
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 108 (Hurtado) - State Healthy Food Access Policy

Version: March 17, 2021

Urgency: No

Hearing Date: May 3, 2021

Policy Vote: HUMAN S. 4 - 0

Mandate: No

Consultant: Karen French

Bill Summary: This bill declares that it is the established policy of the state that every human being has the right to access sufficient, affordable, and healthy food and requires all relevant state agencies to consider this policy when revising, adopting, or establishing policies, regulations, and grant criteria. The bill also requires the California Department of Social Services (CDSS), the California Department of Food and Agriculture (CDFA), and the Department of Conservation (DOC) to collaboratively submit a report to the Legislature relating to food access and recommendations to increase the availability of sufficient affordable and healthy food.

Fiscal Impact: This bill does not specify which agency – CDFA, DSS, or DOC – will take the lead on the report:

- CDFA notes that the requirements of this bill are not absorbable and there will be costs associated with participating and/or leading the writing of the report (e.g. staff and maybe a facilitator). If it were the lead for development of the result, CDFA estimates one-time General Fund costs of approximately \$270,000 for 1.5 limited term staff (1 AGPA and .5 SSA -- \$120,000 GF plus operating expenses) and a meeting facilitator (approximately \$150,000 GF).
- DSS reports staffing resources needed to participate would be absorbable.
- DOC's Division of Land Resource Protection estimates costs would be absorbable as they expect their role will be as a minor contributor.
- The Department of Public Health reports no impact.

Background: According to the author, "California feeds the state, the nation and the world, but not all of its residents know where their or their children's next meal will come from. This is likely to only continue getting worse as climate change, drought and population growth threaten our ability to produce and distribute the food we need.

With all this in mind, SB 108 looks to the future. The bill declares the Human Right to Food state policy; but it also requires reporting on the future of food in California, including what the impacts climate change and population growth will have on our ability to produce and feed our population, what we can and should do in terms of shifting land use to support our future food needs, and what we can do now and in the future to decrease the cost of food. "

Proposed Law: SB 108 includes the following provisions:

- 1) States legislative findings and declarations regarding food security and how climate change threatens food production.
- 2) Declares it the established policy of the state that every human being has the right to access sufficient, affordable, and healthy food.

- 3) Requires all relevant state agencies, including, but not limited to, CDSS, CDFA, and the State Department of Public Health (DPH), to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria, as specified.
- 4) Provides that the bill does not expand any obligation of the state to provide food or nutrition assistance or to require the expenditure of additional resources to develop food infrastructure.
- 5) Requires, by January 1, 2023, CDSS, CDFA, and DOC to collaboratively submit a report to the Legislature that addresses all of the following:
 - a) .The barriers to accessing food assistance currently faced by low-income Californians.
 - b) The steps the state is taking to address any barriers to accessing food assistance.
 - c) The steps the state can take to decrease the cost of food now and in the future.
 - d) The number of people that agricultural enterprises in California feed, both inside and outside of the state.
 - e) The types of food people in California primarily consume.
 - f) The anticipated impact changing water needs, changing weather, and changing climate patterns will have on the state's ability to ensure people have sufficient food.
 - g) An identification of crops that may survive better in the changing climate.
 - h) The departments' recommendations on all of the following:
 - i) How to mitigate any anticipated negative impacts to the food supply from changing water needs, changing weather, and changing climate patterns.
 - ii) The feasibility and necessity of shifting land use to address the impact of changing water needs, changing weather, and changing climate patterns.
 - iii) Any other topic related to increasing the availability of sufficient affordable and healthy food.
- 6) The number of people who currently use food assistance programs and the number of people predicted to use food assistance programs in 5 years, 10 years, 20 years, and 50 years. .
 - a) .The barriers to accessing food assistance currently faced by low-income Californians.
 - b) The steps the state is taking to address any barriers to accessing food assistance.
 - c) The steps the state can take to decrease the cost of food now and in the future.
 - d) The number of people that agricultural enterprises in California feed, both inside and outside of the state.
 - e) The types of food people in California primarily consume.
 - f) The anticipated impact changing water needs, changing weather, and changing climate patterns will have on the state's ability to ensure people have sufficient food.
 - g) An identification of crops that may survive better in the changing climate.
 - h) The departments' recommendations on all of the following:
 - i) How to mitigate any anticipated negative impacts to the food supply from changing water needs, changing weather, and changing climate patterns.
 - ii) The feasibility and necessity of shifting land use to address the impact of changing water needs, changing weather, and changing climate patterns.
 - iii) Any other topic related to increasing the availability of sufficient affordable and healthy food.

Related Legislation: *SB 107 (Wiener, 2021)* requires the CDSS to develop a CalFresh user-centered application for seniors 60 years of age or older and for people with disabilities who are eligible to be enrolled in the Elderly Simplified Application Project. It gives an individual the option to apply, report, and recertify for CalFresh in

person, by mail, online, or by telephone, and permits an individual to complete the interview requirement and client signature by telephone, as specified.

SB 882 (Wiener, 2020) would have required CDSS to expand its participation in the federal ESAP by developing a user-centered application for seniors and waiving the semi-annual reporting for ESAP households. The bill also would have given an individual the option to apply, report, and recertify for CalFresh in person, by mail, online, or by telephone and permitted an individual to complete the interview requirement and client signature by telephone. This bill was held in the Senate Appropriations Committee.

AB 1811 (Committee on Budget, Chapter 35, Statutes of 2018) granted CalFresh eligibility to recipients of Supplemental Security Income, State Supplementary Payment, or both as of June 1, 2019, among other things.

AB 191 (Bocanegra, Chapter 669, Statutes of 2013) streamlined CalFresh eligibility for Medi-Cal recipients and their families by making low-income households with a Medi-Cal recipient (with gross income up to 200 percent FPL) categorically eligible for CalFresh, thereby removing a CalFresh income barrier, and improving alignment between CalFresh and Medi-Cal.

AB 6 (Fuentes, Chapter 501, Statutes of 2011) modernized CalFresh by moving California to semi-annual reporting, eliminating finger imaging for CalFresh, and implementing a "Heat and Eat" program.

AB 69 (Beall, Chapter 502, Statutes of 2011) allowed counties to identify, through the Social Security Administration (SSA) benefits database, seniors who may be eligible for CalFresh benefits in order to enroll them in the program and improve their nutrition.

AB 433 (Beall, Chapter 625, Statutes of 2008) required CDSS to establish categorical eligibility for the Food Stamp Program, thereby removing the asset test for CalFresh eligibility and application. The bill also renamed and rebranded food stamps as CalFresh since "food stamps" no longer existed.

Staff Comments: CDFA notes that this would require the three agencies to collectively submit a report that outlines an extensive list of factors impacting numerous aspects of food access, many of these factors require data that CDFA doesn't have. Along with the research the agencies will need to reach out to other entities to assist with this information, those entities being state, federal, academia and private industry. Development of these types of reports take time and more often than not also requires the additional assistance and expertise of a meeting facilitator, as there may be a need for the "lead agency" to convene a broad array of stakeholders to assist with key insights and to ultimately bring recommendations back to the Legislature.

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