

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON AGRICULTURE

Esmeralda Soria, Chair

AB 1961 (Wicks) – As Amended March 21, 2024

SUBJECT: End Hunger in California Act of 2024

SUMMARY: This bill requires, upon appropriation from the Legislature, the Strategic Growth Council (SGC), in consultation with specified agencies, to convene the “End Hunger in California Master Plan Task Force” to develop strategies for ensuring access to healthy and culturally relevant food for all Californians. Specifically, *this bill*:

- 1) Makes legislative findings recognizing the widespread issue of food insecurity in California, contributing to significant economic and health consequences that disproportionately impacts low-income households and communities of color. Further finds a need for collaborative efforts to address systemic barriers to nutritious food access and establish a sustainable food system to combat hunger and ensure the well-being for all Californians.
- 2) Requires the SGC, in consultation with the Department of Public Health (CDPH), Department of Education (CDE), Department of Food and Agriculture (CDFA), Department of Social Services (CDSS), Governor’s Office of Business and Economic Development (GO-Biz), and Labor and Workforce Development Agency (LWDA), to appoint and convene the “End Hunger in California Master Plan Task Force” to, in further consultation with specified stakeholders, make recommendations for future comprehensive strategies aimed at addressing access to healthy and culturally relevant food for all Californians.
- 3) Requires the task force to be composed of up to 40 members and to include all of the following:
 - a) Up to two representatives from CDPH;
 - b) Up to two representatives from CDE;
 - c) Up to two representatives from CDFA, including from the Office of Farm to Fork;
 - d) Up to two representatives from CDSS;
 - e) Up to two representatives from GO-Biz;
 - f) Up to two representatives from LWDA, including from the California Workforce Development Board;
 - g) At least four representatives of labor organizations or community-based organizations that work with and advocates for food access, including individuals with expertise in urban agriculture, farmers markets, food recovery, school food, and regional food systems;
 - h) At least three representatives from anti-hunger organizations;

- i) At least one representative with expertise in issues affecting socially disadvantaged farmers or ranchers;
 - j) At least two representatives of Native American, tribal, or indigenous groups;
 - k) Up to one grocery investor;
 - l) Up to two grocery retailers representing an independent grocery store and a chain grocery store;
 - m) Up to one representatives with familiarity in real estate and land procurement related to the food sector;
 - n) Up to two representatives with expertise in food transportation and warehousing;
 - o) Up to two researchers or economists with subject matter expertise in capital markets, market consolidation, or food access;
 - p) Up to one representative representing an urban county or city;
 - q) Up to one representative representing a suburban county or city; and,
 - r) Up to one representative representing a rural county or city.
- 4) Authorizes the SGC, to ensure equitable participation, to provide members of the task force with a reasonable per diem allowance or a higher rate that may be established by the council, as specified.
- 5) Requires the task force to meet at least quarterly and permits the task force to form ad hoc advisory committees to learn more about specific issues regarding strategies aimed at addressing access to healthy and culturally relevant food for all Californians.
- 6) Requires the SGC, as the convener and chair of the task force, to serve as the lead agency for developing the “End Hunger in California Master Plan” and assist the task force in carrying out its duties. Permits the council to use its existing resources to absorb costs for implementation. Permits the council to accept and expend funds from nongovernmental sources for its work with the task force.
- 7) Requires the plan be distributed to the Legislature no later than January 1, 2026, and be made publicly available on the SGC’s internet website. Requires the plan, at a minimum, do all of the following:
- a) Determine if the United States Department of Agriculture’s (USDA) definition of food deserts is adequate for California, and if not, develop an appropriate definition for California communities;
 - b) Map all food deserts in California;
 - c) Identify barriers to bringing retailers and other sellers to specific locations, such as food deserts, as specified;

