

1 **SENATE FLOOR VERSION**

2 February 22, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 749

5 By: Matthews and Pittman of the
6 Senate

7 and

8 Nichols of the House

9 **[agriculture - Urban Gardens Grant Act - Revolving
10 Fund - codification - effective date]**

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 5-120 of Title 2, unless there
14 is created a duplication in numbering, reads as follows:

15 This act shall be known and may be cited as the "Urban Gardens
16 Grant Act".

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 5-121 of Title 2, unless there
19 is created a duplication in numbering, reads as follows:

20 For purposes of the Urban Gardens Grant Act:

21 1. "Department" means the Oklahoma Department of Agriculture,
22 Food, and Forestry;

23 2. "Food desert" means a census tract that is designated as
24 both a low-income area and a low access area;

1 3. "Low access area" means a census tract, as reported in the
2 most recent decennial census published by the United States Bureau
3 of the Census, where at least 500 persons or 33 percent (33%) of
4 their population live more than:

5 a one (1) mile from a supermarket or large grocery store
6 in urban areas, and

7 b. ten (10) miles from a supermarket or large grocery
8 store in rural areas;

9 4. "Low-income area" means a census tract, as reported in the
10 most recent decennial census published by the United States Bureau
11 of the Census, where at least 20 percent (20%) of the people have
12 income at or below the federal poverty levels for family size, or
13 where median family income for the tract is at or below 80 percent
14 (80%) of the surrounding area's median family income.

15 SECTION 3. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 5-122 of Title 2, unless there
17 is created a duplication in numbering, reads as follows:

18 There is hereby created in the State Treasury a revolving fund
19 for the Oklahoma Department of Agriculture, Food, and Forestry to be
20 designated the "Urban Gardens Grant Revolving Fund". The fund shall
21 be a continuing fund, not subject to fiscal year limitations, and
22 shall consist of all monies received by the State Board of
23 Agriculture from state-appropriated funds, federal funds, donations,
24 grants and contributions from any public or private source. All

1 monies accruing to the credit of the fund are hereby appropriated
2 and may be budgeted and expended by the Oklahoma Department of
3 Agriculture, Food, and Forestry for the purpose of administering the
4 Urban Gardens Grant Act. Expenditures from the fund shall be made
5 upon warrants issued by the State Treasurer against claims filed as
6 prescribed by law with the Director of the Office of Management and
7 Enterprise Services for approval and payment.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 5-123 of Title 2, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Department shall administer the provisions of the Urban
12 Gardens Grant Act.

13 B. The State Board of Agriculture shall promulgate rules and
14 adopt eligibility guidelines necessary to enforce and administer the
15 Urban Gardens Grant Act, including an application process for
16 grants. Entities that receive grants must be located in food
17 deserts and serve residents of the community in which they are
18 located. The applicants shall show that an awarded grant will
19 expand and stimulate economic activity in the low income areas
20 served, as well as provide increased opportunities for the citizens
21 of those low income areas to obtain healthier food options.

22 C. One-time grants up to Two Hundred Fifty Thousand Dollars
23 (\$250,000.00) shall be provided to entities for the purchase of
24

1 greenhouses and other materials to establish and operate an urban
2 garden.

3 D. Entities eligible to apply for the grants are nonprofit
4 community organizations, churches, or other nonprofit organizations.

5 E. The urban gardens shall grow healthy foods that are to be
6 sold on site or at farmer's markets, produce stands and retailers
7 located within the same community.

8 SECTION 5. This act shall become effective November 1, 2017.

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
10 February 22, 2017 - DO PASS AS AMENDED

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