

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 749

 By: Matthews and Pittman of the
 Senate

6 and

7 Nichols of the House

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

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

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

26 This act shall be known and may be cited as the "Urban Gardens
27 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.

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

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

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

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

23 B. The State Board of Agriculture shall promulgate rules and
24 adopt eligibility guidelines necessary to enforce and administer the

1 Urban Gardens Grant Act, including an application process for
2 grants. Entities that receive grants must be located in food
3 deserts and serve residents of the community in which they are
4 located. The applicants shall show that an awarded grant will
5 expand and stimulate economic activity in the low income areas
6 served, as well as provide increased opportunities for the citizens
7 of those low income areas to obtain healthier food options.

8 C. One-time grants up to Two Hundred Fifty Thousand Dollars
9 (\$250,000.00) shall be provided to entities for the purchase of
10 greenhouses and other materials to establish and operate an urban
11 garden.

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

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

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

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19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
20 04/17/2017 - DO PASS.
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