

By Senator Thompson

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

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

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

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

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

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

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30 benefits transfer system in the market for the purpose of
31 accepting SNAP benefits on behalf of the market's fresh produce
32 sellers.

33 (a) The market owner or operator shall reasonably
34 accommodate the authorized Food and Nutrition Service group,
35 association, or third-party organization in the implementation
36 and operation of the electronic benefits transfer system.

37 (b) The authorized Food and Nutrition Service group,
38 association, or third-party organization responsible for the
39 implementation and operation of the electronic benefits transfer
40 system may not be a competing market.

41 (3) This section does not:

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

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

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

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