

Senate File 578

S-3172

1 Amend the House amendment, S-3107, to Senate File 578, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 17, through page 2, line 17.

4 2. By striking page 3, line 14, through page 5, line 33, and  
5 inserting:

6 <PART A

7 FARM-TO-SCHOOL ACT

8 Sec. \_\_\_\_\_. Section 190A.1, Code 2021, is amended by striking  
9 the section and inserting in lieu thereof the following:

10 **190A.1 Short title.**

11 This chapter shall be known and may be cited as the  
12 *"Farm-to-School Act"*.

13 Sec. \_\_\_\_\_. NEW SECTION. **190A.2 Definitions.**

14 As used in this chapter, unless the context otherwise  
15 requires:

16 1. *"Department"* means the department of agriculture and land  
17 stewardship.

18 2. *"Food animal"* means an animal belonging to the bovine,  
19 caprine, ovine, or porcine species; a turkey, chicken, or other  
20 type of poultry; a farm deer as defined in section 170.1; a  
21 fish or other aquatic organism confined in private waters for  
22 human consumption; or a bee as defined in section 160.1A.

23 3. *"Food commodity"* means any of the following:

24 a. A food animal that is to be slaughtered or harvested and  
25 that is to be processed into a food product.

26 b. An item regularly generated by a food animal, including  
27 milk, eggs, or honey, that has been collected, and that is to  
28 be processed into a food product.

29 c. Sap, whole nuts, or whole produce, including vegetables  
30 or fruit, that has been harvested and that is to be processed  
31 into a food product.

32 4. *"Food product"* means a perishable or nonperishable  
33 product derived from processing a food commodity to be fit  
34 for human consumption, including but not limited to cuts of  
35 meat, poultry, or fish; shelled aquatic items; pasteurized milk

1 or dairy products; washed shelled eggs; honey; maple syrup;  
2 cleaned unshelled or shelled nuts; washed whole produce; and  
3 washed and cut produce.

4 5. "*Fund*" means the farm-to-school fund created in section  
5 190A.5.

6 6. "*Process*" means to prepare a food commodity in a manner  
7 that allows it to be sold to consumers as a food product,  
8 including by altering the form or identity of the food  
9 commodity; trimming, cutting, cleaning, drying, freezing,  
10 filtering, sorting, or shelling the food commodity; or  
11 packaging the food commodity.

12 7. "*Program*" means the farm-to-school program created in  
13 section 190A.6.

14 8. "*School*" means a public school or nonpublic school, as  
15 those terms are defined in section 280.2, or that portion of a  
16 public school or nonpublic school that provides facilities for  
17 teaching any grade from kindergarten through grade twelve.

18 9. "*School district*" means a school district as described  
19 in chapter 274.

20 Sec. \_\_\_\_ . NEW SECTION. 190A.5 Farm-to-school fund.

21 1. A farm-to-school fund is created in the state treasury  
22 under the management and control of the department.

23 2. The fund shall include moneys appropriated to the fund  
24 by the general assembly. The fund shall include any other  
25 moneys available to and obtained or accepted by the department,  
26 including moneys from public or private sources, to support the  
27 program.

28 3. Moneys in the fund are appropriated to support the  
29 program in a manner determined by the department, including for  
30 reasonable administrative costs incurred by the department.  
31 However, the department shall not expend more than four  
32 percent of moneys existing at any one time in the fund during  
33 each fiscal year for purpose of paying costs associated with  
34 the administration of the program and fund incurred by the  
35 department during that fiscal year. Moneys expended from the

1 fund shall not require further special authorization by the  
2 general assembly.

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

5 *b.* Notwithstanding section 8.33, moneys credited to the  
6 fund that remain unencumbered or unobligated at the close of  
7 a fiscal year shall not revert but shall remain available for  
8 expenditure for the purposes designated.

9 Sec. \_\_\_\_ . NEW SECTION. 190A.6 **Farm-to-school program.**

10 1. A farm-to-school program is created. The program shall  
11 be controlled and administered by the department.

12 2. The purpose of the program is to assist schools and  
13 school districts in purchasing food products derived from food  
14 commodities produced on a farm.

15 3. The department shall reimburse a school or school  
16 district for expenditures incurred by the school or school  
17 district during the school year in which the school or school  
18 district is participating in the program to purchase food  
19 products derived from food commodities produced on a farm.

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

23 5. To be eligible to participate in the program, a school or  
24 school district must purchase a food product directly from a  
25 farm source as follows:

26 *a.* The farm source must be any of the following:

27 (1) A farm where a food commodity is produced, if the food  
28 commodity is processed into a food product on the farm for sale  
29 to a consumer.

30 (2) A business premises that is directly shipped a food  
31 commodity from a farm, if the food commodity is processed into  
32 a food product on the business premises for sale to a consumer.

33 (3) A business premises that is directly shipped a food  
34 product from a farm, if the food product is purchased for  
35 resale to a consumer or is distributed to a consumer on behalf

1 of a farmer.

2 *b.* The farm source must comply with all applicable laws  
3 regulating the sale of food.

4 *c.* (1) Except as provided in subparagraph (2), the farm  
5 source must be located in this state.

6 (2) If the school district shares a border with another  
7 state, or the school is part of a school district that shares  
8 a border with another state, the farm source may be located  
9 in the other state. However, the farm source must be located  
10 within thirty miles of the school district's border with the  
11 other state and the department must approve the purchase.

12 6. The department shall require proof of purchase prior to  
13 reimbursing the school or school district for the purchase of  
14 food products.

15 7. The department of agriculture and land stewardship may  
16 administer the program in cooperation with the department of  
17 education and the participating school or school district in  
18 which a participating school is located.

19 8. *a.* The department shall reimburse a participating  
20 school or school district that submits a claim as required  
21 by the department. The department shall pay the claim on a  
22 matching basis with the department contributing one dollar  
23 for every three dollars expended by the school or school  
24 district. However, a school or school district shall not  
25 receive more than one thousand dollars during any year in which  
26 it participates in the program.

27 *b.* Notwithstanding paragraph "a", if the department  
28 determines that there are sufficient moneys in the fund to  
29 satisfy all claims that may be submitted by schools and school  
30 districts, the department shall provide for the distribution  
31 of the available moneys in a manner determined equitable by  
32 the department, which may include a prorated distribution to  
33 participating schools and school districts.

34 Sec. \_\_\_\_ . REPEAL. Section 190A.3, Code 2021, is repealed.>

35 3. By renumbering as necessary.

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ANNETTE SWEENEY