



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2154/1  
KP:cdc

## 2019 ASSEMBLY BILL 540

October 14, 2019 - Introduced by Representatives KRUG, SUBECK, KULP, TUSLER, EDMING, STEFFEN, DITTRICH, MURSAU and THIESFELDT, cosponsored by Senators PETROWSKI and OLSEN. Referred to Committee on Consumer Protection.

1     **AN ACT** *to create* 20.115 (4) (ap) and 93.485 of the statutes; **relating to:** grants  
2             to support donation of farm and food products to food banks and emergency  
3             feeding organizations and making an appropriation.

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***Analysis by the Legislative Reference Bureau***

This bill requires the Department of Agriculture, Trade and Consumer Protection to award an annual grant to a nonprofit organization that operates as a statewide association of food banks to promote the donation of excess and unmarketable farm and food products from farms and food processing facilities to food banks and emergency feeding organizations. In awarding the grant, DATCP is required to award \$1 for every \$1 of private funds the grant recipient raises for this purpose, up to a total of \$250,000 in a fiscal year. Under the bill, DATCP must require the grant recipient to use the grant money to reimburse farmers and food processing facilities for the cost of harvesting, packaging for transport, and transporting to food banks or emergency feeding organizations excess or unmarketable farm and food products and to process, warehouse, and transport donated farm and food products to food banks, emergency feeding organizations, food processing facilities, and food pantries. The bill prohibits DATCP from awarding this grant after June 30, 2024.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**ASSEMBLY BILL 540**

**SECTION 1**

1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

	<b>2019-20</b>		<b>2020-21</b>
<b>20.115 Agriculture, trade and consumer protection, department of</b>			

5 (4) AGRICULTURAL ASSISTANCE

(ap) Harvest for hope grant	GPR	A	250,000	250,000
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7           **SECTION 2.** 20.115 (4) (ap) of the statutes is created to read:

8           20.115 (4) (ap) *Harvest for hope grant.* The amounts in the schedule for the  
9 grant under s. 93.485. No money may be expended from the appropriation under this  
10 paragraph after June 30, 2022, except moneys encumbered before that date.

11           **SECTION 3.** 93.485 of the statutes is created to read:

12           **93.485 Harvest for hope grant. (1)** In this section:

13           (a) “Emergency feeding organization” means a nonprofit organization that  
14 distributes or coordinates the distribution of federal commodities to food pantries or  
15 other organizations that dispense food to low-income individuals to alleviate hunger  
16 and that monitors its network for service data and compliance with operational and  
17 food safety standards.

18           (b) “Food bank” means a nonprofit organization that collects and distributes  
19 food to food pantries or other organizations that dispense food to low-income  
20 individuals to alleviate hunger and that monitors its network for service data and  
21 compliance with operational and food safety standards.

22           (c) “Statewide food bank association” means a nonprofit organization that  
23 operates as a statewide association of food banks or that provides statewide support

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1 to a network of emergency feeding organizations and distributes food or federal  
2 commodities to all counties in this state.

3 (2) The department shall initiate a request-for-proposal process for the  
4 purpose of awarding a grant from the appropriation under s. 20.115 (4) (ap) to a  
5 statewide food bank association to promote the donation of excess or unmarketable  
6 farm products or food products from farms and food processing facilities to food banks  
7 or emergency feeding organizations. In awarding this grant, the department shall  
8 award \$1 for every \$1 of private funds that the food bank association raises for this  
9 purpose in a given fiscal year, up to a total of \$250,000 in that fiscal year.

10 (3) Subject to subs. (4) and (5), the department shall require the statewide food  
11 bank association to use the grant to reimburse farmers and food processing facilities  
12 for the costs of harvesting, packaging for transport, transporting, and donating to  
13 food banks or emergency feeding organizations excess or unmarketable farm  
14 products or food products and to process donated farm products into nonperishable  
15 form, for transporting donated farm products or food products to food banks,  
16 emergency feeding organizations, food processing facilities, and food pantries or  
17 other organizations that are eligible to receive donations from food banks or  
18 emergency feeding organizations, for warehousing donated farm products and food  
19 products, and for related administrative expenses.

20 (4) No more than 11 percent of the grant may be used for administrative  
21 expenses. Administrative expenses do not include transportation expenses.

22 (5) (a) Only farms and food processing facilities in this state are eligible for  
23 reimbursement under sub. (3), and only farm products and food products from farms  
24 and food processing facilities in this state may be processed, warehoused, or  
25 transported under sub. (3).

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1 (b) Only food pantries or other organizations that dispense food to low-income  
2 individuals to alleviate hunger operating in this state and that are members in good  
3 standing of a food bank or emergency feeding organization may receive farm  
4 products and food products from farms and food processing facilities accepting grant  
5 funds under this section from a statewide food bank association.

6 **(6)** (a) The department shall prohibit a statewide food bank association from  
7 distributing farm products or food products that are harvested, packaged, or  
8 transported using grant funds under this section to a food bank or emergency feeding  
9 organization unless the food bank or emergency feeding organization agrees not to  
10 charge any fee for providing or delivering the farm products or food products to a food  
11 pantry or other organization that dispenses food to low-income individuals to  
12 alleviate hunger.

13 (b) The department shall prohibit a statewide food bank association that  
14 accepts grant funds under this section from charging any fee to a food bank or  
15 emergency feeding organization for providing or delivering farm products or food  
16 products that are harvested, packaged, or transported using grant funds under this  
17 section.

18 **(7)** The department shall require the grant recipient to report annually to the  
19 secretary on the use of the grant at the time and in the manner required by the  
20 secretary.

21 **(8)** The department may not award a grant under this section after June 30,  
22 2024.

23 **SECTION 4. Effective date.**

