

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Raburn offered the following:

Amendment (with title amendment)

Between lines 660 and 661, insert:

Section 28. Healthy Food Financing Initiative Program.—

(1) As used in this section, the term:

(a) "Department" means the Department of Agriculture and
 Consumer Services.

(b) "Community facility" means a property owned by a
 nonprofit or for-profit entity or a unit of government in which
 health and human services are provided and space is offered in a
 manner that provides increased access to, or delivery or
 distribution of, food or other agricultural products to
 encourage public consumption and household purchases of fresh
 produce or other healthy foods to improve the public health and
 well being of low-income children, families, and older adults.

Amendment No. 3

18 (c) "Independent grocery store or supermarket" means aa
19 independently-owned grocery store or supermarket whose parent
20 company does not own more than 40 grocery stores throughout the
21 nation based upon ownership conditions as identified in the
22 latest Nielsen Trade Dimensions grocery store database.

23 (d) "Low-income community" means a population census
24 tract, as reported in the most recently completed United States
25 Census Bureau American Community Survey, that meets one of the
26 following criteria:

27 1. A poverty rate of at least 20 percent;

28 2. In the case of a low-income community located outside
29 of a metropolitan area, the median family income does not exceed
30 80 percent of the statewide median family income; or

31 3. In the case of a low-income community located inside of
32 a metropolitan area, the median family income does not exceed 80
33 percent of the statewide median family income or 80 percent of
34 the metropolitan median family income, whichever is greater.

35 (e) "Moderate-income community" means a population census
36 tract, as reported in the most recently completed United States
37 Census Bureau American Community Survey, in which the median
38 family income is between 81 and 95 percent of the median family
39 income for the state or metropolitan area.

40 (f) "Underserved community" means a distressed urban,
41 suburban, or rural geographic area where either a substantial
42 number of residents has low access to a full-service grocery

Amendment No. 3

43 store or supermarket. An area with limited supermarket access
44 must be:

45 1. A census tract, as determined to be an area with low
46 access by the United States Department of Agriculture, as
47 identified in the Food Access Research Atlas;

48 2. Identified as a Limited Supermarket Access Area as
49 recognized by the Community Development Financial Institutions
50 Fund of the United States Department of Treasury; or

51 3. Identified as an area with low access to a supermarket
52 or grocery store through a methodology that has been adopted for
53 use by another governmental or philanthropic healthy food
54 initiative.

55 (2) The department shall establish a program that is
56 comprised of and coordinates the use of federal, state, or
57 private loans or grants, federal tax credits, and other types of
58 financial assistance for construction, rehabilitation, or
59 expansion of independent grocery stores, supermarkets, and
60 community facilities to increase access to fresh produce and
61 other nutritious foods in underserved communities.

62 (3) (a) The department may contract with one or more
63 qualified nonprofit organizations or Florida-based federally
64 certified community development financial institutions to
65 administer the program through a public-private partnership.
66 Eligible community development financial institutions must be
67 able to demonstrate:

68 1. Prior experience in healthy food financing;

Amendment No. 3

69 2. A track record of support from the Community
70 Development Financial Institutions Fund of the United States
71 Department of Treasury;

72 3. The ability to successfully manage and operate lending
73 and tax credit programs; and

74 4. The ability to assume full financial risk for loans
75 made under this Initiative.

76 (b) The department shall:

77 1. Establish program guidelines, raise matching funds,
78 promote the program statewide, evaluate applicants, underwrite
79 and disburse grants and loans, and monitor compliance and
80 impact. The department may contract with a third-party
81 administrator to carry out such duties. The third-party
82 administrator shall report to the department annually.

83 2. Create eligibility guidelines and provide financing
84 through an application process. Eligible projects must be:

85 a. Located in an underserved community;

86 b. Primarily serve low-income or moderate-income
87 communities; and

88 c. Provide for the construction of new independent grocery
89 stores or supermarkets; the renovation or expansion of,
90 including infrastructure upgrades to, existing independent
91 grocery stores or supermarkets; and the construction, renovation
92 or expansion of, including infrastructure upgrades to, community
93 facilities to improve the availability and quality of fresh
94 produce and other healthy foods.

