributor or
12 broker of fresh farm produce.

13 3. "*Fresh farm produce*" means vegetables, fruits, or nuts
14 intended for inclusion as part of a school diet, including
15 school meals and snacks as described in section 190A.3, if the
16 vegetables, fruits, or nuts are not processed except for being
17 trimmed, cleaned, dried, sorted, or packaged.

18 4. "*Fund*" means the local farm produce fund created in
19 section 190A.12.

20 5. "*Program*" means the local farm produce program created
21 in section 190A.13.

22 6. "*School*" means a public school or nonpublic school, as
23 those terms are defined in section 280.2, or that portion of a
24 public school or nonpublic school that provides facilities for
25 teaching any grade from kindergarten through grade twelve.

26 7. "*School district*" means a school district as described
27 in chapter 274.

28 Sec. ____ . NEW SECTION. 190A.12 **Local farm produce fund.**

29 1. A local farm produce fund is created in the state
30 treasury under the management and control of the department.

31 2. The fund shall include moneys appropriated to the fund
32 by the general assembly. The fund may include other moneys
33 available to and obtained or accepted by the department,
34 including moneys from public or private sources.

35 3. Moneys in the fund are appropriated to support the

1 program in a manner determined by the department, including for
2 reasonable administrative costs incurred by the department.
3 However, the department shall not use more than five percent
4 of moneys credited to the fund during a fiscal year to pay for
5 reasonable administrative costs.

6 4. a. Notwithstanding section 12C.7, interest or earnings
7 on moneys in the fund shall be credited to the fund.

8 b. Notwithstanding section 8.33, moneys credited to the
9 fund that remain unencumbered or unobligated at the end of a
10 fiscal year shall not revert but shall remain available for the
11 purposes designated.

12 Sec. ____ . NEW SECTION. 190A.13 Local farm produce program.

13 1. A local farm produce program is created. The program
14 shall be controlled and administered by the department.

15 2. The purpose of the program is to assist schools and
16 school districts in purchasing fresh farm produce.

17 3. The department shall reimburse a school or school
18 district for expenditures incurred by the school or school
19 district for the purchase of fresh farm produce during
20 the school year in which the school or school district is
21 participating in the program.

22 4. A school or school district must apply each year to the
23 department to participate in the program according to rules
24 adopted by the department pursuant to chapter 17A.

25 5. To be eligible to participate in the program, a school or
26 school district must purchase the fresh farm produce directly
27 from a farm source as follows:

28 a. Except as provided in paragraph "b", the farm source must
29 be located in this state.

30 b. If the school district shares a border with another
31 state, or the school is part of a school district that shares
32 a border with another state, the farm source may be located
33 in the other state. However, the food source must be located
34 within thirty miles from the school district's border with that
35 state and the department must approve the purchase.

1 6. The department shall require proof of purchase prior to
2 reimbursing the school or school district for the purchase of
3 fresh farm produce.

4 7. The department may administer the program in cooperation
5 with the department of education and the participating school
6 district or school district in which a participating school is
7 located.

8 8. *a.* The department shall reimburse a participating
9 school or school district that submits a claim as required
10 by the department. The department shall pay the claim on a
11 matching basis with the department contributing one dollar for
12 every three dollars expended by the school or school district.
13 However, a school or school district shall not receive
14 more than five thousand dollars during any year in which it
15 participates in the program.

16 *b.* If the department determines that there are not
17 sufficient moneys in the fund to satisfy all applications that
18 are submitted by schools and school districts, the department
19 shall distribute available moneys after reducing the requested
20 amounts by a like percentage.

21 *c.* Notwithstanding paragraph "*a*", if the department
22 determines that there are sufficient moneys in the fund to
23 satisfy all claims that may be submitted by schools and school
24 districts, the department shall provide for the distribution of
25 the available moneys in a manner determined equitable by the
26 department to schools and school districts in counties where
27 the county board of health has identified obesity or another
28 diet-related illness in youth as a priority in the board's
29 community health needs assessment and health improvement plan.

30 Sec. ____ . APPROPRIATION.

31 1. There is appropriated to the department of agriculture
32 and land stewardship for the fiscal year beginning July 1,
33 2019, and ending June 30, 2020, from the moneys available to
34 the state pursuant to the Coronavirus Aid, Relief, and Economic
35 Security Act, Pub. L. No. 116-136, the following amount, or

1 so much thereof as is necessary, to be used for the purpose
2 designated:

3 For deposit in the local farm produce fund created in section
4 190A.12, as enacted in this Act:

5 \$ 1,925,000

6 2. Notwithstanding sections 8.33 and 190A.12, moneys
7 appropriated in this section that remain unencumbered or
8 unobligated shall not revert and shall be transferred on
9 December 31, 2020, to the general fund of the state and are
10 appropriated to the economic development authority for the
11 fiscal year beginning July 1, 2020, and ending June 30, 2021,
12 for purposes related to assisting small businesses impacted by
13 the coronavirus.

14 Sec. ____ . EFFECTIVE DATE. This division of this Act, being
15 deemed of immediate importance, takes effect upon enactment.

16 Sec. ____ . RETROACTIVE APPLICABILITY. This division of this
17 Act, if approved by the governor on or after July 1, 2020,
18 applies retroactively to June 30, 2020.>

19 2. Page 19, line 2, after <fees,> by inserting <making
20 appropriations,>

21 3. Page 19, line 3, after <date> by inserting <and
22 retroactive applicability>

23 4. By renumbering as necessary.

ISENHART of Dubuque