
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair
2025 - 2026 Regular

Bill No: SB 1325
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Fiscal: Yes

Subject: CalFood Program

SUMMARY

This bill expands the types of food banks the California Department of Social Services (CDSS) must provide food and funding to through the CalFood program.

ABSTRACT

Existing Law:

- 1) Establishes The Emergency Food Assistance Program (TEFAP) which supplies states with food commodities to provide nutrition assistance to those in need. (*7 United States Code [USC] 7501*)
- 2) Requires TEFAP food and funding to be allocated among states according to a formula that accounts for poverty and unemployment levels within each state. Specifically, 60 percent of each state's allocation must be based on the number of people with incomes below the poverty level within the state and 40 percent be equal to the percentage of the nation's unemployed persons within the state. (*7 USC 7515*)
- 3) Declares that every human being has the right to access sufficient affordable and healthy food. (*Welfare and Institutions Code [WIC] 18700(a)(1)*)
- 4) Renames the State Emergency Food Assistance Program to be the CalFood program. Requires the program to provide food and funding for the provision of emergency food to food banks established pursuant to TEFAP whose ongoing primary function is to facilitate the distribution of food to low-income households. (*WIC 18995*)

This Bill:

- 1) Requires CDSS to distribute CalFood food and funding to all the following food banks:
 - a. Food banks established pursuant to the federal Emergency Food Assistance Program.

- b. Food banks that are members of the nonprofit organization Feeding America that are based in California.
 - c. Food banks that are members of the California Association of Food Banks.
- 2) Requires federal funds received by the CalFood program to be distributed to Feeding America and California Association of Food Bank associated food banks only as permitted by federal law.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “The CalFood program was established in 2011 to enable California food banks to provide millions of meals to those who need them most and to do so by purchasing only California-grown foods, a win-win for both food banks and farmers. The funding provides for the purchase, storage and transportation of that California grown food. At the program's inception, the decision was made to allow only TEFAP food banks to participate, putting other food banks that serve disparate populations at a severe disadvantage. Despite having in place the same kinds of reporting, oversight and administrative requirements as TEFAP food banks, non-TEFAP food banks – and their recipient clients – are left out.

“In 2022, a similar program – the California Food Bank Capacity Program – had its criteria updated to include Feeding America affiliates and members of the California Association of Food Banks. The intent of both programs is to provide funding to the hunger relief organizations that are working every day to provide nutritious food to the one in eight Californians struggling with hunger. This bill will update the CalFood eligibility language to match the California Food Bank Capacity Program – a commonsense change that would increase access to food for struggling families in California.

“In San Diego alone, the Feeding America affiliate – Feeding San Diego – supplements the work of the local TEFAP food bank by providing meals through 76 school pantries county-wide – this without CalFood funding but rather through a budget made up almost entirely of private donations. They additionally have 55 schools on their school pantry waitlist which could be served with the addition of CalFood Funding.”

Food Insecurity in California

Food insecurity is a statewide problem that affects people from all backgrounds. While California is the greatest food-producing state in the country, 22% of households and 27% of households with children faced food insecurity in 2024, according to the California Association

of Food Banks. Food insecurity disproportionately affects certain communities. According to the same California Association of Food Banks study, 35% of Black households and 31% of Latino households reported food insecurity in September 2024.¹ According to the Public Policy Institute of California, “Black and Latino households (18%) and households with children (17%) are more likely to experience food insecurity compared to white and Asian American households (7%) and households without children (11%).”²

Because of limited financial resources, those who are food insecure sometimes use cost cutting measures to stretch budgets that are harmful to their health, such as: forgoing the foods needed for special medical diets; purchasing a low-cost diet that relies on foods that are energy-dense but nutrient-poor; diluting or rationing infant formula; and making trade-offs between food and other basic necessities, like housing, utilities, and transportation. Moreover, the impacts of childhood hunger are well known. Children who live in households experiencing food insecurity are at higher risk of health, academic, behavioral, and emotional problems than those who are not.

Food Banks

Food banks are a significant part of California’s food security safety net. Unlike food pantries or soup kitchens that provide food directly to people, food banks are federally defined as organizations that store and provide food or other edible commodities to food pantries and other direct assistance organizations. It is estimated that 10 percent of Californians are supplementing their food costs with free food from an organization that is supplied by a food bank. There are many food banks throughout California that distribute free food to food pantries, community and senior centers that serve hot food, student pantries on college campuses and other organizations that provide free food to those who need it. California food banks receive funding and food from the United States Department of Agriculture through programs like the Emergency Food Assistance Program and private donations, but some also received funding from the state through the CalFood program.