- d) Include a strategy to fully maximize eligible Californians' participation in, and benefits received through, federal nutrition programs, including but not limited to, school meals, CalFresh, the federal Summer Electronic Benefit Transfer for Children (Summer EBT), the Women, Infants, and Children Program, the federal Child and Adult Care Food Program, and federal commodities programs supporting food banks, including the federal Emergency Food Assistance Program and the federal Commodity Supplemental Food Program, and identify where state programs are needed to fill gaps in the federal food safety net to ensure food security for every Californian, including tribal communities;
 - e) Identify and facilitate stakeholder engagement, including representatives from impacted communities;
 - f) Make recommendations for improving food access, as specified;
 - g) Provide an analysis of state programs currently investing in regional food systems, food access, climate-smart agriculture, and workforce development for food sector workers, including how those programs can better connect gaps in communities served;
 - h) Identify yearly goals to ensure California achieves an end to hunger, including goals related to ending food deserts;
 - i) Identify possible funding sources that are, or could be, available, such as tax credits or other monetary resources or incentives, to motivate the for-profit organizations, nonprofit organizations, worker-owned cooperatives, local governments, state or tribal governments to locate retail food establishments selling healthy, culturally appropriate, and sustainably grown food in food deserts;
 - j) Develop a strategy to ensure that retail food establishments in food deserts return investment to local communities by employing local populations at living wages and benefits and prioritizing procurement from local farmers; and,
 - k) Identify different strategies for combating urban, suburban, and rural food deserts, including strategies for partnership with tribal governments without diminishing tribal sovereignty.
- 8) Requires the implementation of this bill to be subject to an appropriation by the Legislature.>

EXISTING LAW:

State law:

- 1) Declares that every human being has the right to access sufficient affordable and healthy food as an established state policy. (Welfare and Institutions Code (WIC) 18700)
- 2) Establishes the CalFresh program to administer the provision of federal Supplemental Nutrition Assistance Program (SNAP) benefits to families and individuals meeting certain criteria, as specified. (WIC 18900 *et seq.*)
- 3) Establishes the CalFood program (previously known as the State Emergency Food Assistance Program) to provide food and funding for the provision of emergency food to food banks established pursuant to the federal Emergency Food Assistance Program whose

ongoing primary function is to facilitate the distribution of food to low-income households. (WIC 18995)

- 4) Requires CDSS, in partnership with CDE, to maximize participation in the federal Summer EBT program. (WIC 18901.57; Education Code (EDC) 49506)
- 5) Requires a school district or a county superintendent of schools to provide breakfast and lunch free of charge to all pupils at a high-poverty school, as defined. (EDC 49564.3)
- 6) Requires the California Healthy Food Financing Initiative Council to implement an initiative to expand access to nutritious food in underserved, urban, and rural communities and to eliminate food deserts in California. (Health and Safety Code 104660)

Federal law:

- 7) Establishes under federal law the SNAP pursuant to the Food Stamp Act of 1964. (7 United States Code (U.S.C) 2011 *et seq.*)
- 8) Establishes the National School Lunch Program, and program requirements for schools participating in the program. (42 U.S.C. 1751 *et seq.*)
- 9) Establishes the Commodity Supplemental Food Program to provide nutritious commodities to help state and local agencies meet the nutritional needs of low-income elderly persons, women, infants, and children. (7 Code of Federal Regulations (C.F.R) 247; 250; 251)
- 10) Establishes the Summer EBT Program to provide benefits to purchase food from retail food stores that have been approved for participation in the SNAP program during the summer months for each eligible child, to ensure continued access to food when school is not in session for the summer. (42 U.S.C. 1762)
- 11) Establishes the Child and Adult Care Food Program, authorizing assistance to states through grants-in-aid and other means to initiate, maintain, and expand nonprofit food service programs for children and adult participants in non-residential institutions which provide care. (7 C.F.R. 226)
- 12) Establishes the Special Supplemental Nutrition Program for Women, Infants, and Children, which provides federal grants to states for supplemental foods, health care referrals, and nutrition education for low-income, pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to five years of age who are found to be at nutritional risk. (7 C.F.R. 246)

FISCAL EFFECT: Unknown

COMMENTS: The USDA defines “food insecurity” as the occasional or constant lack of access to the food that one needs in order to live a healthy, active life. While California declared food as a human right in 2023 and produces nearly half of the nation’s fruits and vegetables, about 8 million Californians currently struggle with food insecurity, representing 20.3% of the state’s population. Factors contributing to food insecurity include economic disparities, high living costs, limited access to affordable and nutrition options, and systemic barriers such as racism and discrimination.

Limited access to affordable and nutritious food options, commonly referred to as food deserts, is another critical aspect of food insecurity in California. In rural areas, residents may have to travel long distances to reach grocery stores or farmers' markets, while in urban neighborhoods, access to fresh produce and healthy food choices may be scarce. Transportation barriers, inadequate public transportation, and the prevalence of fast food restaurants and convenience stores offering unhealthy, processed foods compound the lack of access to healthy food. The USDA defines "limited access" as living more than a mile from a large grocery store for urban communities and more than 10 miles for rural areas. In 2016, the California Endowment's FreshWorks Food Access Report stated "nearly one million Californians, 45% of whom are low-income, live without access to nearby supermarkets or large grocery stores."

