



## State Law Companion

This State Law Companion is designed to contextualize the local policies spotlighted in the Healthy Food Policy Project database in the broader state legislative landscape. It provides a snapshot of many types of state laws passed between January 1, 2015 and June 14, 2018 that address access to healthy food in some way.<sup>1</sup> This summary is not an exhaustive or comprehensive summary of state legislation, but provides a sense of some of the trends in state law relating to access to healthy food.

The state laws included in this companion were found through the Rudd Center's [legislative database](#), and the full text of identified bills was accessed through the respective state legislature websites. The Rudd Center's database captured 879 food-related bills proposed at the state level across the nation during the 3.5 year time period; of these, 92 were adopted.<sup>2</sup> Of the bills which became law, those relating to breastfeeding, general food safety, and nutrition standards for food sold through the federal school meal programs (including farm-to-school related laws)<sup>3</sup> were included in this analysis if they specifically referred to a goal or purpose of promoting access to healthier food for socially disadvantaged and marginalized populations. The Healthy Food Policy Project (HFPP) defines marginalized groups as "groups of people who systematically experience unfavorable social, economic, or political conditions based on their relative position in social hierarchies. Socially disadvantaged and marginalized groups often also experience a restricted ability to participate fully in society and enjoy the benefits of progress." Resolutions and other non-binding bills were also excluded from this analysis.<sup>4</sup> After these exclusions, 40 laws remained in our sample.

These 40 laws were then organized by topic area and categorized by stage(s) of the food system, using the Food System Framework originally developed by the Healthy Food Policy Project.<sup>5</sup> The laws are listed in alphabetical order by state. If a state is not listed here, that could mean that 1) no relevant laws were adopted during the applicable time period (June 1, 2015 through June 14, 2018), or 2) a law was

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<sup>1</sup> For an analysis of state food legislation passed prior to 2015, please see Lindsey Haynes-Maslow et. al., *Stakeholder Arguments in Access to Healthy Food State-Level Legislation in Newspapers and Bill Hearings, 2010-2012*, 6 J. SCI. POL'Y & GOVERNANCE (Sept. 2014), [http://www.sciencepolicyjournal.org/uploads/5/4/3/4/5434385/pab\\_healthy\\_food\\_legislation\\_final.pdf](http://www.sciencepolicyjournal.org/uploads/5/4/3/4/5434385/pab_healthy_food_legislation_final.pdf); Nat'l Conf. of State Legis., *Harvesting Healthier Options State Legislative Trends in Local Foods 2012-2014* (2015), <http://www.ncsl.org/Portals/1/Documents/enviro/HarvestingHealthierOptions.pdf>.

<sup>2</sup> RUDD LEGISLATION DATABASE, <http://www.uconnruddcenter.org/legislation-database> (select years 2015, 2016, 2017, and 2018; highlight all states and check "All" for issue).

<sup>3</sup> For summaries of these types of laws, see NAT'L FARM TO SCHOOL NETWORK, STATE FARM-TO-SCHOOL LEGISLATIVE SURVEY, 2002-2017 (Nov. 2017), <http://www.farmtoschool.org/Resources/State%20Farm%20to%20School%20Legislative%20Survey%202002-2017.pdf>.

<sup>4</sup> See A.J.R. 22, 2015 Leg., Reg. Sess. (CA 2015); S.R. 46, 2015 Leg., Reg. Sess. (CA 2015); S.R. 47, 2015 Leg., Reg. Sess. (CA 2015); S.C.R. 34, 2015 Leg., Reg. Sess. (CA 2015); S.B. 882, 29th Leg., Reg. Sess. (HI 2017); S.R. 131, 30<sup>th</sup> Leg., Reg. Sess. (HI 2018); H.C.R. 205, 41st Leg., Reg. Sess. (LA 2015); A.R. 225, 270th Leg., Reg. Sess. (NJ 2017); S.R. 184, 199th Gen. Assembly, Reg. Sess. (PA 2015); S.R. 880, 121st Gen. Assembly, 1st Reg. Sess. (SC 2015); H.R. 3480, 84th Leg., Reg. Sess. (TX 2015)

<sup>5</sup> Healthy Food Policy Project, *Local Laws & Policies that Promote Access to Healthy Food: A Food System Crosswalk*, <http://healthyfoodpolicyproject.org/crosswalk>.



passed but it did not meet our inclusion criteria; or 3) our searches of the Rudd Center’s legislative database for laws passed during the applicable time period did not yield any results; or 4) the law was not included in the Rudd Center’s database. For example, appropriations bills are not captured in the Rudd database so if a healthy food access law was part of an appropriations bill, it would not have been identified.

