

**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: CS/SB 1172

INTRODUCER: Senator Calatayud

SUBJECT: Hunger-Free Campus Pilot Program

DATE: March 14, 2023

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	<b>Fav/CS</b>
2.			AEG	
3.			FP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

SB 1172, the “Hunger-Free Campus Act,” creates the Hunger-Free Campus Pilot Program within the Department of Agriculture and Consumer Services (department). The purpose of the program is to support efforts to fight hunger on the campuses of postsecondary educational institutions and the program is established for one year beginning July 1, 2023.

The bill directs the Commissioner of Agriculture (commissioner) to identify the top three institutions that have the highest percentage of Pell Grant-eligible students among all state universities and Florida College System institutions and those three shall participate in the program.

The commissioner shall develop a survey instrument requiring all participating universities or Florida College System institutions to meet certain requirements, including, but not limited to, establishing a hunger task force, designating a staff member responsible for assisting students in enrollment in the Supplemental Nutrition Assistance Program (SNAP), providing options for students to use SNAP benefits on campus, providing at least one food pantry on campus, and conducting a student study on hunger.

The bill requires each participating state university or Florida College System institution to submit a report to the department which describes how it implemented the program. By January 1, 2025, the commissioner shall report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include, but is not

limited to, the impact of the program on establishing hunger-free campuses at participating state universities or Florida College System institutions; the impact of the program on reducing the number of students at such universities and institutions who are experiencing food insecurity; and recommendations regarding future funding and implementation of the program on a long-term basis.

The bill directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions. The study must include recommendations for any changes to general law, Board of Governors' rules and regulations, or State Board of Education rules needed to address food insecurity on the campuses of state universities and Florida College System institutions, by December 1, 2023.

The bill takes effect July 1, 2023.

## II. Present Situation:

Approximately one-third of college students in the United States are food insecure,<sup>1</sup> and more than half of the students enrolled in the Florida College System are low income and first-generation.<sup>2</sup> Food insecurity is associated with poor mental and physical health, as well as lower rates of academic success among students. Prior to the coronavirus crisis, the American Association of Collegiate Registrars and Admissions Officers identified food insecurity as a top barrier to student non-completion, and as a result of the pandemic 5.8 out of every 10 students have experienced basic needs insecurity.<sup>3</sup>

While forms of assistance such as local food pantries and the SNAP exist, many students do not take advantage of them due to the stigma associated, or because they do not qualify.

### Supplemental Nutrition Assistance Program (SNAP)

The Food and Nutrition Service (FNS), under the U.S. Department of Agriculture (USDA), administers the Supplemental Nutrition Assistance Program (SNAP).<sup>4</sup> SNAP, formerly the Food

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<sup>1</sup> DeBate et al., *Food Insecurity, Well-being, and Academic Success among College Students: Implications for Post COVID-19 Pandemic Programming*, Ecology of Food and Nutrition, October 7, 2021, available at <https://www.usf.edu/arts-sciences/centers/cafshc/documents/food-insecurity-wellbeing-and-academic-success.pdf> (last visited March 10, 2023).

<sup>2</sup> Florida Department of Education, *Affordability in the Florida College System* (December 2018), available at <https://www.fldoe.org/core/fileparse.php/7724/urlt/FCS18-Affordability.pdf> (last visited March 10, 2023).

<sup>3</sup> Florida College Access Network, *Nearly 3 in 5 College Students Struggle with Food, Housing Insecurity Due to Covid-19* (July 1, 2020), available at <https://floridacollegeaccess.org/research-and-data/nearly-3-in-5-college-students-struggle-with-food-housing-insecurity-due-to-covid-19/> (last visited March 10, 2023).

<sup>4</sup> 1 The Food Stamp Program (FSP) originated in 1939 as a pilot program for certain individuals to buy stamps equal to their normal food expenditures: for every \$1 of orange stamps purchased, people received 50 cents worth of blue stamps, which could be used to buy surplus food. The FSP expanded nationwide in 1974. Under the federal welfare reform legislation of 1996, Congress enacted major changes to the FSP, including limiting eligibility for certain adults who did not meet work requirements. The Food and Nutrition Act of 2008 renamed the FSP the Supplemental Nutrition Assistance Program (SNAP) and implemented priorities to strengthen program integrity; simplify program administration; maintain states' flexibility in how they administer their programs; and improve access to SNAP. See A Short History of SNAP, UNITED STATES

Stamp Program, is the nation's largest domestic food and nutrition assistance program for low-income Americans.<sup>5</sup> For low-income households, increased spending on food is consistently and positively associated with diet quality and is associated with higher use and intake of both fruits and vegetables.<sup>6</sup>