Beyond mere hunger, a lack of adequate food can have long-term physical and mental health consequences, particularly for children. Chronic disease such as diabetes, obesity, and cardiovascular conditions are more prevalent among food-insecure individuals due to poor nutrition and limited access to healthcare. Children growing up in food-insecure households are at risk of developmental delays, academic struggles, and long-term health consequences, perpetuating intergenerational cycles of poverty and food insecurity.

California administers numerous federal food assistance programs aimed at increasing food security by providing tens of millions of children and families access to healthy food options. The federal SNAP, also known as CalFresh in California, enables recipients to purchase nutritious food items at authorized retailers, helping to alleviate immediate food needs and improve dietary quality. Moreover, school meal programs, including the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer EBT, ensure that children from low-income households have access to healthy meals not only throughout the school day, but also during the summer months and at childcare centers or other community venues where children congregate.

California has implemented various state-funded initiatives to enhance food access and nutrition education. The California Food Assistance Program provides temporary food assistance to eligible immigrant households excluded from federal nutrition programs due solely to their immigration status. Additionally, the state established the "Restaurant Meals Program" to purchase hot and prepared meals using their Electronic Benefits Transfer (EBT) card for adults age 60 or older, who have a disability or are experiencing homelessness since SNAP rules prohibit these types of purchases.

Nonprofit organizations and community groups also play a pivotal role in complementing government efforts and filling gaps in food access. Food banks, food pantries, and meal distribution programs, operated by organizations such as the California Association of Food Banks and local food banks, provide emergency food assistance to individuals and families facing hunger. Oftentimes, people turn to food banks when their CalFresh benefits are reduced or are entirely kicked off the program to make up the difference.

While food assistance programs have made significant strides in addressing food insecurity and promoting healthy food access, persistent challenges remain when it comes to maximizing participation. For example, CalFresh participation rates have historically been lower than eligibility rates, with many eligible individuals and households failing to enroll in the program. USDA 2018 data shows that compared to the national SNAP participation rate of 82% and states like Florida (84%), Georgia (84%), and Illinois (100%), California ranks nearly last with a 70%

participation rate. When it comes to the Special Supplemental Nutrition Program for Women, Infants, and Children, program, the USDA shows that participation rates are even lower, estimated to be at 65% in 2020. Suboptimal participation rates compared to other states lead to an underutilization of vital resources and missed opportunities to address food insecurity and hunger.

For many eligible individuals, barriers to food assistance program participation include a lack of awareness about program eligibility and benefits, stigma associated with receiving public assistance, complex application procedures, language barriers, lack of internet access, and fear of losing benefits from other social services programs. For county workers who process applications, enrollment processes require substantial administrative resources, including staffing, paperwork processing, and verification procedures, which can strain agency capacities and prolong wait times for applicants, especially for large counties like Los Angeles County that processed at least 1.4 million applications in 2020.

Pennsylvania and Colorado have issued reports in the last several years that focused on ending hunger throughout the state. Both states convened a wide-range of stakeholders, including state health and human services agencies, food banks, food assistance policy and advocacy groups, government entities, and others who work to end hunger. Each respective steering committee/workgroup developed strategies and recommendations around linking and sustaining food security systems, such as leveraging federal, state, county, community, school resources, improve healthy food access, expand outreach and education, maximize federal programs, establish public-private partnerships, and strengthen the food safety net.

This bill aims to develop a comprehensive master plan that actualizes the human right to food, encompassing a range of key components, such as addressing the root causes of food insecurity, identifying funding sources, and implementing evidence-based strategies to end hunger across suburban, rural, urban, and tribal areas. One of the central components of the master plan is the identification and mapping of food deserts across the state. Defining and mapping areas with limited access to healthy food options provides a clear roadmap for strategic investments and interventions in geographic areas with high levels of food insecurity, low supermarket density, and limited transportation options. The master plan also emphasizes maximizing participation in federal nutrition programs, such as CalFresh, the National School Lunch Program, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program, which play a critical role in providing essential food assistance to low-income households. By addressing hunger and food insecurity, the master plan could have the potential to improve health outcomes, reduce healthcare costs, and enhance the quality of life for millions of Californians.

