

By: Senator(s) Jackson (11th), Turner-Ford, Barnett, Boyd, Thomas, Parker, Jackson (32nd), Simmons (12th), Simmons (13th), Frazier, Jordan, Norwood, Witherspoon, Horhn

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



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

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

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

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

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

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

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



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

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

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

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

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



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

75 (a) Building a statewide network;

76 (b) Implementing funds distribution and reporting
77 processes;

78 (c) Providing training and technical assistance to
79 farmers markets and direct producer-to-consumer venues;

80 (d) Conducting community outreach and data collection;
81 and

82 (e) Providing full accounting and administration of
83 funds distributed to farmers markets.

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

95 **SECTION 3.** From and after March 1, 2021, any community
96 foundation holding funds appropriated by Section 2, Chapter 104,
97 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.