In fiscal year 2020, SNAP provided assistance to approximately 39.9 million people living in 20.5 million households across the US, in an average month.<sup>7</sup> SNAP benefits support individual households by reducing the effects of poverty and increasing food security while supporting economic activity across communities as SNAP benefits directly benefit farmers, retailers, food processors and distributors, and their employees.<sup>8</sup>

To be eligible for SNAP, households must have a gross monthly income at or below 130 percent of the poverty line, have a net income at or below the poverty line, and have assets below certain limits based on whether or not the household has a member aged 60 or older who has a disability.<sup>9</sup> As of January 2023, 3,220,757 individuals, including 1,262,174 children and 1,017,860 elderly or disabled individuals, were receiving SNAP benefits in Florida.<sup>10</sup>

### SNAP Eligible Foods

The Food and Nutrition Act of 2008 defines eligible food under SNAP as any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods, and hot food products prepared for immediate consumption, with some exceptions.<sup>11</sup> Nonfood items such as pet foods, soaps, paper products, medicines and vitamins, household supplies, grooming items, and cosmetics are ineligible for purchase with SNAP benefits.<sup>12</sup> Eligible foods include junk foods such as soft drinks and candy.<sup>13</sup>

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DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, available at <https://www.fns.usda.gov/snap/short-history-snap> (last visited March 10, 2023).

<sup>5</sup> US Department of Agriculture, Economic Research Service, Supplemental Nutrition Assistance Program (SNAP) Overview. Available at <https://www.ers.usda.gov/topics/food-nutrition-assistance/supplemental-nutrition-assistance-program-snap/> (last visited March 10, 2023).

<sup>6</sup> Food Expenditures and Diet Quality Among Low-Income Households and Individuals, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, July 2010, available at [https://www.fns.usda.gov/sites/default/files/FoodExpendDietQuality\\_Summary.pdf](https://www.fns.usda.gov/sites/default/files/FoodExpendDietQuality_Summary.pdf) (last visited March 10, 2023).

<sup>7</sup> US Department of Agriculture, Food and Nutrition Service, Characteristics of SNAP Households: FY 2020 and Early Months of the COVID-19 Pandemic: Characteristics of SNAP Households, available at <https://www.fns.usda.gov/snap/characteristics-snap-households-fy-2020-and-early-months-covid-19-pandemic-characteristics> (last visited March 10, 2023).

<sup>8</sup> US Department of Agriculture, Economic Research Service, Supplemental Nutrition Assistance Program (SNAP) Economic Linkages. Available at <https://www.ers.usda.gov/topics/food-nutrition-assistance/supplemental-nutrition-assistance-program-snap/economic-linkages/> (last visited March 10, 2023).

<sup>9</sup> Canter on Budget Policy and Priorities, *A Quick Guide to SNAP Eligibility and Benefits*, available at [https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits#\\_ftn5](https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits#_ftn5) (last visited March 10, 2023).

<sup>10</sup> Email from Chad Corcoran, Deputy Director of Legislative Affairs, Department of Children and Families, Re: SNAP Participants (March 2, 2023). On file with the Florida House Children, Families, and Seniors Subcommittee.

<sup>11</sup> 7 USC § 2012(k); see also 7 CFR § 271.2.

<sup>12</sup> Id.

<sup>13</sup> For an explanation of the inclusion of “junk food” and luxury items as eligible foods, see UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, Supplemental Nutrition Assistance Program (SNAP) Eligible Food Items, <https://www.fns.usda.gov/snap/eligible-food-items> (last visited March 10, 2023).

When considering the eligibility of vitamins and supplements, power bars, energy drinks and other branded products, the primary determinant is the type of product label chosen by the manufacturer to conform to Food and Drug Administration (FDA) guidelines:

- Items that carry a nutrition facts label are eligible foods.
- Items that carry a supplement facts label are classified by the FDA as supplements and are therefore not eligible.<sup>14</sup>

### **Campus Food Pantries**

Nearly one third (29%) of college students have missed a meal at least once a week since the beginning of the COVID-19 pandemic, and more than half of all students have used off-campus food banks.<sup>15</sup>

Campus food pantries are often run by campus student support services, student government, or the administrative department, and are for enrolled students facing food insecurity. Pantries may partner with organizations in the community to keep the shelves and freezers stocked and raise donations. Mobile pantries may also directly serve students in high need of hunger-relief.<sup>16</sup>

