

An Act

ENROLLED SENATE
BILL NO. 749

By: Matthews and Pittman of the
Senate

and

Nichols of the House

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

SUBJECT: Urban Gardens Grant Act

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

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

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

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

For purposes of the Urban Gardens Grant Act:

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

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

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

- a one (1) mile from a supermarket or large grocery store in urban areas, and
- b. ten (10) miles from a supermarket or large grocery store in rural areas;

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

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

There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Agriculture, Food, and Forestry to be designated the "Urban Gardens Grant Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Board of Agriculture from state-appropriated funds, federal funds, donations, grants and contributions from any public or private source. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Department of Agriculture, Food, and Forestry for the purpose of administering the Urban Gardens Grant Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as

prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

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

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

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

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

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

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

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

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

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2017.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____