

FIRST REGULAR SESSION

# HOUSE BILL NO. 32

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SATER (Sponsor) AND WETER (Co-sponsor).

0132L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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*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 known as section 191.820, to read as follows:

**191.820. 1. By January 1, 2010, and subject to appropriations, the department of health and senior services shall establish an access to healthy food pilot program. Such program shall include a maximum of four selected sites across the state in urban low-income areas which have limited access to local and affordable fresh fruits and vegetables, including a retail outlet that includes some groceries.**

**2. The pilot program shall:**

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

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

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

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

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.

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

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

25           **5. The department may promulgate rules to implement the provisions of this**  
26 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**  
27 **that is created under the authority delegated in this section shall become effective only if**  
28 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**  
29 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
30 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**  
31 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
32 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
33 **adopted after August 28, 2009, shall be invalid and void.**

34           **6. Under section 23.253, RSMo, of the Missouri sunset act:**

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

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

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

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