### **Hunger-Free Campuses**

The first Hunger-Free Campus bill was originally introduced in California in 2017 by then Assemblywoman Monique Limón. The Hunger-Free Campus policy provided funding to public colleges addressing student hunger on campus. Since its passage in California,<sup>17</sup> additional states have formally passed Hunger-Free Campus legislation, including New Jersey,<sup>18</sup> Maryland,<sup>19</sup> Minnesota,<sup>20</sup> and Massachusetts.<sup>21</sup>

### **III. Effect of Proposed Changes:**

SB 1172, the “Hunger-Free Campus Act,” creates the Hunger-Free Campus Pilot Program within the Department of Agriculture and Consumer Services (department). The purpose of the program is to support efforts to fight hunger on the campuses of postsecondary educational institutions and the program is established for one year beginning July 1, 2023.

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<sup>14</sup> Determining Product Eligibility for Purchase with SNAP Benefits, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, Jan. 26, 2017, available at <https://www.fns.usda.gov/sites/default/files/eligibility.pdf> (last visited March 10, 2023).

<sup>15</sup> Swipe Out Hunger, *Swipe Out Hunger Acquires the College and University Food Bank Alliance* (Oct. 21, 2021), <https://www.swipehunger.org/cufba/>. (last visited March 10, 2023).

<sup>16</sup> Feeding Florida, *Mobile Pantries*, <https://www.feedingflorida.org/food-access/mobile-pantries>. Feeding Florida consists of 12-member food banks within its mobile pantry program. (last visited March 10, 2023).

<sup>17</sup> Cal. Educ. Code § 66027.8 (2017)

<sup>18</sup> N.J. Stat. Ann. § 18A:62-60 (2019)

<sup>19</sup> Md. Code Ann., Educ. § 11-1703 (2021)

<sup>20</sup> Minn. Stat. Ann. § 135A.137 (2021)

<sup>21</sup> Mass. Gen. Laws ch. 15A, § 2 (2021)

The bill directs the Commissioner of Agriculture (commissioner) to identify the top three institutions that have the highest percentage of Pell Grant-eligible students among all state universities and Florida College System institutions and those three shall participate in the program.

The commissioner shall develop a survey instrument requiring all participating universities or Florida College System institutions to:

- Establish a hunger task force, which must include representatives from the student body and meet at least three times during the life of the pilot program. The task force shall set at least two goals to address hunger on campus, each accompanied by an action plan.
- Designate a staff member responsible for assisting students with enrollment in the Supplemental Nutrition Assistance Program (SNAP).
- Provide options that enable students to use SNAP benefits on campus or provide students with information on authorized SNAP retailers in the area surrounding the campus where they may use SNAP electronic benefit transfer cards.
- Host an activity or event during Hunger and Homelessness Awareness Week to promote awareness of hunger on the nation's campuses.
- Provide at least one physical food pantry on campus or enable students to receive food at no cost through a stigma-free process. The campus may partner with a local food bank or food paragraph to comply with this requirement.
- Develop a student meal credit donation program or designate funds that might be raised through such a program for free food vouchers.
- Conduct a student survey on hunger, using a survey instrument developed by the commissioner, and submit the results of the survey and a best practices campus profile to the department by a date prescribed by the department for inclusion in a comparative profile of each campus designated as a hunger-free campus.

The bill requires each participating state university or Florida College System institution to submit a report to the department which describes how it implemented the program. By January 1, 2025, the commissioner shall report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include, but is not limited to, the impact of the program on establishing hunger-free campuses at participating state universities or Florida College System institutions; the impact of the program on reducing the number of students at such universities and institutions who are experiencing food insecurity; and recommendations regarding future funding and implementation of the program on a long-term basis.

The department is granted rulemaking authority to implement the program.

The bill directs OPPAGA to conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions. The study must include recommendations for any changes to general law, Board of Governors' rules and regulations, or State Board of Education rules needed to address food insecurity on the campuses of state universities and Florida College System institutions.

OPPAGA must consult with the Board of Governors of the State University System, the Department of Education, and any other relevant stakeholders to conduct the study. OPPAGA shall submit a report on its findings to the President of the Senate and the Speaker of the House of Representatives by December 1, 2023.

The bill takes effect July 1, 2023.

**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:

The bill has no impact on state revenues or expenditures. The pilot program is contingent upon legislative appropriation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an unnumbered section of Florida Statutes.

**IX. Additional Information:**

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

**CS by Agriculture on March 13, 2023:**

The committee substitute revises the entities that shall participate in the pilot program from the top three among all state universities and Florida College System institutions that have the highest number of Pell Grant-eligible students to the top three entities that have the highest percentage of Pell Grant-eligible students.

- B. **Amendments:**

None.