



OCFAC Policy Agenda – 2017 – State Initiatives

OC Food Access supports policies and programs based on their relevance to our mission and support for equitable principles of food security. We are advocates for healthy, affordable and sustainable food for all. For more information, contact Christina Hall at 714-564-9525 or chall@ocfoodaccess.org.

AB 9 – Feminine hygiene product tax Watch

Asm. Cristina Garcia (AD 58) -

This bill, on and after January 1, 2018, would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, tampons, sanitary napkins, menstrual sponges, and menstrual cups.

AB 68 – School proximity to farms Watch

Asm. Devon Mathis (AD 26) -

This bill would prohibit a school district, county office of education, charter school, or private school from building a new school facility or acquiring real property for the purpose of building a school facility if the proposed schoolsite is located within 2 miles of an operating farm. The bill would create an exception if the school district, county office of education, charter school, or private school agrees to hold the farm harmless and without fault for any harm to the health of pupils or school staff caused by the use of pesticide by the farm in compliance with applicable law and within the normal operation of the farm. The bill would also require a new school facility built on or after January 1, 2018, and located within 2 miles of an operating farm to obtain its water supply from a public water system, as defined.

AB 164 – Food Assistance Support

Asm. Joaquin Arambula (AD 31) –

This bill creates an alternate ‘CalFresh’ food assistance system for those that are unable to qualify for CalFresh due to immigration status, specific health-related needs, etc.

AB 214 – Post-secondary Education: Student Hunger Support

Asm. Shirley Weber (AD 79) -

Clean-up bill for the RMP bill from 2015-16 session to provide definitions of “on-campus food vendors” and “qualifying food facility”. Additionally, This bill would express legislative intent to clarify educational policies for purposes of improving access for low-income students to the CalFresh program. For purposes of the federal regulation, the bill would specify the definition of half-time college enrollment. The bill would also require the Student Aid Commission to provide written notice to recipients of Cal Grant awards who qualify for participation in the CalFresh program under the federal regulation.

This bill would require the Department of Social Services to maintain a list of programs identified pursuant to existing law because they meet the employment training exemption set in the federal regulation. The bill would require the list to include, but not necessarily be limited to, specified programs. The bill would also require the department to issue and maintain instructions for county human services agencies to verify exemptions to the CalFresh student eligibility rules for students who participate in these programs, as specified. To the extent that this provision would impose new duties on county human services agencies, it would constitute a state-mandated local program.

AB 626 – Homemade Food Operations [Watch](#)

Asm. Eduardo Garcia (AD 56) and Asm. Joaquin Arambula (AD 31) –

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities by the State Department of Public Health. Existing law defines “food facility” as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, as specified. Existing law exempts, among others, a private home, including a registered or permitted cottage food operation, from the definition of food facility.

AB 796 – SSI/SSP Increase [Support](#)

Asm. Ash Kalra (AD 27) and Asm. Tony Thurmond (AD 15) -

This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2018 calendar year. The bill would also require a maximum aid payment that does not equal or exceed 96% of the 2017 federal poverty level based on family size commencing January 1, 2019,, or 100% of the 2018 federal poverty level based on family size, to be increased to an amount that equals 96% or 100% of the federal poverty level, respectively. By reinstating the cost-of-living adjustment and by increasing the amount of benefits paid under the SSP, this bill would make an appropriation.

ACA 2 – Assembly Constitutional Amendment – Sales Tax on Food [Watch](#)

Introduced by Asm. Cristina Garcia.

This is the first step to someday taxing unhealthy food items such as sugary drinks, junk food, etc.

This measure, on and after April 1, 2019, would instead require that any sales or use tax levied by the State of California or any of its political subdivisions apply to the sale of, or the storage, use, or other consumption in this state of, certain food products for human consumption. The measure would authorize the Legislature to exempt the sale of, or the storage, use, or other consumption in this state of, any food product from sales and use tax by a statute that becomes operative on or after November 7, 2018.

SB 138 – Free & Reduced Price Meals [Support](#)

Sen. Mike McGuire (SD 2) –

This bill would, on or before September 1, 2018, require a school district or county superintendent of schools that has a very high poverty school, as defined, in its jurisdiction to apply to operate a universal meal service pursuant to specified federal law, and to begin providing breakfast and lunch free of charge through the universal meal service to all pupils at the very high poverty school upon state approval to operate that service. The bill would authorize a school district or county superintendent of schools to stop providing the universal free meal service at a school if the school ceases to be a very high poverty school. Also, the bill would require a local educational agency participating in a federal school meal

program to implement a system of direct certification by using that [MediCal] participation data, commencing with the participation data of pupils in the 2017–18 school year, to directly certify pupils eligible for free and reduced-price school meals, to the extent permitted under federal law.

SB 140 – Income Tax Credits: Food Bank Donations Support

Sen. Ben Allen (SD 26)

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including, for taxable years beginning on or after January 1, 2012, and before January 1, 2017, a credit for qualified taxpayers, defined as the person responsible for planting a crop, managing the crop, and harvesting the crop from the land, in an amount equal to 10% of the cost that would otherwise be included in, or required to be included in, inventory costs, as specified under federal law, with respect to the donation of fresh fruits or fresh vegetables to a food bank located in California. This bill would extend the operation of those credits to taxable years beginning before January 1, 2024. The bill would also make other conforming and nonsubstantive changes.

