

1 ENGROSSED SENATE
2 BILL NO. 749

By: Matthews and Pittman of the
Senate

3 and

4 Nichols of the House
5
6

7 An Act relating to agriculture; creating the Urban
8 Gardens Grant Act; defining terms; creating the Urban
9 Gardens Grant Revolving Fund; directing the
10 Department of Agriculture, Food, and Forestry to
11 administer the act; directing the State Board of
12 Agriculture to promulgate rules and adopt certain
13 guidelines; stating guidelines; providing for one-
time grants; identifying eligible entities; stating
purpose of urban gardens; providing for codification;
and providing an effective date.

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

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

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

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

23 For purposes of the Urban Gardens Grant Act:
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1 1. "Department" means the Oklahoma Department of Agriculture,
2 Food, and Forestry;

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

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

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

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

13 4. "Low-income area" means a census tract, as reported in the
14 most recent decennial census published by the United States Bureau
15 of the Census, where at least 20 percent (20%) of the people have
16 income at or below the federal poverty levels for family size, or
17 where median family income for the tract is at or below 80 percent
18 (80%) of the surrounding area's median family income.

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

22 There is hereby created in the State Treasury a revolving fund
23 for the Oklahoma Department of Agriculture, Food, and Forestry to be
24 designated the "Urban Gardens Grant Revolving Fund". The fund shall

1 be a continuing fund, not subject to fiscal year limitations, and
2 shall consist of all monies received by the State Board of
3 Agriculture from state-appropriated funds, federal funds, donations,
4 grants and contributions from any public or private source. All
5 monies accruing to the credit of the fund are hereby appropriated
6 and may be budgeted and expended by the Oklahoma Department of
7 Agriculture, Food, and Forestry for the purpose of administering the
8 Urban Gardens Grant Act. Expenditures from the fund shall be made
9 upon warrants issued by the State Treasurer against claims filed as
10 prescribed by law with the Director of the Office of Management and
11 Enterprise Services for approval and payment.

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

15 A. The Department shall administer the provisions of the Urban
16 Gardens Grant Act.

17 B. The State Board of Agriculture shall promulgate rules and
18 adopt eligibility guidelines necessary to enforce and administer the
19 Urban Gardens Grant Act, including an application process for
20 grants. Entities that receive grants must be located in food
21 deserts and serve residents of the community in which they are
22 located. The applicants shall show that an awarded grant will
23 expand and stimulate economic activity in the low income areas
24

1 served, as well as provide increased opportunities for the citizens
2 of those low income areas to obtain healthier food options.

3 C. One-time grants up to Two Hundred Fifty Thousand Dollars
4 (\$250,000.00) shall be provided to entities for the purchase of
5 greenhouses and other materials to establish and operate an urban
6 garden.

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

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

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

13 Passed the Senate the 8th day of March, 2017.

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15 _____
16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2017.

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20 _____
21 Presiding Officer of the House
22 of Representatives
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