

1 A bill to be entitled
 2 An act relating to transactions in fresh produce
 3 markets; creating s. 414.456, F.S.; providing
 4 definitions; authorizing certain owners and operators
 5 of farmers' markets, community farmers' markets, flea
 6 markets, and other open-air markets selling fresh
 7 produce to allow authorized Food and Nutrition Service
 8 groups, associations, and third-party organizations to
 9 operate electronic benefits transfer systems in such
 10 markets; providing applicability; providing an
 11 effective date.

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

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 15 Section 1. Section 414.456, Florida Statutes, is created
 16 to read:

17 414.456 Supplemental Nutrition Assistance Program;
 18 transactions in fresh produce markets.—

19 (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 federal Supplemental Nutrition
 23 Assistance Program established under 7 U.S.C. ss. 2011 et seq.

24 (2) (a) The owner or operator of a market selling fresh
 25 produce who is not an authorized SNAP retailer may allow an
 26 authorized Food and Nutrition Service group or association of

27 produce sellers that is actively participating in produce sales
28 in the market, or an authorized Food and Nutrition Service
29 third-party organization, to implement and operate an electronic
30 benefits transfer system for purposes of accepting SNAP benefits
31 in the market on behalf of the produce sellers to the extent and
32 manner allowed by federal law and regulation.

33 (b) The authorized Food and Nutrition Service group,
34 association, or third-party organization responsible for
35 implementation and operation of the electronic benefits transfer
36 system may not be another market that competes with the market
37 being served.

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

43 (3) This section does not:

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

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

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

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53 | its produce sellers.

54 | Section 2. This act shall take effect July 1, 2016.