

Prince George's County Council
Agenda Item Summary

Meeting Date: 7/23/2014
Reference No.: CB-037-2014
Draft No.: 2
Proposer(s): Lehman
Sponsor(s):
Item Title: An Act encouraging and supporting Supplemental Nutrition Assistance Program (SNAP) acceptance and processing technology at farmer's markets.

Drafter: Leroy D. Maddox, Jr., Legislative Officer
Resource Personnel: Matthew A. Dernoga, Citizens Services Assistant District 1

LEGISLATIVE HISTORY:

Date Presented: 6/3/2014
Committee Referral: 6/3/2014 - HEHS
Committee Action: 7/15/2014 - FAV(A)
Date Introduced: 7/23/2014
Public Hearing:
Council Action:
Council Votes:
Pass/Fail:
Remarks:

Executive Action:
Effective Date:

AFFECTED CODE SECTIONS:

12-116, 12-117, 12-118, 12-119, 12-120

COMMITTEE REPORTS:

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Date 7/15/2014

Committee Vote: Favorable as Amended, 4-0 (In favor: Council Members Patterson, Davis, Lehman and Turner)

Staff provided a summary of the legislation and referral comments that were received. CB-37-2014 adds Subtitle 12, Division 2, Subdivision 4 to the Prince George's County Code to establish the SNAP to Health Program (the "Program") to be administered by the Prince George's County Health Department and to provide for initial program funding, grant assistance, outreach and advertising for farmer's markets.

The Program shall provide technical assistance to farmer's markets in acquiring the technology needed to accept benefits under the Supplemental Nutritional Assistance Program (SNAP). The Program will also provide training to farmer's markets to assist managers in utilizing a system that accepts and processes SNAP benefits and with reporting requirements.

One Hundred Thousand (\$100,000) in initial funding is approved for FY 2015 with the Health Department establishing guidelines to implement provisions of this bill by January 1, 2015.

The Health Officer indicated that this bill will offer increased access to fresh fruits and vegetables to the community

and aligns with the Health Department's mission to create a healthier County. The Health Officer further stated that there are currently 21 farmer's markets in the County of which six (6) have the technology to except SNAP. The outreach efforts and educational component is instrumental in the success of this program to the SNAP recipients and the general population in making the citizens aware of the farmer's markets in the county.

The Director of the Department of Social Services provided written comments indicating that their position is from a marketing perspective to their customers.

The Committee considered CB-37-2014 Draft 2 with amendments that were merely clarifying language.

The Office of Audits and Investigations determined that CB-37-2014 if enacted will result in a negative impact to the County of \$100,000, which is the amount of the funding appropriated in the FY 2015 budget.

The Office of the County Executive has reviewed the legislation and has provided favorable recommendation.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

Greater access to fresh foods is important for Prince George's County residents. Most farmer's markets in Prince George's County do not have SNAP acceptance technology. Such technology would enhance access to fresh foods by Prince George's County residents particularly in areas deemed as "food deserts" by the United States Department of Agriculture.

CODE INDEX TOPICS:

INCLUSION FILES:

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2014 Legislative Session

Bill No. CB-37-2014

Chapter No.

Proposed and Presented by Council Member Lehman

Introduced by

Co-Sponsors

Date of Introduction July 23, 2014

BILL

AN ACT concerning
SNAP to Health Program
For the purpose of encouraging and supporting Supplemental Nutrition Assistance Program (SNAP) acceptance and processing technology at farmer's markets

BY adding:

SUBTITLE 12. HEALTH.
Sections 12-116, 12-117, 12-118, 12-119, 12-120, and

12-121

The Prince George's County Code
(2011 Edition; 2013 Supplement).

