

# Harvesting Healthier Options: State Legislative Trends in Local Foods 2012 - 2014

*Amanda Essex, Douglas Shinkle, Mindy Bridges*

Thirty-six states and the District of Columbia enacted 91 bills regarding local food production and access between 2012 and 2014, according to a new report. The report, funded by the Johns Hopkins Center for a Livable Future (CLF) and produced by the National Conference of State Legislatures (NCSL), focuses on state legislation in all 50 states enacted between 2012 and 2014 that aimed to strengthen various components of local food systems.

The report is organized into chapters focused on six policy areas with the most state legislative action: local food system approaches; farm to school; farmers' markets; community gardens and urban agriculture; healthy grocery retail; and food policy councils.

Notable trends identified within the 2012 to 2014 time period include the following:

- Legislatures are taking a stronger role in supporting food hubs, which are value-added facilities that allow producers and other food businesses to store, aggregate, market and distribute local foods. Six states, including Maryland, took legislative action to support food hubs, primarily through appropriations.
- Legislation to support farm-to-school programs was popular: 18 states enacted 28 bills on the topic between 2012 and 2014. A few larger bills focused on creating a state structure or support for farm-to-school programs, and a few states passed laws that sought to link farm-to-school programs and students with school or community gardens in some manner.
- Reflecting the popularity of farmers' markets nationwide, 19 states enacted 22 bills on the topic between 2012 and 2014. Strategies to increase access to farmers' markets for vulnerable populations was a particularly prevalent policy approach for state lawmakers, and some states passed legislation to support or expand the use of SNAP, WIC and seniors' farmers' market nutrition program benefits at farmers' markets.
- Legislation supporting development and sustainability of community gardens and other small-scale agriculture approaches notably increased between 2012 and 2014. Eleven states and the District of Columbia enacted a total of 22 laws related to community gardens, urban agriculture and small-scale agriculture. Eight states, including Maryland, sought to increase access to land for small-scale agriculture.
- An emerging trend is state legislative interest and action concerning preservation of a healthy and viable pollinator population that is essential for food production, particularly fruits and vegetables.

# Enacted Local Food System Legislation In Maryland 2012 - 2014

## Local Food System Approaches

- **MD S 171 / H 161 (2014)** Appropriates funds for the Baltimore Food Hub. It provides a \$750,000 grant to the Board of Directors of the American Communities, Trust Inc. to purchase, design and construct a food hub facility in Baltimore in FY 2015.
- **MD S 170 (2014)** Appropriates funds to the Department of Agriculture. It requires a report from the Southern Maryland Agricultural Development Commission with the Department of Housing and Community Development (DHCD) before distributing \$100,000 of the appropriated funds. The report must address how the Regional Food Hub in southern Maryland will be coordinated with the DHCD food desert initiative, the Maryland Food Center Authority, and other Maryland food hubs such as the Baltimore Food Hub and the Eastern Shore Food Hub.

## Community Gardens and Urban Agriculture

- **MD H 863 (2014)** Exempts property owned by certain nonprofit organizations from property tax if that property is used exclusively as community-managed open space such as a local park, garden or woods and is used and cared for by the local community in a natural or cultivated state for the general benefit of the local community.
- **MD H 223 (2014)** Expands the eligibility for a specified property tax credit for urban agricultural property by removing the requirement that a property must be used exclusively for urban agricultural purposes in order to receive the property tax credit. The law applies to taxable years beginning after June 30, 2014.

## Healthy Grocery Retail

- **MD H 451 (2014)** Specifies that designated food deserts may now qualify for financial assistance under the Neighborhood Business Development Program. The law requires that these food desert projects seek out Maryland-grown produce and Maryland-produced foods. It also specifies that an area may be designated a food desert after consideration of the following factors: 1) availability of fresh fruit, vegetables and other healthy foods; 2) income levels of local residents; 3) transportation needs of residents and availability of public transportation; 4) comments from local governments; and 5) any other relevant factors. It establishes the Interagency Food Desert Advisory Committee under the Department of Housing and Community Development (DHCD). It also allows the DHCD to authorize entities to originate and administer financial assistance to a food desert project and specifies that the department may provide financial assistance.

**Find a full version of the report here:**  
<http://bit.ly/1l0geHx>

The work was informed by NCSL bill and law searches; communication with established and new local food system contacts; analysis and synthesis of existing research and case studies; and numerous interviews with state lawmakers, state agency staff, relevant nonprofits and other stakeholders.