The Emergency Food Assistance Program (TEFAP)

TEFAP is a federal program created in 1981 to distribute foods purchased by United States Department of Agriculture through the Commodity Credit Corporation to needy individuals and households. The Commodity Credit Corporation acquires surplus food commodities from American farmers to prevent wasted food. As the inventory grew, distributing that food through TEFAP allowed the food to go to good use while supporting agricultural markets. When the inventories were nearly depleted in 1988, Congress passed the Hunger Prevention Act of 1988 which authorized funds for the purchase of food for TEFAP. The federal government has continued funding the program allowing food banks throughout the country to have an additional source of food to distribute beyond private donations. States receive food according to a formula that is based 60% on the number of people in the state with incomes below the poverty level and 40% on the number of unemployed people in the state. The administrative costs of the program are split 50% federal funding and 50% state funds.

¹ www.cafoodbanks.org/food-insecurity-data/

² Thorman, T.; Malagon P. California’s Nutrition Safety Net. Public Policy Institute of California. May, 2025. www.ppic.org/publication/californias-nutrition-safety-net

States choose which entities will distribute TEFAP foods, which they call eligible recipient agencies, and require those agencies to abide by TEFAP federal and state regulations. Most of California's eligible recipient agencies are food banks. According to CDSS, each eligible recipient agency must receive a compliance review at least every four years which includes oversight of "eligibility determinations, food ordering procedures, storage and warehousing practices, inventory controls, approval of distribution sites, reporting and recordkeeping requirements, and civil rights."³ CDSS also reviews their monthly inventory reports. Eligible recipient agencies are also required to have signed agreements with subcontractors who distribute food that includes a commitment to abide by the same food safety, training and recordkeeping requirements. There are 49 eligible recipient agencies designated as TEFAP providers in California that serve a network of 2,400 food pantries, soup kitchens and other emergency food providers in all 58 counties. Nineteen TEFAP providers are Feeding America members and 39 are California Association of Food Bank members. Meaning most TEFAP providers in California are members of the California Association of Food Banks, Feeding America or both.

CalFood

CalFood was created in 2011 authorizing state funds to support the purchase, storage, transportation and operational costs of providing food grown and produced in California to food banks. Specifically, the CalFood program allocates funding to California's network of TEFAP providers. Originally funding was \$8 million per year but when the COVID- 19 pandemic disrupted the economy, the state significantly increased CalFood funding to an average of \$62.7 million per year. According to the California Association of Food Banks, California's food banks are already serving more than 6 million people each month, up from the nearly 4.5 million people they served during the height of the COVID-19 pandemic.

The program is operated by CDSS who distributes CalFood funding and oversees how food banks use the funding. California's 49 TEFAP providers are also the distributors of CalFood resources. CDSS decided to use these food banks to distribute CalFood due to their established distribution network and preexisting oversight requirements. Food and funding are distributed to the food banks according to a formula similar to the federal formula based 60% on a county's poverty rate and 40% on the unemployment rate to maintain equity in distribution.

This bill would require CalFood food and funding to also be distributed to food banks that are members of the California Association of Food Banks or Feeding America but are not TEFAP providers.

Food Bank Capacity Grant Program

The Food Bank Capacity Program was created in 2022 to help food banks expand their infrastructure to better serve their communities. Specifically, the one- time grants were provided for capital investments that support the collection, storage, distribution, and other systems to provide food to those in need. Food banks requested the funding after an audit showed that

³ CDSS The Emergency Food Assistance Program Federal Fiscal Year 2025 State Plan.
www.cdss.ca.gov/Portals/9/TEFAP/FFY%202025%20CDSS%20TEFAP%20State%20Plan.pdf

COVID- 19 and the prevalence of natural disasters greatly increased the use of food banks. The grants are available to TEFAP providers, Commodity Supplemental Food Program providers, members of the California Association of Food Banks, and members of Feeding America that are located in California. The program ends June 30, 2026. This bill would expand the CalFood program to include similar categories of food banks.

Related/Prior Legislation:

SB 187 (Committee on Budget and Fiscal Review, Chapter 50, Statutes of 2022) allowed the percentage of CalFood funding a food bank spent on storage and transportation to be increased from their levels in the 2021-22 fiscal year after a determination by CDSS in consultation with food bank stakeholders to reflect the true costs to acquire, store, and distribute foods purchased through the CalFood Program.

AB 1577 (Eggman, Chapter 400, Statutes of 2016) renamed the State Emergency Food Assistance Program as the CalFood program and renamed the State Emergency Food Assistance Program Account as the CalFood Account.