State	Title	Bill Number (Year)	Bill Content	Topic Areas	Food System Stage(s)
Alabama	Sales and use taxes, exemption for sale of fruit and agricultural products further provided for, all sales tax exemptions incorporated in use tax, Secs. 40-23-4, 40-23-62 amended	<a href="#">AL HB 242 (2018)</a>	Amends the sales tax exemption for the sale of fruit or agricultural products by clarifying that to be eligible for the exemption, the person or company that planted, or cultivated, and harvested the products, must also own or lease the land where the products were grown.	Farms and Gardens	Grow; Process; Distribute
Arkansas	To amend Arkansas tax law concerning income tax, sales and use taxes, and the soft drink tax; and to supplement the Arkansas Medicaid program trust fund to offset decreased deposits from tax revenues.	<a href="#">AR HB 1162 (2017)</a>	Specifies that “food” and “food ingredients” exempt from taxation do not include candy, soft drinks, alcoholic beverages, tobacco, or dietary supplements; beverages that contain milk or milk products, soy, rice, or similar milk substitutes, or that is greater than 50% of vegetable or fruit juice by volume are not defined as “soft drinks”; amends the Soft Drink Tax Act to exempt “any simple syrup used in preparing tea” from taxation; reduces the rate of taxation for soft drinks from \$2.00 to \$1.26 per gallon.	Sugar Sweetened Beverages/ Taxes	Distribute; Get

Arkansas	An Act to Create the Local Food, Farms, and Jobs Act	<a href="#">AR HB 1839 (2017)</a>	Supports and encourages the procurement of local farm or food products by requiring state agencies to set local food procurement goals. Sets the goal for fiscal year 2018 at 10% of the amount budgeted for the agency's purchases of food products; and raises the proportion to 20% in subsequent fiscal years. Requires reporting to track whether preference for local food is being followed in competitive bidding process for agency food procurement.	Procurement	Grow; Process; Distribute
Arkansas	An Act to Strengthen Known Incentive programs for the Supplemental Nutrition Assistance Program (SNAP)	<a href="#">AR HB 2150 (2017)</a>	Supports the “double up” food bucks incentive program for SNAP and associated retailers; expands nutrition education instruction at targeted sites.	Food Assistance Programs	Grow; Get
California	An Act to amend Sections 47000.5 and 47001 of, and to add Section 47005.4 to, the Food and Agricultural Code, relating to certified farmers’ markets	<a href="#">CA AB 2324 (2016)</a>	Amends the Food and Agricultural Code to allow the Secretary of Food and Agriculture to adopt regulations to encourage the direct sale by farmers to the public of all types of California agricultural products; specifies the legislature’s intent that the Secretary, in adopting those regulations, endeavor to keep costs incurred by farmers and certified farmers’ market operators at a minimum.	Farms and Gardens	Grow; Process; Distribute
California	An act to amend Section 49562 of, and to add Sections 49564 and 49564.5 to, the Education Code,	<a href="#">CA SB 138 (2017)</a>	Requires a school district or county superintendent of schools that has a very high poverty school in its jurisdiction to begin providing breakfast and lunch, free of charge through the universal meal service, to all pupils	Food Assistance Programs; School Nutrition	Get

