

AMENDED IN SENATE JULY 11, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 581**

---

---

**Introduced by Assembly Member John A. Pérez**  
*(Principal coauthor: Senator Alquist)*

February 16, 2011

---

---

An act to add and repeal Article 3 (commencing with Section 104660) of Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 581, as amended, John A. Pérez. Public health: food access.

Existing law requires the Department of Food and Agriculture, headed by the Secretary of Food and Agriculture, to promote and protect the agricultural industry of the state.

This bill would, until January 1, 2015, create the California Healthy Food Financing Initiative. It would require, by July 1, 2012, the Department of Food and Agriculture, in consultation with the State Department of Public Health and the State Department of Social Services, to prepare recommendations, to be presented upon request to the Legislature, regarding actions that need to be taken to promote food access in the state. The bill would also require the Department of Food and Agriculture, in consultation with other specified agencies, to implement the initiative *and would require the department to establish an advisory group, as specified*. The bill would ~~require~~ *authorize* the Department of Food and Agriculture to coordinate efforts to maximize

the funding opportunities provided by the federal 2010 Healthy Food Financing Initiative.

The bill would create the California Healthy Food Financing Initiative Fund in the State Treasury, to be comprised of federal, state, philanthropic, and private funds, for the purpose of expanding access to healthy foods in underserved communities and, to the extent practicable, to leverage other funding, as specified. Moneys in the fund would be expended upon appropriation by the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares all of  
2 the following:

3 (a) California has some of the most productive farmlands in the  
4 world. California’s farmlands produce more than 350 commodities  
5 and food items. These farmlands require protection and efficient  
6 operations to maintain our food supply and guarantee a natural  
7 resource for California’s future generations.

8 (b) California’s cultural heritage provides the basis for a variety  
9 of food items that are available to the state’s 36 million residents.

10 (c) The production and preparation of food needs to be  
11 conducted in a healthy and humane manner.

12 (d) Access to healthy food items is a basic human right. Lack  
13 of access to healthy, affordable food items may result in higher  
14 levels of obesity and other diet-related diseases. Communities  
15 without access to affordable, quality, and nutritious foods are  
16 known as food deserts.

17 (e) Opportunities for increasing the number of grocery stores,  
18 urban and rural farm stands, farmers’ markets, community gardens,  
19 direct farm to institution, and direct farmer to consumer marketing  
20 activities in underserved communities should be actively pursued  
21 and fostered to ensure that all Californians have access to healthy  
22 foods.

23 SEC. 2. Article 3 (commencing with Section 104660) is added  
24 to Chapter 2 of Part 3 of Division 103 of the Health and Safety  
25 Code, to read:

1 Article 3. California Healthy Food Financing Initiative

2  
3 104660. This article shall be known, and may be cited, as the  
4 California Healthy Food Financing Initiative.

5 104661. (a) By July 1, 2012, the Department of Food and  
6 Agriculture, in consultation with the State Department of Public  
7 Health and the State Department of Social Services, shall prepare  
8 recommendations, to be presented upon request of the Legislature,  
9 regarding actions that need to be taken to promote food access in  
10 the state.

11 (b) The Secretary of Food and Agriculture may establish an  
12 advisory group, *not to exceed 21 members*, to assist the agencies  
13 in complying with the requirements of subdivision (a). If  
14 established, the advisory group shall consist of representatives  
15 from the Legislature, food policy advocates, representatives from  
16 the grocery industry and financial institutions, food systems  
17 researchers, representatives from the agricultural industry,  
18 *representatives from underserved communities*, and representatives  
19 from nonprofit organizations with expertise in this area.

20 (c) The Department of Food and Agriculture, in consultation  
21 with the State Department of Public Health, the State Department  
22 of Social Services, and the Treasurer, may coordinate efforts to  
23 maximize the funding opportunities provided by the federal 2010  
24 Healthy Food Financing Initiative.

25 104662. (a) The Department of Food and Agriculture, in  
26 consultation with the State Department of Public Health, the State  
27 Department of Social Services, and the Treasurer shall implement  
28 the California Healthy Food Financing Initiative. This initiative  
29 is modeled after the National Healthy Food Financing Initiative,  
30 which is intended to expand access to nutritious foods in  
31 underserved, urban, and rural communities and to eliminate food  
32 deserts across the country within seven years.

33 (b) The program parameters of the California Healthy Foods  
34 Financing Initiative shall be implemented using a diverse mix of  
35 funding sources, including, but not limited to, federal, state,  
36 philanthropic, and private resources.

37 104663. (a) There is hereby established in the State Treasury  
38 the California Healthy Food Financing Initiative Fund, which shall  
39 be comprised of federal, state, philanthropic, and private funds for

1 the purpose of expanding access to healthy foods in underserved  
2 communities.

3 (b) Moneys in the fund shall be expended upon appropriation  
4 by the Legislature, and shall be used, to the extent practicable, to  
5 leverage other funding, including, but not limited to, new markets  
6 tax credits, federal and foundation grant programs, incentives  
7 available to designated enterprise zones, the federal Specialty Crop  
8 Block Grant Program, and funding from private sector financial  
9 institutions pursuant to the federal Community Reinvestment Act.

10 104664. This article shall remain in effect only until January  
11 1, 2015, and as of that date is repealed, unless a later enacted  
12 statute, that is enacted before January 1, 2015, deletes or extends  
13 that date.