

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4169

FISCAL  
NOTE

By Delegate Young

[Introduced January 10, 2024; Referred  
to the Committee on Agriculture and Natural  
Resources then Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §16-67-1, establishing the food desert program under the Department of  
 3 Agriculture.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 67. FOOD DESERT PROGRAM.**

**§16-67-1. Food desert program.**

1 (a) The Department of Agriculture shall establish a two-year program to provide residents  
 2 of food desert communities with access to fresh and affordable produce. In establishing the  
 3 program, the department shall select one or more partnering providers to establish weekly  
 4 markets in three food desert communities, one of which shall be located in a rural area, in order to  
 5 make fruits and vegetables more affordable to families and individuals with limited access to fresh  
 6 food.

7 (b) The department shall:

8 (1) Solicit and select a partnering provider that demonstrates the ability to reliably provide a  
 9 consistent, year-round supply of reasonably priced fresh fruits and vegetables to serve food desert  
 10 communities;

11 (2) Work with food desert communities to identify and recruit a partnering provider to  
 12 establish weekly markets, which may be operated in partnership with local public schools,  
 13 community organizations, or nonprofit organizations; and

14 (3) Engage in appropriate outreach efforts with food desert communities, the agricultural  
 15 industry, and the public concerning the availability of the program.

16 (c) A partnering provider that operates a market shall, at a minimum:

17 (1) Demonstrate to the department the ability to reliably provide a consistent, year-round  
 18 supply of reasonably priced fresh fruits and vegetables;

19 (2) Accept cash, credit, debit, and food vouchers for produce at any market operating  
 20 under the program;

- 21           (3) Offer reduced price produce packages;
- 22           (4) Include storage guides containing information on how to keep the produce fresh and
- 23 recipes for use of the produce; and
- 24           (5) Donate any surplus produce at the end of each market to food banks, food pantries,
- 25 soup kitchens, and other nonprofit organizations that distribute food to individuals in need located
- 26 in the state.
- 27           (d) Within two years after the date of enactment of this act, the department shall submit a
- 28 written report to the Legislature, summarizing the program established pursuant to this section;
- 29 identifying the partnering providers and food desert communities participating in the program, as
- 30 well as the number of families and individuals served by the markets, and the amount of food
- 31 vouchers redeemed at the markets; and providing recommendations for legislative actions to
- 32 expand access to, and the affordability of, fruits and vegetables to residents in food desert
- 33 communities throughout the state.

NOTE: The purpose of this bill is to establish the food desert program.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.