

An Act

ENROLLED HOUSE
BILL NO. 1910

By: Alonso-Sandoval of the
House

and

Nice of the Senate

An Act relating to environment and natural resources; providing a short title; providing for the establishment and administration of the Urban Agriculture Cost Share Program; providing for purpose of program; providing funding source; providing for promulgation of program guidelines once funding is available; requiring conservation districts to enter into contracts for eligible projects detailing responsibilities; defining terms; providing considerations for program guidelines; requiring applicants to submit certain information, forms, and reports; providing that persons may apply to a conservation district for cost share funds for eligible urban agriculture initiatives; providing requirements to receive a reimbursement; providing for approval and denial of applications; requiring the Oklahoma Conservation Commission to prepare and post certain statistical data; requiring dissemination of data to certain state cabinet secretaries; providing for liability of state; amending 27A O.S. 2021, Section 3-2-110, which relates to Oklahoma Conservation Commission Infrastructure Revolving Fund; expanding purpose of fund to include funding the Urban Agriculture Cost Share Program; providing for codification; and providing an effective date.

SUBJECT: Environment and natural resources

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 3-3-601 of Title 27A, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Urban Agriculture Cost Share Program".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-602 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Conservation Commission is hereby authorized to establish and administer an Urban Agriculture Cost Share Program as funds become available. The Cost Share Program shall provide monies to eligible persons.

B. The purpose of the Urban Agriculture Cost Share Program is to promote sustainable urban agricultural practices, improve food security, and enhance green spaces in Oklahoma's urban areas.

C. The Oklahoma Conservation Commission Infrastructure Revolving Fund shall provide funding for the Urban Agriculture Cost Share Program. When sufficient funds are available in the Oklahoma Conservation Commission Infrastructure Revolving Fund, the Commission shall develop and disseminate the program guidelines to the conservation districts containing urban areas. The guidelines shall detail incentives to eligible persons for initiating and continuing urban agriculture initiatives.

D. To implement the program, the Commission shall require conservation districts to enter into contracts for eligible projects on eligible land detailing the eligible person's responsibilities.

E. For purposes of the Urban Agriculture Cost Share Program:

1. "Eligible person" means any individual, partnership, corporation, or legally recognized Indian tribe which shall include land held in trust, estate, or trust who as an owner, lessee, tenant, or operator participates in the care or management of land within a conservation district;

2. "Eligible land" means land that is within five (5) miles of an urban area that is:

- a. privately owned land within the state,
- b. land owned by the state or a political subdivision of the state, or
- c. lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes,

including lands administered by the Farm Service Agency, the U.S. Department of Defense, or by any other government agency;

3. "Eligible projects" means urban agriculture projects that include, but are not limited to:

- a. establishing or expanding community gardens in urban neighborhoods,
- b. rooftop and vertical farming,
- c. installing greenhouses, high tunnels, or hoop houses for food production,
- d. installing rainwater harvesting systems and efficient irrigation for urban farming,
- e. enhancing soil health through composting and nutrient management in urban areas,
- f. establishing urban apiaries,
- g. planting urban pollinator gardens,
- h. building livestock infrastructure such as chicken coops or goat enclosures,
- i. developing and implementing education programs on urban farming practices,
- j. creating, operating, and maintaining an urban food waste composting program,
- k. urban marketing initiatives for Oklahoma farms to sell in urban areas, and
- l. other projects that accomplish the objectives and purpose of this Cost Share Program; and

4. "Urban Area" means the areas in Oklahoma which have been defined by the United States Census Bureau as urban areas based on certain criteria and utilizing data from the most recent Federal Decennial Census.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-603 of Title 27A, unless there is created a duplication in numbering, reads as follows:

When developing the guidelines for an Urban Agriculture Cost Share Program, the Oklahoma Conservation Commission shall consider:

1. Prioritizing projects in geographic areas where residents have low levels of access to retail outlets selling healthy and affordable food;
2. Building on existing urban agriculture projects to continue to grow community engagement;
3. Reviewing approved cost-share methods available through USDA-NRCS to promote urban agriculture, improve urban food security, and enhance green spaces in urban areas; and
4. Evaluating if other federal, state, or Oklahoma tribal programs can be enhanced by the inclusion of practices in the Commission's Urban Agriculture Cost Share Program.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-604 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. The Conservation Commission shall require applicants to submit information, forms and reports as necessary to properly and efficiently administer the Urban Agriculture Cost Share Program.

B. Persons may apply to a conservation district for cost share funds for eligible urban agriculture initiatives in the State of Oklahoma, in accordance with the Cost Share Program year guidelines prepared yearly by the Commission. To be eligible for reimbursement for an urban agriculture cost share project, an eligible person shall:

1. Develop and file for review and approval with the conservation district a project plan that details the urban agriculture project plans, location of project, materials needed, expected expenditure, length of time expected to complete project construction, monitoring or operation plan if applicable, and expected community benefit of project; and

2. Enter into a contract with a conservation district detailing the responsibilities of the eligible person for the initial Cost Share Program year as well as any potential continuing responsibilities that are required to operate and maintain the project, if applicable.

C. Applications for funds shall be approved or denied by the conservation district in accordance with promulgated criteria prepared by the Commission.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-605 of Title 27A, unless there is created a duplication in numbering, reads as follows:

Upon the conclusion of each Cost Share Program year, the Oklahoma Conservation Commission shall prepare and post on the agency website the statistical data for number and type of urban agriculture projects, funds expended, and urban community impacts by urban area of the cost share practices for that program year. This same information shall also be shared with the state cabinet Secretaries of Agriculture and Energy and Environment.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-606 of Title 27A, unless there is created a duplication in numbering, reads as follows:

Nothing in this act or in the contract executed pursuant to Section 4 of this act shall be interpreted or construed to constitute a financial or general obligation of the state. No state revenue shall be used to guarantee or pay for any damages to property or injury to persons as a result of the provisions of this act or the contract.

SECTION 7. AMENDATORY 27A O.S. 2021, Section 3-2-110, is amended to read as follows:

Section 3-2-110. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Conservation Commission to be designated the "Oklahoma Conservation Commission Infrastructure Revolving Fund".

B. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Conservation Commission from the apportionment of gross

production tax revenues as prescribed by Section 1004 of Title 68 of the Oklahoma Statutes.

C. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Conservation Commission for the purpose of the rehabilitation of watershed dams and, for the Conservation Cost Share Program, the Urban Agriculture Cost Share Program, and the Conservation Reserve Enhancement Program.

D. Expenditures from said 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.

E. No more than thirty percent (30%) of the monies in the fund shall be used for the payment of administrative expenses, salary or any other continuing obligation of the Oklahoma Conservation Commission; provided, however, such monies shall not be used for salary increases for employees.

SECTION 8. This act shall become effective November 1, 2025.

Passed the House of Representatives the 17th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 30th day of April, 2025.

Presiding Officer of the Senate

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: _____