

HOUSE BILL NO. 649

INTRODUCED BY S. FYANT, L. MUSZKIEWICZ, T. CROWE, P. ELVERUM, C. NEUMANN, J. WEBER, D. POWERS, S. ROSENZWEIG, W. CURDY, B. GILLESPIE, W. MCKAMEY, J. KASSMIER, P. FLOWERS, J. KARLEN, P. TUSS, C. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FARM TO FOOD BANK GRANT PROGRAM; REQUIRING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH AND ADMINISTER THE PROGRAM; ESTABLISHING GRANT REQUIREMENTS; ESTABLISHING A GRANT PROCESS; PROVIDING PREFERENCES FOR GRANT AWARDS; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Short title. [Sections 1 through 7] may be cited as the "Farm to Food Bank Act".

NEW SECTION. Section 2. Purpose. (1) The purpose of [sections 1 through 7] is to provide a farm to food bank grant program administered by the department for farm to food bank activities. Farm to food bank programs strengthen local food economies by creating a new market for Montana farmers and ranchers, expanding access to fresh, local products for those who may not otherwise have access to those products, and strengthening producer and consumer relationships in the state. Farm to food bank program implementation looks different in each community, but in Montana it includes the following elements:

- (a) using available funds to support Montana farmers and ranchers;
 - (b) providing support for regional food hubs that can leverage producer relationships to purchase, process, store, and distribute products for and to food banks; and
 - (c) providing access to fresh, healthy, local products for low-income consumers.
- (2) [Sections 1 through 7] create a pilot program to:

(a) support regional food hubs in building producer networks and purchasing, processing, storing, and distributing local food to food pantries;

(b) create a new consumer market for Montana farmers and ranchers; and

(c) ensure equitable, statewide access to farm to food bank grant funds.

NEW SECTION. Section 3. Definitions. As used in [sections 1 through 7], unless the context clearly indicates otherwise, the following definitions apply:

(1) "Farm to food bank activities" include:

(a) the administration of the farm to food bank program by a nongovernmental organization;

(b) the purchase of Montana-grown fruit, vegetables, meat, legumes, whole grains, eggs, and dairy products by food hubs across the state; and

(c) the distribution of products purchased under this program to Montana-based food pantries.

(2) "Food hub" means any food pantry or food and agriculture development center that can illustrate ongoing relationships with Montana-grown food producers in its region and the ability to purchase, store, and distribute local products to food pantries in its area.

(3) (a) "Montana-grown" means an item has been grown, raised, or processed in the state.

(b) For the purposes of this definition:

(i) at least 51% of the ingredients in a processed food must have been grown, raised, or both, in the state; and

(ii) food grown or raised in the state may be processed outside of the state in accordance with existing regulations and still be considered Montana-grown.

NEW SECTION. Section 4. Farm to food bank grant program -- rulemaking. (1) (a) The department shall develop an open and competitive farm to food bank grant program.

(b) Grants must be awarded in accordance with [section 5] for farm to food bank activities.

(2) The department may adopt rules necessary to implement a pilot farm to food bank grant program. The rules may include:

(a) standards for farm to food bank activities;

- (b) methods for determining an applicant's progress in implementing farm to food bank activities;
- (c) methods for determining compliance with the requirements of [section 5]; and
- (d) other procedures necessary to administer and implement the grant program.

NEW SECTION. Section 5. Farm to food bank grant requirements. (1) Grants awarded in

accordance with [sections 1 through 7] must be based on a competitive process open to applicants based on an applicant's:

- (a) ability to administer and implement farm to food bank activities;
- (b) ability to incorporate positive change in local food purchasing;
- (c) history of and ability to promote healthy food activities; and
- (d) ability to demonstrate statewide relationships with food hubs.

(2) Applicants shall demonstrate compliance with the requirements of this section.

(3) Preference must be provided to applicants who demonstrate an ability to reach underserved communities, especially those in rural areas and on tribal reservations.

(4) Food purchased for farm to food bank activities with grant funds must be food, products, or ingredients that:

- (a) are Montana-grown; and
- (b) could reasonably be a part of an established food bank nutrition program.

(5) Food purchased for farm to food bank activities may not be used to supplant existing local food purchases by food banks that would otherwise be purchased with existing food bank nutrition funds from other sources.

(6) A grant recipient may spend up to ~~20%~~ 5% of the award amount on administration costs, including convening and partnering with food and agriculture development centers, local producers, food pantries, and food hubs.

NEW SECTION. Section 6. Farm to food bank grant program special revenue account. (1) There

is an account in the state special revenue fund to be known as the farm to food bank grant program account.

(2) The purpose of the account is to:

(a) provide funding for farm to food bank grants awarded in accordance with [sections 1 through 7]; and

(b) allow for the administration of the program, subject to [section 5(6)].

(3) There must be deposited in the account:

(a) any funds available through and identified by the department for the farm to food bank program;

(b) any legislative appropriations; and

(c) gifts, grants, or donations made for the purposes of [sections 1 through 7].

NEW SECTION. Section 7. Farm to food bank grant program reporting requirements. (1) The department shall design an evaluation report format and compile submitted evaluation reports from grant recipients.

(2) The department shall present a biennial report, in accordance with 5-11-210, to the economic affairs interim committee provided for in 5-5-223 on or before September 1 of each year preceding the convening of a regular session of the legislature.

(3) The report must describe:

(a) the total dollar increase in purchases of Montana-grown fruit, vegetables, and other farm products;

(b) the types of products purchased and the total number of businesses from which the products were purchased; and

(c) recommendations for continuing the farm to food bank grant program.

NEW SECTION. Section 8. Appropriation. There is appropriated \$3 million from the general fund to the department of agriculture for the biennium beginning July 1, 2025, for the purposes provided for in [sections 1 through 7].

NEW SECTION. Section 9. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

Amendment - 1st Reading-white - Requested by: Jennifer Lynch - (H) Agriculture

- 2025

69th Legislature 2025

Drafter: Laura Sherley,

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NEW SECTION. **Section 10. Codification instruction.** [Sections 1 through 7] are intended to be
codified as an integral part of Title 80, and the provisions of Title 80 apply to [sections 1 through 7].

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NEW SECTION. **Section 11. Effective date.** [This act] is effective July 1, 2025.

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