

By Senator Thompson

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1 A bill to be entitled
2 An act relating to transactions in fresh produce
3 markets; providing definitions; authorizing certain
4 owners or operators of farmers' markets, community
5 farmers' markets, flea markets, and other open-air
6 markets selling fresh produce to allow certain
7 authorized Food and Nutrition Service groups,
8 associations, or third-party organizations to
9 implement and operate electronic benefits transfer
10 systems for the purpose of accepting SNAP benefits in
11 such markets; requiring the owners or operators to
12 reasonably accommodate the groups, associations, or
13 third-party organizations in the implementation and
14 operation of the electronic benefits transfer system;
15 providing applicability; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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

20 (a) "Market" means a farmers' market, community farmers'
21 market, flea market, or other open-air market.

22 (b) "SNAP" means the Supplemental Nutrition Assistance
23 Program established under 7 U.S.C. ss. 2011 et seq.

24 (2) The owner or operator of a market selling fresh produce
25 who is not an authorized SNAP retailer may allow an authorized
26 Food and Nutrition Service group or association of produce
27 sellers which is actively participating in fresh produce sales
28 in the market, or an authorized Food and Nutrition Service
29 third-party organization, to implement and operate an electronic

12-00074-14

2014552__

30 benefits transfer system for purposes of accepting SNAP benefits
31 in the market on behalf of the market produce sellers to the
32 extent and manner allowed by federal law and regulation.

33 (a) The authorized Food and Nutrition Service group,
34 association, or third-party organization responsible for the
35 implementation and operation of the electronic benefits transfer
36 system must not be a competitor market.

37 (b) The market owner or operator shall reasonably
38 accommodate the authorized Food and Nutrition Service group,
39 association, or third-party organization in the implementation
40 and operation of an electronic benefits transfer system for
41 purposes of accepting SNAP benefits.

42 (3) This section does not:

43 (a) Apply to a market selling fresh produce whose owner or
44 operator has an electronic benefits transfer system for
45 accepting SNAP benefits in the market.

46 (b) Prohibit an authorized Food and Nutrition Service
47 produce seller in a market selling fresh produce from operating
48 his or her own electronic benefits transfer system as part of
49 his or her customer transaction options.

50 (c) Require a market owner or operator to create, operate,
51 or maintain an electronic benefits transfer system on behalf of
52 the market produce sellers.

53 Section 2. This act shall take effect July 1, 2014.