	relating to school meals		at the very high poverty school upon state approval to operate such a service.		
California	County Human Services Information and Referral Modernization Act of 2017	<a href="#">CA AB 323 (2017)</a>	Authorizes a county human services agency to refer a SNAP applicant/recipient to the 2-1-1 dial code to access information on emergency food providers and supplemental food assistance providers in lieu of simply providing a list of the providers, unless the county deems a list to be the most appropriate method to serve an applicant/recipient.	Food Assistance Programs	Get
California	Pupil nutrition: food and beverages: advertising: corporate incentive programs	<a href="#">CA AB 841 (2017)</a>	Prohibits a school, school district, or charter school from advertising food or beverages during the school day, and from participating in a corporate incentive program that rewards pupils with free or discounted foods or beverages that do not comply with existing state nutritional standards when the pupils reach certain academic goals.	School Nutrition; Marketing/ Advertising to Children	Distribute; Get
California	Postsecondary education: student hunger	<a href="#">CA AB 214 (2017)</a>	Provides that, for the purposes of determining eligibility, certain educational programs be considered employment training programs, thereby qualifying a student participating in one of those programs for an exemption to the existing law which bars part-time and full-time post-secondary students from being eligible for SNAP benefits.	Food Assistance Programs	Get
California	Pupil Meals: Child Hunger Prevention and Fair Treatment Act of 2017	<a href="#">CA SB 250 (2017)</a>	Requires local educational agencies (LEA) that provide school meals through the National School Lunch Program or School Breakfast Program to ensure that a pupil whose parent or guardian has unpaid school meal fees is not shamed, treated differently, or served a meal	Food Assistance Programs; School Nutrition	Get

			that differs from what a pupil whose parent or guardian does not have unpaid school meal fees would receive under that LEA's policy.		
District of Columbia	East End Grocery and Retail Incentive Program Tax Abatement Act of 2017	<a href="#">DC LB 202 (2018)</a>	Encourages grocery store development in underserved, food insecure neighborhoods by exempting new grocery developments in such designated areas from property, recordation, transfer, corporate franchise, sales, and use taxation.	Healthy Food Retail	Distribute; Get
Florida	An Act Relating to Transactions in Fresh Produce Markets	<a href="#">FL HB 103 (2016)</a>	Allows the owner or operator of a market selling fresh produce, such as a farmers' market, that does not have an Electronic Benefits Transfer (EBT) system to allow certain groups to implement and operate an EBT system and collect SNAP benefits on behalf of the sellers.	Food Assistance Programs; Farms and Gardens	Grow; Distribute; Get
Hawaii	Relating to Agricultural Lands	<a href="#">HI HB 1475 (2017)</a>	Permits farmers' markets and food hubs on lands in an agricultural district.	Farms and Gardens	Grow
Illinois	An Act Concerning Public Aid	<a href="#">IL SB 1847 (2015)</a>	Makes households which include a person who is elderly, blind, or disabled categorically eligible for SNAP if the gross income of such household is at or below 200% of the nonfarm income poverty guidelines.	Food Assistance Programs	Grow; Get
Illinois	Healthy Local Foods Incentives Program	<a href="#">IL SB 1367 (2015)</a>	Requires the Department of Human Services to establish a Healthy Local Food Incentives Program to double the purchasing power of SNAP benefits at farmers' markets and producer to consumer venues across the state for FINI eligible fruits and vegetables. Creates the Healthy Local Food Incentives Fund as a special fund in the State treasury for the purpose of implementing the Program.	Food Assistance Programs; Farms and Gardens	Get

Iowa	An Act Related to School Meal Debt and School Meal Programs	<a href="#"><u>IA HF 2467 (2018)</u></a>	Provides for school meal debt forgiveness in certain circumstances; prohibits schools from shaming pupils who cannot pay for a meal or owe a meal debt.	Food Assistance Programs; School Nutrition	Get
Louisiana	Public Assistance: Eliminates Restrictions on Eligibility for Certain Public Assistance for Persons with Prior Drug Convictions	<a href="#"><u>LA HB 681 (2017)</u></a>	Makes individuals previously convicted or charged with certain drug felonies eligible for SNAP benefits.	Food Assistance Programs	Get
Maine	An Act to Promote Self-Sufficiency for the People of the State	<a href="#"><u>ME HP 877 (2015)</u></a>	Promotes food self-sufficiency by supporting the farm labor link network, developing an educational marketing campaign, promoting local purchases for food programs, and leveraging existing state resources.	Farms and Gardens	Grow; Distribute; Get
Maine	An Act to Recognize Local Control Regarding Food and Water Systems	<a href="#"><u>ME SP 242 (2017)</u></a>	Recognizes local control over food systems, defining food system as “a community system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social, and nutritional health and well-being of the municipality and its residents.” This bill is recognized by food advocates as a “food sovereignty” bill.	Food Sovereignty	Grow; Process; Distribute; Get
Maryland	An Act Concerning Supplemental Nutrition Assistance Program Benefits	<a href="#"><u>MD HB 356 (2016)</u></a>	Requires the Department of Human Resources to submit a grant application to the USDA to support a pilot project that provides incentives to directly and efficiently increase the purchase	Food Assistance Programs	Get

