

118TH CONGRESS
1ST SESSION

H. R. 4127

To amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2023

Mr. PANETTA (for himself, Mrs. CAMMACK, Mr. AUSTIN SCOTT of Georgia, Ms. LOFGREN, Mr. DUARTE, Mr. LANGWORTHY, and Mr. EDWARDS) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Access to Agri-
5 culture Disaster Programs Act”.

1 **SEC. 2. EXCEPTION FOR INCOME DERIVED FROM AGRICULTURE.**
2

3 Section 1001D(b) of the Food Security Act of 1985
4 (7 U.S.C. 1308–3a(b)) is amended—

5 (1) in paragraph (1), by striking “paragraph
6 (3)” and inserting “paragraphs (3) and (4)”; and

7 (2) by adding at the end the following:

8 “(4) EXCEPTION.—

9 “(A) IN GENERAL.—In the case of an ex-
10 cepted payment or benefit, the limitation estab-
11 lished by paragraph (1) shall not apply to a
12 person or legal entity during a crop, fiscal, or
13 program year, as appropriate, if greater than or
14 equal to 75 percent of the average adjusted
15 gross income of the person or legal entity de-
16 rives from farming, ranching, or silviculture ac-
17 tivities (including agri-tourism, direct-to-con-
18 sumer marketing of agricultural products, the
19 sale of agricultural equipment owned by such
20 person or entity, and other agricultural related
21 activities, as determined by the Secretary).

22 “(B) EXCEPTED PAYMENT OR BENEFIT.—

23 For purposes of this paragraph, the term ‘ex-
24 cepted payment or benefit’ means—

1 “(i) a payment or benefit under sub-
2 title E of title I of the Agricultural Act of
3 2014 (7 U.S.C. 9081 et seq.); and

4 “(ii) a payment or benefit under sec-
5 tion 196 of the Federal Agriculture Im-
6 provement and Reform Act of 1996 (7
7 U.S.C. 7333).”.

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