WHEREAS, The Supplemental Nutrition Assistance Program (SNAP) is a federal program that is administered through the United States Department of Agriculture (USDA) to provide nutritional assistance to millions of eligible, low income individuals and families, thereby providing economic benefits to communities; and

WHEREAS, Prince George's County residents have high incidents of extremely poor health indicators such as diabetes, obesity, and heart disease and the USDA's declaration that areas of Prince George's County are a "food desert", underscore a need for greater access to fresh foods by County residents; and

WHEREAS, Most of the farmer's markets in Prince George's County do not have electronic bank transfer (EBT) or SNAP benefits acceptance and processing technology; and

WHEREAS, The USDA has a program with available funding that is distributed to the

1 states to provide at no cost to the farmer's market, a device that accepts and processes SNAP
2 benefits; and

3 WHEREAS, The State of Maryland's Department of Agriculture is responsible for
4 accepting applications for such devices; and

5 WHEREAS, a combination of federal and county assistance is needed to overcome
6 impediments to obtaining and maintaining SNAP benefits acceptance and processing technology
7 to be used by farmer's markets; now, therefore,

8 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
9 Maryland, that Sections 12-116, 12-117, 12-118, 12-119, 12-120 and 12-121 of the Prince
10 George's County Code be and the same is hereby added:

11 **SUBTITLE 12. HEALTH.**

12 **DIVISION 2. FOOD SERVICE FACILITIES.**

13 **SUBDIVISION 4. SNAP TO HEALTH PROGRAM.**

14 **Sec. 12-116. SNAP to Health Program.**

15 (a) The Department shall establish a program entitled "SNAP To Health" to provide
16 technical assistance:

17 (1) to a Farmer's Market as defined by Section 27-107.01(87.1) of the County Code, in
18 acquiring technology necessary to accept and process benefits under the Supplemental Nutrition
19 Assistance Program (SNAP).

20 (2) To train managers at a Farmer's Market how to manage the reporting requirements
21 and responsibilities associated with managing a system that accepts and processes SNAP
22 benefits.

23 **Sec. 12-117. Grants under the SNAP to Health Program.**

24 (a) The Department shall provide grants:

25 (1) To a Farmer's Market to offset the initial cost of establishing a SNAP acceptance
26 and processing system.

27 (2) To a Farmer's Market to offset the costs associated with managing SNAP
28 acceptance and processing such as fees associated with hosting an Electronic Bank Transfer
29 (EBT) device, transaction fees associated with SNAP purchases on the EBT device, and staff
30 costs.

31 (b) Contingent upon available funding, a Farmer's Market applying for the type of grant

1 assistance found in this Section is eligible for to three (3) years of assistance in the following
2 increments:

3 (1) In the first year, the grant may offset up to One Hundred Percent (100%) of the
4 costs.

5 (2) In the second year, the grant may offset up to Fifty Percent (50%) of the costs.

6 (3) In the third year, the grant may offset up to Twenty Five Percent (25%) of the costs.

7 (c) A farmer's market may not receive more than \$5,000 in county grants under this
8 program in a single fiscal year.

9 (d) The Department shall establish the eligibility requirements the managing entity of a
10 farmer's market must meet in order to qualify for a grant through program regulations
11 promulgated pursuant to Section 12-120.

12 **Sec. 12-118. Outreach and Advertising.**

13 (a) The Department shall collaborate with the Farmer's Markets, the Department of Social
14 Services, the Prince George's County Visitors Bureau and non-profit organizations on
15 advertising and outreach targeting Prince George's County residents participating in SNAP to
16 inform them which Farmer's Markets accept and process SNAP benefits as well as the health
17 benefits of buying fresh produce at the farmer's market.

18 **Sec. 12-119. Funding.**

19 (a) The administration and implementation of this program shall be funded initially for an
20 amount of One Hundred Thousand Dollars (\$100,000.00) as appropriated in the Fiscal Year
21 2015 budget.

22 **Sec. 12-120. Regulations.**

23 (a) The Department shall promulgate regulations necessary to implement the requirements
24 of this subdivision by January 1, 2015.

25 **Sec. [12-116.] 12-121. through Sec. 12-129. Reserved.**

26 * * * * *

27 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
28 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
29 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
30 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
31 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this

1 Act, since the same would have been enacted without the incorporation in this Act of any such
2 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

3 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on January 1,
4 2015.

Adopted this _____ day of _____, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.