			and consumption of eligible fruits and vegetables by SNAP participants.		
Maryland	Maryland Farms and Families Act	<a href="#"><u>MD SB 278 (2017)</u></a>	Requires the Department of Agriculture to establish a Maryland Farms and Families Program. The purpose of the program is to double the purchasing power of residents with limited access to fresh fruits and vegetables and to increase revenue for farmers through redemption of federal nutrition benefits at farmers' markets.	Food Assistance Programs; Farms and Gardens	Grow; Get
Maryland	Housing and Community Development-Food Deserts-Small Loans	<a href="#"><u>MD HB 1492 (2017)</u></a>	Provides small loans for assistance in providing better access to healthy food in food deserts, including loans for sustainable development projects, refrigerators, freezers, and other equipment.	Healthy Food Retail	Process; Get
Michigan	An Act to Amend 1984 PA 270, entitled "an act relating to the economic development of the state"	<a href="#"><u>MI HB 4207 (2017)</u></a>	Creates incentives for the development of new grocery stores in urban areas, including tax exemptions and state funding.	Healthy Food Retail	Grow; Process; Distribute; Get
Nevada	Supplemental Nutrition Assistance Program	<a href="#"><u>NV SB 323 (2017)</u></a>	Requires the Department of Health and Human Services to calculate the 36-month period for determining a person's eligibility for SNAP in the same way for each beneficiary in the State; requires the Department to seek a work requirement waiver where eligible, establish a voluntary workfare program, and give priority of work requirement waivers to certain classifications of recipients, such as	Food Assistance Programs	Get

			veterans or people who are responsible for child support.		
New Jersey	An Act Concerning Eligibility for Benefits under the Supplemental Nutrition Assistance Program	<a href="#">NJ SB 993 (2016)</a>	Permits DHS to request a waiver of time limits for certain SNAP recipients under certain circumstances.	Food Assistance Programs	Get
New Jersey	An Act Concerning Food Waste in K-12 Schools and Institutions of Higher Education	<a href="#">NJ AB 3056 (2017)</a>	Requires the Department of Environmental Protection to establish voluntary guidelines for K-12 schools and institutions of higher education to reduce, recover, and recycle food waste.	Food Waste	Surplus/Waste Management
New Jersey	An Act Concerning the Special Supplemental Nutrition Program for Women, Infants, and Children	<a href="#">NJ AB 4786 (2018)</a>	Streamlines authorization procedures for farmers' market vendors that participate in both WIC and SNAP.	Food Assistance Programs; Farms and Gardens	Get
New Jersey	An Act Concerning Liability for Food Donations and Gleaning Activities	<a href="#">NJ SB 3026 (2016)</a>	Clarifies and expands liability protections for food banks, their agents, and agricultural donors/gleaners related to injury or death due to the condition of the donated food (unless it was the result of gross negligence or knowing misconduct of the donor/gleaner).	Food Waste	Surplus/Waste Management
New Mexico	Hunger-Free Students' Bill of Rights Act	<a href="#">SB 374 (2017)</a>	Requires schools to provide a school meal application in every school enrollment packet in a language that parents and guardians understand. Requires schools to provide a	Food Assistance Programs;	Get



