

House Bill 321

By: Representatives Scott of the 76th, Schofield of the 63rd, and Davis of the 87th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the Department of Human Services, so as to provide
3 for the establishment of the Healthy Food Development Program; to provide for a short title;
4 to provide definitions; to provide for various benefits; to provide requirements; to provide
5 for a grocery ambassador; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to the Department of Human Services, is amended by adding a
11 new Code section to read as follows:

12 "49-2-19.1.

13 (a) This Code section shall be known and may be cited as the 'Healthy Food Development
14 Program Act.'

15 (b) As used in this Code section, the term:

- 16 (1) 'Corner store' means a retail establishment that sells grocery products and has less
17 than 5,000 square feet of selling area.
- 18 (2) 'Eligible area' means a historically underutilized business zone, as defined by 15
19 U.S.C. Section 632(p)(1).
- 20 (3) 'Farmers' market' means a public market at which farmers and other producers sell
21 fresh produce and healthy foods.
- 22 (4) 'Grocery store' means a retail establishment that:
- 23 (A) Has a primary business of selling grocery products;
- 24 (B) Has at least 5,000 square feet of selling area that is used for a general line of food
25 and nonfood grocery products; and
- 26 (C) Meets the eligibility requirements for the federal Supplemental Nutrition
27 Assistance Program (SNAP).
- 28 (5) 'Small food retailer' means a small business that is not a grocery store.
- 29 (c) The department may coordinate with the Department of Economic Development to
30 establish a Healthy Food Development Program to expand access to healthy foods in
31 eligible areas in this state by providing assistance to grocery stores, corner stores, farmers'
32 markets, and other small food retailers.
- 33 (d) The Department of Public Health, Department of Natural Resources, Department of
34 Agriculture, and other relevant state agencies shall coordinate with the department and the
35 Department of Economic Development upon request to establish the Healthy Food
36 Development Program.
- 37 (e) The Healthy Food Development Program may provide a combination of any or all of
38 the following benefits to grocery stores, corner stores, farmers' markets, and other small
39 food retailers in eligible areas:
- 40 (1) Grants;
- 41 (2) Loans;
- 42 (3) State tax credits;

43 (4) Equipment;

44 (5) Other financial assistance; and

45 (6) Technical assistance.

46 (f) The benefits provided in subsection (e) of this Code section shall be awarded to grocery
47 stores, corner stores, farmers' markets, and other small food retailers in eligible areas on
48 a competitive basis, with priority given to projects with the greatest potential impact to
49 expand access to healthy foods in eligible areas that are underserved by retail sales of
50 healthy food in this state.

51 (g) Grocery stores, corner stores, farmers' markets, and other small food retailers are
52 encouraged to work cooperatively to expand access to healthy foods in eligible areas in this
53 state.

54 (h) The department and the Department of Economic Development may contract with
55 nonprofit organizations to promote and implement this program.

56 (i) Grocery stores, corner stores, farmers' markets, and other small food retailers
57 participating in the Healthy Food Development Program shall be strongly encouraged to:

58 (1) Apply and accept benefits from the federal Supplemental Nutrition Assistance
59 Program (SNAP);

60 (2) Apply and accept benefits from the federal Women, Infants, and Children (WIC)
61 program; and

62 (3) Employ residents of this state.

63 (j) Resources may be provided to assist grocery stores, corner stores, farmers' markets, and
64 other small food retailers in acquiring the necessary technology to accept SNAP and WIC
65 benefits.

66 (k) As a condition of participating in the Healthy Food Development Program, persons or
67 entities operating grocery stores, corner stores, farmers' markets, and other small food
68 retailers shall agree in writing to sell produce or other healthy foods for at least three years.

69 provided that this requirement is not applicable if the individual or entity, or its successor,
70 ceases all of its retail food sales operations.

71 (1) The department shall designate a grocery ambassador to assist retailers of healthy foods
72 in this state by:

73 (1) Providing research and data on eligible areas with insufficient grocery access;

74 (2) Coordinating with the department and the Department of Economic Development and
75 other relevant state agencies;

76 (3) Providing assistance to small grocery retailers in this state, including obtaining and
77 expediting regulatory procedures; and

78 (4) Providing other assistance as needed.

79 (m) The department and the Department of Economic Development may issue grants, on
80 a competitive basis, for the establishment of a commercial distribution system for fresh
81 produce and healthy foods."

82 **SECTION 2.**

83 All laws and parts of laws in conflict with this Act are repealed.