

By: Senator(s) Jackson (11th)

To: Public Health and
Welfare; Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2426

1 AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HUMAN
2 SERVICES TO ESTABLISH A GRANT PROGRAM FOR REGIONAL FOOD BANKS; TO
3 REQUIRE THE DEPARTMENT TO ALLOCATE FUNDS TO REGIONAL FOOD BANKS;
4 TO PROVIDE A FORMULA TO CALCULATE THE ANNUAL PERCENTAGES OF FUNDS
5 AWARDED TO EACH REGIONAL FOOD BANK; TO CREATE THE SNAP HEALTHY
6 FOOD INCENTIVES PROGRAM, WHICH REQUIRES THE DEPARTMENT OF HUMAN
7 SERVICES, SUBJECT TO APPROPRIATION, TO MAKE AN ANNUAL GRANT TO A
8 QUALIFIED MISSISSIPPI NONPROFIT TO DISTRIBUTE FUNDS TO MISSISSIPPI
9 FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING
10 MATCHING DOLLAR INCENTIVES FOR THE DOLLAR VALUE OF SNAP BENEFITS
11 SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT THE FARMERS MARKETS AND
12 RETAILERS; TO AUTHORIZE THE EXPENDITURE OF CERTAIN COMMUNITY
13 FOUNDATION HOLDING FUNDS; AND FOR RELATED PURPOSES.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

15 **SECTION 1.** (1) As used in this section: "regional food
16 banks" means the three (3) Feeding America partner food banks that
17 serve Mississippi, including: Feeding the Gulf Coast, Mid-South
18 Food Bank, and Mississippi Food Network, which are nonprofit
19 organizations that solicit, warehouse and redistribute eligible
20 food to agencies in Mississippi that feed families and individuals
21 who qualify based on federal guidelines.

22 (2) The Mississippi Department of Human Services shall
23 establish a grant program for regional food banks providing annual



grant funding to the regional food banks for the purchase, transportation, storage and distribution of food in Mississippi. Grants shall be made from funds available to the department for such purpose. Grants made pursuant to the program shall be used only for the purchase of food or agricultural commodities for repackaging or processing, or both, of food for distribution to emergency food providers serving Mississippi and program participants residing in Mississippi.

(3) The department shall administer the program. The department shall reimburse its administrative costs at a rate of not more than one percent (1%) from the funds described in subsection (2) of this section.

(4) All food purchases made through the use of program funds shall be made in accordance with the following standards:

(a) Procurement from Mississippi-based food sources shall be given preference when available and at a reasonable cost;

(b) Food shall be purchased at wholesale prices or competitive bid prices or better; and

(c) Funds for food and food provided through this program shall be used to supplement and not replace funds for food or food provided through the U.S. Department of Agriculture's federal commodities program.

(5) The department shall allocate money to regional food banks serving Mississippians based on population, food insecurity rates, and county service areas. The annual percentages formula



for each nonprofit food bank shall be calculated on a pro rata basis by dividing the total number of food insecure persons in the food bank's service area by the total number of food insecure persons in the state. The data for this formula shall be derived from the latest available data from Feeding America.

(6) Not more than seven percent (7%) of the grant funds made available through the program to a regional food bank shall be used by any regional food bank for the payment of administrative and incidental costs.

(7) No regional food bank shall charge any person who is eligible under the program for food or encourage any eligible person to contribute money in order to receive food under the program.

SECTION 2. (1) This section shall be known and may be cited as the "SNAP Healthy Food Incentive Program Act of 2021."

(2) Subject to appropriation, the Mississippi Department of Human Services shall make an annual grant to fund a qualified Mississippi nonprofit organization or agency. Such nonprofit organization or agency shall distribute to participating Mississippi farmers markets and retailers for the purpose of providing matching dollar incentives for the dollar value of SNAP benefits spent on eligible fruits and vegetables at participating Mississippi farmers markets and direct producer-to-consumer venues.



(3) The designated qualified nonprofit organization or agency shall have a demonstrated track record of:

- (a) Building a statewide network;
- (b) Implementing funds distribution and reporting processes;
- (c) Providing training and technical assistance to farmers markets and direct producer-to-consumer venues;
- (d) Conducting community outreach and data collection;
- and
- (e) Providing full accounting and administration of funds distributed to farmers markets.

(4) All money received pursuant to appropriation shall be deposited into the Healthy Food Incentives Fund, hereby created in the State Treasury. At least ninety percent (90%) of the money deposited into the Healthy Food Incentive Fund shall be distributed to participating Mississippi farmers markets and retailers for healthy food incentives. A maximum of ten percent (10%) of the money deposited into the Healthy Food Incentive Fund shall be used for state program development, promotion and outreach, farmers market and retailer training and capacity building, technical assistance, program data collection, evaluation, administration, reporting and program implementation.

SECTION 3. From and after March 1, 2021, any community foundation holding funds appropriated by Section 2, Chapter 104, Laws of 2020, as amended by Section 1, Chapter 118, Laws of 2020,



98 may (a) make grants in amounts to be determined by the foundations
99 to any nonprofit entity as defined in Section 2 of this act,
100 regardless of whether the funds were designated for food pantries
101 or nonprofit entities; (b) make grants in amounts to be determined
102 by the foundations to any food pantry, regardless of whether the
103 funds were designated for food pantries or nonprofit entities; or
104 (c) transfer funds to another community foundation for the
105 purposes described in (a) and (b) above. No community foundation,
106 no food pantry, and no nonprofit entity shall be subject to the
107 provisions of Section 31-7-1 et seq., unless it is an agency of
108 the State of Mississippi or its governing authority, since Section
109 31-7-1 et seq. applies only to state agencies and to governing
110 authorities.

111 **SECTION 4.** This act shall take effect and be in force from
112 and after July 1, 2021, and shall stand repealed on June 30, 2021.

