

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SPB 7028

INTRODUCER: Agriculture Committee

SUBJECT: Food Policy Advisory Council

DATE: January 13, 2022

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----------------|----------------|-----------|---------------------------------------|
| 1. <u>Fink</u> | <u>Becker</u> | _____ | AG submitted as Comm. Bill/Fav |

I. Summary:

SPB 7028 creates the Food Policy Advisory Council (council). The purpose of the council is to serve as a forum for presenting, investigating, and evaluating barriers to food access for Floridians and for identifying solutions to such barriers. The bill specifies requirements for the membership, meetings, compensation, and duties of the council. It also directs the council to submit a report to the Governor, President of the Senate, and Speaker of the House of Representatives containing its findings and recommendations on how to best increase access to food in Florida.

The bill takes effect upon becoming law.

II. Present Situation:

The Office of Program Policy Analysis and Government Accountability (OPPAGA) prepared a research memorandum to describe low income, low access (LILA) census tracts in the state, which includes describing what is known about LILA food areas and the effects on residents of those areas.¹ The memorandum outlines the incidence of LILA census tracts statewide, specifically, the number of people that are both low income and have limited access to healthy food options by census tract; provides additional information about LILA areas in Hillsborough, Pinellas, and Suwannee counties; and provides high level policy considerations to expand access to healthy food in LILA areas.

In Florida, the number of LILA tracts has decreased since 2015, but barriers to healthy food access remain.² Approximately 13.5% of Floridians live in census tracts that are both low income and low access, with a larger percentage of urban residents compared to rural residents. In Hillsborough and Pinellas counties, residents of LILA census tracts are disproportionately Black compared to other areas of the county and the LILA census tracts have high poverty rates, and few, if any major chain supermarkets. Public and private entities have started a range of food

¹ Office of Program Policy and Government Accountability, "Geographic Access to Healthy Food in Florida," (December 27, 2021).

² *Id.* at 10

access initiatives in these counties, though resource constraints present a challenge. In Suwannee County, the two LILA census tracts have a higher proportion of residents that are 65 and older, have no major chain supermarkets, and stakeholders report that the largest barrier to healthy food access is transportation.

High relative availability of unhealthy food refers to geographic areas where there is a high ratio of unhealthy food sources to healthy food sources. Such areas are sometimes referred to as food swamps. Both low-access and unhealthy food environments have been associated with a range of social, economic, and health concerns. A “low income” census tract is characterized by a poverty rate greater than 20%, or median family income of less than or equal to 80% of the statewide median family income, or in metropolitan areas, 80% of the metropolitan area median family income. A “low access” census tract is characterized by an area where at least 500 people, or 33% of the population is greater than 1 mile or 10 miles from a supermarket, supercenter, or large grocery store.

To address issues related to food access, OPPAGA identified options for legislative consideration. These options include developing or supporting food access planning at the state and local levels, building on existing programs, increasing participation in existing programs such as the Supplemental Nutrition Program (SNAP) and Women, Infants, and Children (WIC), providing assistance for food program matching requirements for federal food programs, addressing root causes by investing in education and workforce development, and providing funding for local food system initiatives.

The Florida Department of Agriculture and Consumer Services' Food Security Advisory Committee (FSAC) was established in 2020 by Commissioner of Agriculture Nikki Fried and charged with the responsibility of creating a statewide plan for addressing food security.³

FSAC recommends to the Commissioner policies and statewide strategies that would reduce hunger, eradicate food insecurity and increase participation in federally funded nutrition assistance programs. FSAC also provides, advises and consults with the Commissioner and the division directors of the department, at their request or upon its own initiative, regarding the promulgation, administration and enforcement of all laws and rules relating to reducing hunger and enhancing the food security of Florida residents in addition to any other issues within the Advisory Committee's expertise.⁴

III. Effect of Proposed Changes:

SPB 7028 creates the Food Policy Advisory Council (council), an advisory council as defined in s. 20.03(7), F.S., adjunct to the Department of Agriculture and Consumer Services (department).

The bill establishes that the purpose of the council is to serve as a forum for presenting investigating, and evaluating barriers to food access for the residents of Florida and for identifying solutions to such barriers.

³ Florida Department of Agriculture and Consumer Services, “Food Security Advisory Committee,” *See* <https://www.fdacs.gov/About-Us/Advisory-Councils-and-Committees/Food-Security-Advisory-Committee> (Last visited January 11, 2022).

⁴ *Id.*

The council shall be made up of the following members:

- The Commissioner of Agriculture (or his or her designee);
- The State Surgeon General (or his or her designee);
- The Commissioner of Education (or his or her designee);
- A person actively participating in the growing of food in this state, appointed by the President of the Senate;
- A food retailer, appointed by the President of the Senate;
- A representative of an anti-hunger organization appointed by the Speaker of the House of Representatives;
- Each of the following food bank representatives, (or his or her designee):
 - The executive director of Feeding Florida.
 - The chief executive officer of Second Harvest of the Big Bend.
 - The chief executive officer of Feeding the Gulf Coast.
 - The food bank director of Florida Gateway Food Bank.
 - The president of Feeding Northeast Florida.
 - The chief executive officer of Bread of the Mighty Food Bank.
 - The president of First Step Food Bank.
 - The president of Second Harvest of Central Florida.
 - The president of Feeding Tampa Bay.
 - The chief executive officer of All Faiths Food Bank.
 - The president of the Treasure Coast Food Bank.
 - The president of the Harry Chapin Food Bank.
 - The president of Feeding South Florida.

The bill requires that the council shall elect by a two-thirds vote of the members one member to serve as chair of the council. A majority of the members of the council constitutes a quorum.

The bill requires the council to meet at least once a quarter at the call of the chair. Council members shall serve without compensation but may be reimbursed for per diem and travel expenses incurred while attending meetings of the council.

The duties of the council are to:

- Identify barriers to food security in Florida;
- Develop a food system policy that takes into consideration economic and transportation challenges faced by Floridians who are food insecure; and
- Submit recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives for increasing access to food.

Additionally, the bill requires that by September 1 of each year, beginning in 2023, the council shall submit a report to the Governor, President of the Senate, and Speaker of the House of Representatives containing its findings and recommendations on how to best increase access to food.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Undetermined. The Florida Department of Agriculture and Consumer Services may incur costs associated with the council.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 500.82 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