SB 167 - Supplemental Security Income and CalFresh: preenrollment Support

Sen. Nancy Skinner (SD 9) -

This bill would require the Secretary of the Department of Corrections and Rehabilitation to establish memoranda of understanding with the federal Social Security Administration to allow a person incarcerated in a correctional institution to apply for and receive a replacement social security card and to allow the administration to process SSI claims under the prerelease program. Additionally, this bill would require the State Department of Social Services, on or before March 31, 2018, to request a waiver to allow for the preenrollment of otherwise eligible applicants to the CalFresh program up to one month prior to the applicant's reentry into the community from county jail or state prison.

SB 250 – School Lunch Program Support

Sen. Robert Hertzberg (SD 18) -

This bill would enact the Child Hunger Prevention and Fair Treatment Act of 2017. The act would require certain local educational agencies, as defined, to develop a plan to ensure that a pupil whose parent or guardian has unpaid school meal fees is not shamed or treated differently than a pupil whose parent or guardian does not have unpaid school meal fees. The act would prohibit school personnel and volunteers at a local educational agency required to serve free or reduced-price meals during the schoolday from taking disciplinary action that directly results in denying or delaying a nutritionally adequate meal to a pupil. The act would require a local educational agency to identify families with unpaid school meal fees equal to or greater than the value of 5 full-priced school lunches and, before collecting the unpaid fees, to exhaust all options and methods to directly certify the pupil for free or reduced-price meals, and to reimburse school meal fees paid by a pupil's parent or guardian when fees were paid or unpaid fees debt accrued when a pupil would have been determined to be eligible for free or reduced-price school meals. To the extent that these provisions would place additional requirements on local educational agencies, the bill would impose a state-mandated local program.

SB 278 – CalFresh Overissuances Watch

Sen. Scott Wiener (SD 11) -

This bill, requires CDSS to set a minimum threshold for collecting CalFresh overissuances. This bill also would require a county human services agency to notify the State Department of Social Services when a

mass overissuance, as defined, has been identified prior to sending out notices of action to recipients, and would require the department to determine whether the state or county may be required to pay the mass overissuance pursuant to the above-mentioned federal law. The bill would require the department, if it makes that determination, to notify the regional office of the United States Department of Agriculture of the mass overissuance and the cause of the overissuance, and would require the State Department of Social Services to facilitate payment if the Secretary of Agriculture determines that the mass overissuance shall be paid by the state or county. By increasing the duties of local officials, the bill would impose a state-mandated local program.

SB 282 – CalFresh Watch

Sen. Scott Wiener (SD 11) -

This bill, the Reducing Hunger Among Vulnerable Californians Act of 2017, would require the State Department of Social Services to issue an annual all-county letter providing guidance that lists which counties or regions are eligible to participate in the Restaurant Meals Program and the instructions for how a county may choose to participate in RMP or appeal a noneligible determination by the department. The bill would also require the department to design the EBT system to, automatically and upon issuance of an EBT card, allow an eligible recipient of RMP to use his or her EBT card to purchase prepared meals at all participating restaurants.

Additionally, this bill would include subsidized employment as a CalFresh E&T component that a county may offer, and would, to the extent permitted by federal law, require the State Department of Social Services to seek a federal waiver that would allow 50% federal reimbursement for eligible CalFresh E&T activities to be used to provide a wage subsidy for ABAWD participants in counties that do not participate in the waiver of the ABAWD time limit. The bill would also require the department to include a provision in the request to allow participants in the subsidized employment program to remain eligible for CalFresh benefits for up to 6 months following the date their first subsidized paycheck was issued.

SB 300 – Sugar Sweetened Beverage Health Warnings Support

Sen. Bill Monning (SD 17) -

This bill would establish the Sugar-Sweetened Beverages Health Warning Act, which would prohibit a person from distributing, selling, or offering for sale a sugar-sweetened beverage in a sealed beverage container, or a multipack of sugar-sweetened beverages, in this state unless the beverage container or multipack bears a health warning, as prescribed. The bill also would require every person who owns, leases, or otherwise legally controls the premises where a vending machine or beverage dispensing machine is located, or where a sugar-sweetened beverage is sold in an unsealed container, to place a specified safety warning in certain locations, including on the exterior of any vending machine that includes a sugar-sweetened beverage for sale. This bill, commencing July 1, 2018, would provide that any violation of the provisions described in (1) above, or regulations adopted pursuant to those provisions, is punishable by a civil penalty of not less than \$50, but no greater than \$500.

This bill would also create the Sugar-Sweetened Beverages Safety Warning Fund for the receipt of all moneys collected for violations of those provisions. The bill would allocate moneys in this fund, upon appropriation by the Legislature, to the department for the purpose of enforcing those provisions.

SB 504 – Protecting Californians from Synthetic Food Dyes Act [Watch](#)

Sen. Bob Wieckowski (SD 10) -

This bill would establish the Protecting Californians from Synthetic Food Dyes Act, which would make it a crime for a person to manufacture, package, sell, offer to sell, distribute, or import for sale or distribution within the State of California food that contains synthetic dyes without a prescribed label, either on the package or on the shelf or bin where the food is displayed for bulk foods. The bill would require prescribed language to be included on the menu or menu board of a restaurant when a dish includes synthetic food dyes. By creating a new crime, this bill would impose a state-mandated local program.