

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 537:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as
2 enact the "Food Insecurity Eradication Act"; to provide a short title; to provide for
3 definitions; to create the Georgia Food Security Advisory Council; to provide for duties; to
4 provide for appointments and terms; to provide for reporting requirements; to provide for
5 related matters; to provide for an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
10 adding a new chapter to read as follows:

11 "CHAPTER 24

12 2-24-1.

13 This chapter shall be known and may be cited as the 'Georgia Food Insecurity Eradication
14 Act.'

15 2-24-2.

16 As used in this chapter, the term:

17 (1) 'Council' means the Georgia Food Security Advisory Council.

18 (2) 'Food bank' means an established nonprofit charitable organization which is qualified
19 exempt from taxation under the provisions of Section 501(c)(3) of the Internal Revenue
20 Code of 1986 and which, as part of an existing food bank network, maintains a food
21 distribution operation providing food to nonprofit food pantries and feeding centers that
22 offer groceries or meals to persons in need of food assistance.

23 (3) 'Food insecurity' means a household-level economic and social condition of limited
24 or uncertain access to adequate food.

25 (4) 'SNAP' means the federally and state funded Georgia State Nutrition Assistance
26 Program and the Georgia Grown Farm to Food Bank Program.

27 (5) 'WIC' means the federally funded health and nutrition program for Infants and
28 Children age one to five years (including foster children), Pregnant Women,
29 Breastfeeding Mothers (up to one year), Postpartum Women (up to six months), and a
30 low-income parent or guardian who is the sole provider of children under age five who
31 are at nutritional risk and who are at or below 185 percent of the federal poverty level.

32 2-24-3.

33 (a) There is established the Georgia Food Security Advisory Council created within the
34 Department of Agriculture, and the council shall:

35 (1) Recommend regulatory solutions to the WIC Program. The solutions should include
36 but are not necessarily limited to changes that support an easier process for grocery store
37 owners and other food providers who obtain and maintain their WIC license;

38 (2) Recommend ways the State of Georgia can use tax credits including the New Market
39 Tax Credit as an economic incentive to create and maintain grocery stores in food
40 insecure areas;

- 41 (3) Recommend ways to maximize current educational programs which educate the
42 public on purchasing and consuming healthy foods;
- 43 (4) Recommend ways to maximize current funding efforts to assist food banks and food
44 pantries;
- 45 (5) Recommend policies which expand the number of farmers markets which may accept
46 SNAP benefits;
- 47 (6) Recommend policies that encourage the use of food co-ops and community gardens
48 located in Georgia;
- 49 (7) Recommend policies that increase collaboration between the State of Georgia and
50 nonprofits which seek to eradicate food insecurity;
- 51 (8) Recommend policies that increase collaboration between the State of Georgia and
52 private entities which seek to end food insecurity; and
- 53 (9) Create bylaws, not in conflict with this Code section.
- 54 (b) The Georgia Food Security Advisory Council shall consist of at least 17 members
55 appointed by the Governor who have training, experience, or special knowledge concerning
56 agriculture and community food resources as follows:
- 57 (1) The Commissioner of Agriculture or his or her designee;
- 58 (2) The Commissioner of Labor or his or her designee;
- 59 (3) The State School Superintendent or his or her designee;
- 60 (4) The director of the Division of Family and Children Services or his or her designee;
- 61 (5) A representative from the University of Georgia Extension appointed by the
62 Governor;
- 63 (6) A representative from Emory University or a similar institution of higher learning
64 which is dedicated to ending food insecurity, appointed by the Speaker of the House of
65 Representatives;

