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SENATE BILL NO. 854

Offered January 8, 2020

Prefiled January 8, 2020

A BILL to amend the Code of Virginia by adding in Subtitle II of Title 3.2 a part labeled E, containing a chapter numbered 31.2, consisting of sections numbered 3.2-3122 through 3.2-3127, relating to Virginia Urban Agriculture Advisory Council; report.

 Patron—Petersen

 Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Subtitle II of Title 3.2 a part labeled E, containing a chapter numbered 31.2, consisting of sections numbered 3.2-3122 through 3.2-3127, as follows:

PART E.**OTHER BOARDS.****CHAPTER 31.2.****VIRGINIA URBAN AGRICULTURE ADVISORY COUNCIL.****§ 3.2-3122. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Council" means the Virginia Urban Agriculture Advisory Council established pursuant to this chapter.

"Local food" means food grown within the Commonwealth.

"Sustainable food" means an integrated system of plant and animal production practices that have a site-specific application and that are intended over the long term to satisfy human food and fiber needs, enhance environmental quality and the natural resource base upon which the agriculture economy depends, sustain the economic viability of farm operations, and enhance the quality of life for farmers and society.

"Urban agriculture" means food grown within a town or city in the Commonwealth.

§ 3.2-3123. The Virginia Urban Agriculture Advisory Council; purpose.

The Virginia Urban Agriculture Advisory Council is established as an advisory council in the executive branch of state government. The purpose of the Council is to encourage urban agriculture and to contribute to building a local food economy, thereby benefiting Virginia by creating jobs, stimulating statewide economic development, circulating money from local food sales within communities, preserving open space, decreasing the use of fossil fuels and the production of carbon emissions, preserving and protecting the natural environment, increasing consumer access to fresh and nutritious foods, and providing greater food security for all Virginians.

§ 3.2-3124. Membership; terms; quorum; meetings.

The Council shall have a total membership of 23 members that shall consist of 20 nonlegislative citizen members and three ex officio members.

Nonlegislative citizen members shall be appointed as follows: five nonlegislative citizen members, of whom one is a representative of the Virginia Beginning Farmer and Rancher Coalition Program, one is a representative of the Virginia Association of Counties, one is a representative of the Virginia Association for Biological Farming, one is a representative of a Virginia education-focused urban agriculture program that is not operated by a baccalaureate public institution of higher education, and one is a representative of the Department of Education, to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who is a representative of the Virginia State University Sustainable and Urban Agriculture Program, appointed by the Senate Committee on Rules upon consideration of the recommendation of the Senator representing the 16th District, if any; four nonlegislative citizen members, of whom one is a local organic animal producer, one is a local organic crop producer, one is a representative of the Virginia Cattlemens Association, and one is a representative of the Virginia Farm Bureau Federation, Inc., to be appointed by the Speaker of the House of Delegates; five nonlegislative citizen members, all of whom are urban agriculture producers, one each from the regions of Northern Virginia, Tidewater, Central Virginia, the Shenandoah Valley, and the Blue Ridge, to be appointed by the Speaker of the House of Delegates; and five nonlegislative citizen members, of whom one is a representative of a Virginia food bank, one is a local conventional animal producer, one is a local conventional crop producer, one is a local sustainable animal producer, and one is a local sustainable crop producer, to be appointed by the Governor, subject to confirmation

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59 by the General Assembly.

60 The Commissioner of Agriculture and Consumer Services or his designee, the State Health
61 Commissioner or his designee, and the Secretary of Commerce and Trade or his designee shall serve ex
62 officio with voting privileges. Nonlegislative citizen members of the Council shall be citizens of the
63 Commonwealth.

64 Ex officio members of the Council shall serve terms coincident with their terms of office.
65 Appointments to fill vacancies shall be for the unexpired terms. Vacancies shall be filled in the same
66 manner as the original appointments.

67 The Council shall elect a chairman and vice-chairman from among its membership. A majority of the
68 members shall constitute a quorum. The meetings of the Council shall be held at the call of the
69 chairman or whenever the majority of the members so request.

70 **§ 3.2-3125. Compensation; expenses.**

71 Members shall receive such compensation for the performance of their duties as provided in §
72 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the
73 performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of
74 compensation and expenses of the members shall be provided by the Department of Agriculture and
75 Consumer Services.

76 The Department of Agriculture and Consumer Services shall provide staff support to the Council. All
77 agencies of the Commonwealth shall provide assistance to the Council, upon request.

78 **§ 3.2-3126. Powers and duties of the Council.**

79 The Council shall have the power and duty to:

80 1. Develop sustainable local food programs and policies for Virginia.

81 2. Undertake in-depth analyses of (i) the foods that are served to public school students under the
82 National School Lunch Program and the School Breakfast Program, including the possibility of
83 increasing the amount of sustainable local food used in these programs; (ii) the possibility of making
84 sustainable local food available under public assistance programs, including the possibility of being
85 able to use food stamps at local farmers markets; (iii) the possibility of promoting urban gardens and
86 backyard gardens for the purpose of improving the health of citizens, making use of idle urban property,
87 and lowering food costs for Virginia urban dwellers during times of economic hardship; and (iv) the
88 potential effects that the production of sustainable local food would have on economic development in
89 Virginia, as both direct effects for the producers of sustainable local food and indirect effects, including
90 effects on restaurants that feature locally raised agricultural products and promote food and wine
91 tourism.

92 3. Study any programmatic or policy issues regarding (i) how local and regional efforts could
93 promote a sustainable local food economy by providing an information and engagement center that
94 would assist entrepreneurs and farmers in pursuing opportunities related to a sustainable local food
95 economy; (ii) the identification and development of solutions to regulatory and policy barriers to
96 developing a strong sustainable local food economy; and (iii) strengthening local infrastructure and
97 entrepreneurial efforts related to a sustainable local food economy.

98 4. Consider any other pertinent program or policy issue.

99 5. Submit an annual report to the Governor and the General Assembly for publication as a report
100 document as provided in the procedures of the Division of Legislative Automated Systems for the
101 processing of legislative documents and reports. The chairman of the Council shall submit to the
102 Governor and the General Assembly an annual executive summary of the interim activity and work of
103 the Council no later than the first day of each regular session of the General Assembly. The executive
104 summary shall be submitted for publication as a report document as provided in the procedures of the
105 Division of Legislative Automated Systems for the processing of legislative documents and reports and
106 shall be posted on the General Assembly's website.

107 **§ 3.2-3127. Sunset.**

108 This chapter shall expire on July 1, 2023.