			USDA reimbursable meal to students regardless of their ability to pay. Prohibits schools from publicly identifying or stigmatizing a student who cannot pay for a meal or who owes a meal debt.	School Nutrition	
New York	An Act to Amend the Agriculture and Markets Law and the Education Law, in relation to Authorizing School Districts and Institutions of Higher Education to Donate Excess Food to Local Voluntary Food Assistance Programs	<a href="#">NY SB 5664 (2017)</a>	Directs the commissioner of education, in cooperation with the commissioner of agriculture and markets, to establish voluntary guidelines to provide for the donation of excess, unused, edible food from school, university or other educational institutions' meal programs to voluntary food assistance programs.	Food Assistance Programs; School Nutrition	Surplus/Waste Management
North Dakota	A Bill for an Act to Create and Enact a New Section to Chapter 12.1-32 and a New Section to Chapter 54-23.3 of the North Dakota Century Code	<a href="#">ND HB 1041 (2017)</a>	Eliminates the ban on receiving assistance under SNAP for individuals convicted of a felony drug offense, among other things.	Food Assistance Programs	Get
Oklahoma	Agriculture, Creating the Healthy Food Financing Act	<a href="#">OK SB 506 (2017)</a>	Prioritizes new grocery store construction in underserved and low-income areas; requires that at least 30% of food in the retail space be perishable, including fresh dairy, produce, meats, poultry, and fish.	Healthy Food Retail	Process; Distribute; Get

Oklahoma	An Act Concerning Schools; permitting food donated to a nonprofit organization to be redistributed on the school site	<a href="#">OK HB 1875 (2017)</a>	Permits food donated to a nonprofit organization to be redistributed on a school site.	Food Waste	Distribute; Surplus/Waste Management
Oregon	Relating to School Lunches; and Declaring an Emergency	<a href="#">OR HB 2545 (2015)</a>	States that if a student is eligible for reduced price lunches under the USDA's income eligibility guidelines, the school district that provides lunches to the student must provide the lunches at no charge to the student.	Food Assistance Programs; School Nutrition	Get
Rhode Island	Relating to Education-Health and Safety of Pupils	<a href="#">RI SB 2350 (2018)</a>	Prohibits the advertising of any food or beverage that may not be sold on the school campus during the school day as set out by the USDA Healthy Hunger Free Kids Act. Prohibits schools from participating in a corporate incentive program that rewards children with free or discounted foods or beverages that may not be sold on the school campus during the school day when they reach certain academic goals.	School Nutrition; Marketing/Advertising to Children	Distribute
Tennessee	Economic and Community Development	<a href="#">TN SB 2634 (2018)</a>	Requires the Tennessee Advisory Committee on Intergovernmental Relations to perform a study of the potential, overall effects of creating a grant and loan program administered by the department of economic and community development to encourage the financing and development of food desert relief enterprises that sell fresh food in low-income, underserved areas of this state.	Healthy Food Retail	Get

Texas	Relating to a Program to Allow Faith- and Community-based Organizations to offer Supplemental Assistance to Certain Recipients of Public Assistance	<a href="#">TX HB 2718 (2015)</a>	Establish a program under which faith- and community-based organizations may, on the request of the applicant, contact and offer supplemental assistance to an applicant for benefits including SNAP.	Food Assistance Programs	Get
Virginia	An Act to amend the Code of Virginia by adding a section relating to local school boards; school meal policies	<a href="#">VA HB 50 (2018)</a>	Requires each local school board to adopt policies that (1) prohibit school board employees from requiring a student who cannot pay for a meal at school or who owes a school meal debt to do chores or any other work to pay for such meals, or to wear a wristband or hand stamp; and (2) require school board employees to direct any communication relating to a school meal debt to the student's parent.	Food Assistance Programs; School Nutrition	Get
West Virginia	An Act to Amend the Code of West Virginia, 1931, as amended, the Creation of Farm-to-Food Bank Tax Credit	<a href="#">WV SB 25 (2017)</a>	Promotes fresh, healthy, and local agricultural products for food banks and provides an incentive for farmers to donate food to food banks in the state by providing a tax credit for their donations.	Farms and Gardens; Food Waste	Distribute; Surplus/Waste Management
Wyoming	Food Freedom Act	<a href="#">WY HB 56 (2015)</a>	Exempts homemade food products produced, sold, and consumed in compliance with the Act, from state licensure, permitting, inspection, packaging, and labeling requirements.	Food Sovereignty	Distribute; Get; Make