According to the Author, ensuring food access and security for all Californians is not just a moral imperative but also a fundamental human right. The prevalence of hunger in our state demands urgent action. This bill which will require the SGC to establish and convene the End Hunger in California masterplan taskforce to make recommendations for future comprehensive strategies to address access to healthy and culturally relevant food for all Californians. California needs to recognize that addressing hunger requires a comprehensive approach beyond short-term fixes. By convening experts, stakeholders, and community leaders, we can craft a holistic plan that tackles the root causes of food insecurity and creates sustainable solutions.

Hunger and lack of access to healthy foods disproportionately impacts vulnerable communities, particularly among low-income individuals, pregnant women, households with children, Black and Latinx populations, immigrants, people who are disabled, and the elderly who often face greater food hardship. These stark disparities in food access are largely a result of systemic injustices, including “supermarket redlining” where land-use policies have facilitated the development of larger supermarkets in predominately wealthy and suburban neighborhoods and away from low-income neighborhoods, leading to food deserts.

Overall, this bill attempts to address inequities in hunger experienced by vulnerable populations through a master plan that aims to maximize participation in food assistance programs and develop strategies to mitigate hunger for all Californians.

Related or Prior Legislation:

AB 1967 (Jackson) of the current legislative session, would create the role of Food Insecurity Officer within the Government Operations Agency to coordinate and address food insecurity across the state government operations, including, but not limited to, increasing enrollment of the CalFresh Program for seniors, families with children, individuals leaving incarceration, and formerly incarcerated individuals; piloting coverage of medically tailored meals in the Medicare Program, addressing access to food and affordability; and, seeking applicable federal waivers or exemptions, as appropriate. *AB 1967 is pending before the Assembly Human Services Committee and is set for a hearing on April 23, 2024.*

SB 628 (Hurtado), Chapter 879, Statutes of 2023, 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 when those policies, regulations, and criteria are pertinent to the distribution of sufficient affordable food.

SB 907 (Pan), Chapter 605, Statutes of 2022, among other things, established new certified farmers’ markets that accept payment via EBT, primarily in underserved communities, including but not limited to, those in food deserts or with high CalFresh participation.

SB 108 (Hurtado) of 2021, was similar to this bill and would have declared that it is the established policy of the state that every human being has the right to access sufficient, affordable, and healthy food, and would have required state agencies to consider that policy as provided. *SB 108 was held on the Assembly Appropriations Committee suspense file.*

AB 1952 (Mayes) of 2018, would have established the Envision a Hunger-Free California Act of 2018, which would have required CDSS, CDPH, CDE and CDFA to develop a plan to end hunger and require the plan to include identification of barriers to food access, and for CDSS to serve as the lead agency for the development of the plan. *AB 1952 was held on the Senate Appropriations Committee suspense file.*

AB 1747 (Weber), Chapter 290, Statutes of 2016, provided the state with several new tools to draw down federal resources. AB 1747 also improved coordination between anti-hunger efforts on college campuses and anti-hunger efforts in the surrounding communities.

AB 581 (Pérez), Chapter 505, Statutes of 2011, created the “California Healthy Food Financing Initiative” (CHFFI), the “CHFFI fund”, and the “CHFFI Council”, for the purpose of expanding access to healthy foods in underserved communities. Required the CDFSA Secretary of California to prepare recommended actions to be taken to promote food access within California.

REGISTERED SUPPORT / OPPOSITION:

Support

United Food and Commercial Workers, Western States Council (Co-Sponsor)

Grace Institute - End Child Poverty in CA (Co-Sponsor)

Agricultural Institute of Marin

Alchemist CDC

California Association of Food Banks

California Coalition for Youth

California Food and Farming Network

California Rural Legal Assistance Foundation (CRLA Foundation)

California Teachers Association

Ceres Community Project

Child Care Law Center

Children's Institute

Church State Council

Community Action Partnership of Orange County

Consumer Federation of California

Delores Huerta Foundation

Equal Rights Advocates

Fibershed

Foodshed Coop

Fresh Approach

Fund Her

Glide

Hunger Action Los Angeles

Junior Leagues of California State Public Affairs Committee

Lideres Campesinas

Los Angeles Food Policy Council

Lutheran Office of Public Policy - California

Marin Food Policy Council

National Council of Jewish Women – California

Parent Voices CA

Pesticide Action Network North America

Rising Communities

Roots of Change

Sacramento Food Policy Council

Second Harvest Food Bank of Orange County
Second Harvest of Silicon Valley
Seiu California
Share Our Strength
Techequity Action
The Praxis Project
Veggielution

Opposition

None on file.

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