COMMENTS

SB 1325 would expand the number of food banks currently receiving funding and food from the CalFood program. The CalFood program supplements the annual budgets of food banks and also provides a way for the state to distribute food quickly during emergencies. These emergencies include the \$80 million general fund allocation made in 2025 during the federal government shutdown. Food banks are seeing increased need and low-income Californian’s rely on these organizations to have fair and efficient systems that get quality food to where it is needed the most. This is possible through a network of warehouses, transportation systems, and food pantries that are managed by the food banks. These activities are often funded by a mix of federal, state and private funds that fluctuate from year to year. Not all food banks have the same capacity, network, or accountability requirements due to the communities they serve and the funding receive. TEFAP approved food banks were chosen based on federal and state approved criteria that ensure complete and equitable distribution across the state, making their networks most reliable distribution method when needs are the highest. The author may want to consider the impact of adding food banks with different accountability standards and networks to the CalFood system. Specifically, the author should address how CDSS can ensure that adding food banks will not decrease the safety, efficiency, and equity of the CalFood program.

Proposed Amendments: The committee proposes amendments to narrow the types of food banks that can receive CalFood funding and food to food banks that are designated as a TEFAP food bank or meets certain requirements.

SECTION 1. Section 18995 of the Welfare and Institutions Code is amended to read:

18995. (a) (1) The State Emergency Food Assistance Program, which is administered by the State Department of Social Services, shall be renamed as the “CalFood Program.” The CalFood Program shall provide food and funding for the provision of emergency food to ***food banks established pursuant to the federal Emergency Food Assistance Program (7 C.F.R. Parts 250***

~~and 251).~~ **all of the following *and*** food banks whose ongoing primary function is to facilitate the distribution of food to low-income households, **that meet the following requirements:**

~~(A) Food banks established pursuant to the federal Emergency Food Assistance Program (7 C.F.R. Parts 250 and 251).~~

~~(B)~~ **(A)** Food banks that are members of the nonprofit organization Feeding America that are based in California **and located in a county with a population of over 3 million, that are not currently established pursuant to the federal Emergency Food Assistance Program, if they meet the following qualifications:**

- a. **The food bank must comply with the federal and state eligibility determination, food ordering procedure, storage and warehousing practices, inventory controls, approval of distribution sites, reporting and recordkeeping requirements, and civil rights laws and regulations required of the federal Emergency Food Assistance Program approved food banks.**
- b. **The food bank must provide evidence that there are households within the county served that are not served by the federal Emergency Food Assistance Program approved food bank of that county with CalFood, that the food bank serves within its current network.**
- c. **The food bank must use 100 percent of the CalFood funding received for food purchases.**

~~(C) Food banks that are members of the California Association of Food Banks.~~

(2) Any federal funding received for the CalFood Program may be provided to a food bank described in subparagraphs **(A)** ~~(B)~~ **and (C)** of paragraph (1) only to the extent permitted under federal law.

SUPPORT/OPPOSITION

Arguments in Support:

According to Feeding San Diego, “As federal hunger relief resources decrease and cost of living continues to increase in California, hunger relief organizations are turning to state resources to supplement their food purchases. [The] addition of Feeding America-affiliated foodbanks to the CalFood program does not increase funding requirements for the program... the California Foodbank Capacity Building and Climate Resiliency Program, originally slated to apply only to the TEFAP foodbanks, were revised to include Feeding America-affiliated foodbanks. The results were that more food was distributed throughout the state at a time of heightened demand. Optimization of these funds increases efficiency resulting in more food getting into distribution. A great example of this is our school pantry program, currently involving 76 schools throughout San Diego County with another 62 on a waitlist. CalFood funding for food purchase would allow unrestricted private funds to be diverted to assist in lowering the number on that waitlist to participate in this successful and very much needed program to reduce hunger amongst students of all ages.”

Arguments in Opposition:

According to the California Association of Food Banks, “continuing to use the TEFAP program’s established oversight mechanisms is the least administratively burdensome way for the state to maintain effective oversight of the annual funding allocated to CalFood... Each dollar spent on CalFood results in approximately 5 meals under the current structure... SB 1325 will reduce that efficiency by increasing the number of food banks CalFood is split between, without increasing the number of people served. Dividing the same amount of money among more food banks means less economical food procurement and duplicative administrative and infrastructure costs. SB 1325 could result in multiple food banks serving the same county that was previously served by one or two food banks; the result would be less actual food distributed to those in need and more spending on food bank logistics... SB 1325 is a broad, statewide upheaval of a program with a proven track record and could result in the unintended consequences we raise in this letter, all for an issue best solved with local solutions.”

POSITIONS**Support:**

Feeding San Diego (Sponsor)
California Catholic Conference

Oppose:

California Association of Food Banks

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