Amendment No. 3

95 3. Report annually to the President of the Senate and the
96 Speaker of the House of Representatives on the projects funded,
97 the geographic distribution of the projects, the costs of the
98 program, and the outcomes, including the number and type of jobs
99 created and health initiatives associated with the program.

100 (4) A for-profit entity or a not-for-profit entity,
101 including, but not limited to, a sole proprietorship,
102 partnership, limited liability company, corporation,
103 cooperative, nonprofit organization, nonprofit community
104 development entity, university, or government entity, may apply
105 for financing. An applicant for financing must:

106 (a) Demonstrate the capacity to successfully implement the
107 project and the likelihood that the project will be economically
108 self-sustaining;

109 (b) Demonstrate the ability to repay the loan; and

110 (c) Agree, as an independent grocery store or supermarket,
111 for at least 5 years, to:

112 1. Accept Supplemental Nutrition Assistance Program
113 benefits;

114 2. Apply to accept Special Supplemental Nutrition Program
115 for Women, Infants, and Children benefits and accept such
116 benefits if approved;

117 3. Allocate at least 30 percent of food retail space for
118 the sale of perishable foods, which may include fresh or frozen
119 dairy products, fresh produce, and fresh meats, poultry, and
120 fish;

Amendment No. 3

121 4. Comply with all data collection and reporting
122 requirements established by the department; and

123 5. Promote the hiring of local residents.
124

125 Projects such as, but not limited to corner stores, bodegas or
126 other types of nontraditional grocery stores that do not meet
127 the 30 percent minimum can still qualify for funding if such
128 funding will be used for refrigeration, displays, or other one-
129 time capital expenditures to promote the sale of fresh produce
130 and other healthy foods.

131 (5) In determining which qualified projects to finance,
132 the department or third-party administrator shall:

133 (a) Give preference to local Florida-based grocers or
134 local business owners with experience in grocery stores and to
135 grocers and business owners with a business plan model that
136 includes written documentation providing opportunity to purchase
137 from Florida farmers and growers before seeking out of state
138 purchases;

139 (b) Consider the level of need in the area to be served;

140 (c) Consider the degree to which the project will have a
141 positive economic impact on the underserved community, including
142 by creating or retaining jobs for local residents; and

143 (d) Consider other criteria as may be determined by the
144 department.

145 (6) Financing for projects may be used for the following
146 purposes:

Amendment No. 3

- 147 (a) Site acquisition and preparation.
148 (b) Construction and build-out costs.
149 (c) Equipment and furnishings.
150 (d) Workforce training or security.
151 (e) Predevelopment costs such as market studies and
152 appraisals.
153 (f) Energy-efficiency measures.
154 (g) Working capital for first-time inventory and startup
155 costs.
156 (h) Other purposes as may be determined by the department
157 or third-party administrator.
158 (7) The department shall adopt rules to administer this
159 section.
160 (8) The creation of the program and implementation of this
161 section is contingent upon appropriation by the Legislature.

T I T L E A M E N D M E N T

165 Remove line 100 and insert:
166 check annually of each grain dealer; creating the
167 Healthy Food Financing Initiative Program; providing
168 definitions; directing the Department of Agriculture
169 and Consumer Services to establish a program to
170 provide specified financing to construct,
171 rehabilitate, or expand grocery stores and
172 supermarkets in underserved communities in low-income

Amendment No. 3

173 and moderate-income areas; authorizing the department
174 to contract with a third-party administrator;
175 providing program, project, and applicant
176 requirements; authorizing funds to be used for
177 specified purposes; directing the department to adopt
178 rules and submit an annual report to the Legislature;
179 providing that creation and implementation of the
180 program is contingent on appropriation by the
181 Legislature; providing for