

SECOND REGULAR SESSION

HOUSE BILL NO. 1327

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SATER (Sponsor), WALLACE AND WELLS (Co-sponsors).

Pre-filed December 3, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3082L.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to a healthy food pilot program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.820, to read as follows:

**191.820. 1. By January 1, 2009, and subject to appropriations, the department of
2 health and senior services shall establish an access to healthy food pilot program. Such
3 program shall include a maximum of four selected sites across the state in urban low-
4 income areas which have limited access to local and affordable fresh fruits and vegetables.**

5 2. The pilot program shall:

**6 (1) Target small grocers in neighborhoods in the selected communities to increase
7 the offerings of fresh fruits and vegetables in such communities;**

**8 (2) In the selected communities, provide targeted food retailers with support or
9 assistance to obtain refrigerated produce display cases through the assessment of the
10 feasibility of a variety of financing methods, including but not limited to leasing, lending,
11 small business and economic development support, and other time-limited strategies; and**

**12 (3) Provide technical assistance to targeted retailers on the purchase, storage,
13 marketing, and display of fresh produce.**

14

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 The department shall, where appropriate, utilize all available federal moneys for the
16 technical assistance described in this subsection.

17 3. The department of health and senior services shall monitor the pilot program
18 and by December 31, 2012, report to the general assembly on the effectiveness of such
19 program, including the impact of the pilot program on the purchase of fresh produce and
20 on any increase in retailer space devoted to the sale of fresh fruits and vegetables.

21 4. The department shall make recommendations regarding the continuation and
22 expansion of the pilot program and any state policy changes needed to support the goals
23 of the program.

24 5. The department may promulgate rules to implement the provisions of this
25 section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
26 that is created under the authority delegated in this section shall become effective only if
27 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
28 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
29 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
30 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
31 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
32 adopted after August 28, 2008, shall be invalid and void.

33 6. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

34 (1) The provisions of the new program authorized under this section shall
35 automatically sunset six years after the effective date of this section unless reauthorized by
36 an act of the general assembly; and

37 (2) If such program is reauthorized, the program authorized under this section
38 shall automatically sunset twelve years after the effective date of the reauthorization of this
39 section; and

40 (3) This section shall terminate on September first of the calendar year immediately
41 following the calendar year in which the program authorized under this section is sunset.

✓