- 66 (7) A representative from Grady Health Systems or a comparable hospital dedicated to
67 ending Food Insecurity appointed by the Speaker Pro Tempore of the House of
68 Representatives;
- 69 (8) A representative from a certified community development entity that seeks to foster
70 economic development in the State of Georgia with consultation by Atlanta emerging
71 markets appointed by the Majority Leader of the Senate;
- 72 (9) A representative who is or is an agent of an owner or operator of a Georgia farmers
73 market with consultation provided by the Georgia Farmers Market Association appointed
74 by the Majority Leader of the House of Representatives;
- 75 (10) A representative from an organization dedicated to solving food insecurity by using
76 scientific methods and research based principles with consultation from Science of
77 Georgia appointed by the Minority Leader of the Senate;
- 78 (11) A representative from a food policy council with consultation from the Georgia
79 Food Security Advisory Council appointed by the Minority Leader of the House of
80 Representatives;
- 81 (12) A representative from a Georgia Chamber of Commerce with consultation by the
82 Georgia Chamber of Commerce appointed by the Governor;
- 83 (13) A representative from Georgia State University appointed by the Lieutenant
84 Governor;
- 85 (14) A grocery store owner or operator with consultation by the Georgia Food Industry
86 Association appointed by the Senate President Pro Tempore;
- 87 (15) A Georgia farmer appointed by the Majority Leader of the Senate in consultation
88 with the Georgia Fruit and Vegetable Growers Association;
- 89 (16) An owner or operator of a food bank with consultation from the Georgia Food Bank
90 Association appointed by the Minority Leader of the Senate; and
- 91 (17) An owner or operator of a food pantry with consultation from the Georgia Food
92 Bank Association appointed by the Minority Leader of the House of Representatives.

93 (c)(1) Except for the appointment terms of council members listed in paragraphs (1)
94 through (4) of subsection (b) of this Code section, appointments to the council shall be
95 for a term of three years. The initial terms shall commence no later than October 1, 2022,
96 and shall expire on June 30 of the members' respective term limits. Except those
97 members of the council whose terms will not expire, each member shall serve until their
98 successors are appointed and duly qualified. Any appointed member shall be eligible for
99 reappointment.

100 (2) The members appointed in paragraphs (1) through (4) of subsection (b) of this Code
101 section do not have term limits and their terms are not staggered.

102 (3) The terms of members appointed in paragraphs (5) through (8) of subsection (b) of
103 this Code section shall end on June 30, 2025.

104 (4) The terms of members appointed in paragraphs (9) through (12) of subsection (b) of
105 this Code section shall end on June 30, 2026.

106 (5) The terms of members appointed in paragraphs (13) through (17) of subsection (b)
107 of this Code section shall end on June 30, 2027.

108 (d)(1) The Food Security Advisory Council shall have one chairperson. The council
109 shall, by a majority vote of the members, select the chairperson every other year from
110 among current members of the council.

111 (2) The chairperson shall call the meetings and shall notify the members of each meeting
112 being called at least seven days before the date on which the meeting is to occur.
113 Meetings shall be held as often as the chairperson deems necessary but not less than four
114 times each calendar year. The chairperson shall arrange for the location and staffing of
115 the meetings, and the cost shall be borne by the council from funds duly appropriated by
116 the General Assembly or other funding sources agreed upon by a majority vote of the
117 council.

118 (e) Any vacancy on the Food Security Advisory Council resulting from the resignation of
119 a member or otherwise shall be filled in the same manner in which the original appointment

120 was made and the term shall be for the balance of the unexpired term of the member who
121 created the vacancy.

122 (f) The council members shall receive no salary, but may be allowed a per diem and travel
123 expenses as allowed by law and available appropriations.

124 (g) The Department of Agriculture shall provide a space in either Atlanta, Georgia, or
125 other designated space as agreed upon by the majority of the council for the purposes of
126 council meetings.

127 (h) No later than October 1 of each year the council shall report its findings and
128 recommendations, including any legislative proposals, (if applicable) to the Governor, the
129 Lieutenant Governor, the Commissioner of Agriculture, the Senate President Pro Tempore,
130 the Speaker of the House of Representatives, the Majority and Minority Leaders of the
131 Senate, and the Speaker Pro Tempore. The first report due under this subsection is due no
132 later than December 1, 2022."

133 **SECTION 2.**

134 This Act shall become effective upon its approval by the Governor or upon its becoming law
135 without such approval.

136 **SECTION 3.**

137 All laws and parts of laws in conflict with this Act are repealed.