

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Santiago offered the following:

2  
3 **Amendment to Amendment (852928) (with title amendment)**

4 Remove lines 55-183 of the amendment and insert:

5 financial assistance for the rehabilitation or expansion of  
6 independent grocery stores, supermarkets, community facilities,  
7 or other structures to increase access to fresh produce and  
8 other nutritious food in underserved communities.

9 (3) (a) The department may contract with one or more  
10 qualified nonprofit organizations or Florida-based federally  
11 certified community development financial institutions to  
12 administer the program through a public-private partnership.  
13 Eligible community development financial institutions must be  
14 able to demonstrate:

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15 1. Prior experience in healthy food financing.

16 2. Support from the Community Development Financial  
17 Institutions Fund of the United States Department of the  
18 Treasury.

19 3. The ability to successfully manage and operate lending  
20 and tax credit programs.

21 4. The ability to assume full financial risk for loans  
22 made under this initiative.

23 (b) The department shall:

24 1. Establish program guidelines, raise matching funds,  
25 promote the program statewide, evaluate applicants, underwrite  
26 and disburse grants and loans, and monitor compliance and  
27 impact. The department may contract with a third-party  
28 administrator to carry out such duties. If the department  
29 contracts with a third-party administrator, funds shall be  
30 granted to the third-party administrator to create a revolving  
31 loan fund for the purpose of financing projects that meet the  
32 criteria of the program. The third-party administrator shall  
33 report to the department annually.

34 2. Create eligibility guidelines and provide financing  
35 through an application process. Eligible projects must:

36 a. Be located in an underserved community;

37 b. Primarily serve low-income communities; and

38 c. Provide for the renovation or expansion of, including  
39 infrastructure upgrades to, existing independent grocery stores  
40 or supermarkets; or the renovation or expansion of, including

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41 infrastructure upgrades to, community facilities to improve the  
42 availability and quality of fresh produce and other healthy  
43 foods.

44 3. Report annually to the President of the Senate and the  
45 Speaker of the House of Representatives on the projects funded,  
46 the geographic distribution of the projects, the costs of the  
47 program, and the outcomes, including the number and type of jobs  
48 created.

49 (4) (a) The Office of Program Policy Analysis and  
50 Government Accountability shall review the program and data  
51 collected from the department after a term of 7 years and report  
52 to the President of the Senate and the Speaker of the House of  
53 Representatives. The report shall include, but is not limited  
54 to, health impacts based on data collected by the state on  
55 diabetes, heart disease and other obesity-related diseases, and  
56 other factors as determined by the department.

57 (b) If the report determines the program to be  
58 unsuccessful after 7 years, the department shall create  
59 guidelines for unused funds to be returned to the initial  
60 investor.

61 (5) A for-profit entity, including a convenience store or  
62 a fueling station, or a not-for-profit entity, including, but  
63 not limited to, a sole proprietorship, partnership, limited  
64 liability company, corporation, cooperative, nonprofit  
65 organization, nonprofit community development entity, or private

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66 university, may apply for financing. An applicant for financing  
67 must:

68 (a) Demonstrate the capacity to successfully implement the  
69 project and the likelihood that the project will be economically  
70 self-sustaining;

71 (b) Demonstrate the ability to repay the loan; and

72 (c) Agree, as an independent grocery store or supermarket,  
73 for at least 5 years, to:

74 1. Accept Supplemental Nutrition Assistance Program  
75 benefits;

76 2. Apply to accept Special Supplemental Nutrition Program  
77 for Women, Infants, and Children benefits and accept such  
78 benefits, if approved;

79 3. Allocate at least 30 percent of food retail space for  
80 the sale of perishable foods, which may include fresh or frozen  
81 dairy products, fresh produce, and fresh meats, poultry, and  
82 fish;

83 4. Comply with all data collection and reporting  
84 requirements established by the department; and

85 5. Promote the hiring of local residents.

86  
87 Projects including, but not limited to, corner stores, bodegas,  
88 or other types of nontraditional grocery stores that do not meet  
89 the 30 percent minimum in subparagraph 3. can still qualify for  
90 funding if such funding will be used for refrigeration,

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91 displays, or other one-time capital expenditures to promote the  
92 sale of fresh produce and other healthy foods.

93 (6) In determining which qualified projects to finance,  
94 the department or third-party administrator shall:

95 (a) Give preference to local Florida-based grocers or  
96 local business owners with experience in grocery stores and to  
97 grocers and business owners with a business plan model that  
98 includes written documentation of opportunities to purchase from  
99 Florida farmers and growers before seeking out-of-state  
100 purchases;

101 (b) Consider the level of need in the area to be served;

102 (c) Consider the degree to which the project will have a  
103 positive economic impact on the underserved community, including  
104 the creation or retention of jobs for local residents;

105 (d) Consider the location of existing independent grocery  
106 stores, supermarkets, or other markets relevant to the  
107 applicant's project and provide the established entity the right  
108 of first refusal for such project; and

109 (e) Consider other criteria as determined by the  
110 department.

111 (7) Financing for projects may be used for the following  
112 purposes:

113 (a) Site acquisition and preparation.

114 (b) Construction and build-out costs.

115 (c) Equipment and furnishings.

116 (d) Workforce training or security.

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117 (e) Predevelopment costs, such as market studies and  
118 appraisals.

119 (f) Energy efficiency measures.

120 (g) Working capital for first-time inventory and startup  
121 costs.

122 (h) Acquisition of seeds and starter plants for the  
123 residential cultivation of fruits, vegetables, herbs, and other  
124 culinary products. However, only 7 percent of the total funds  
125 expended in any one project under this section may be used for  
126 such acquisition.

127 (i) Other purposes as determined by the department or a  
128 third-party administrator.

129 (8) The department shall adopt rules to administer this  
130 section.

131 (9) The department may not distribute more than \$500,000  
132 among more than three recipients.

133 Section 2. For the 2016-2017 fiscal year, the sum of  
134 \$500,000 in nonrecurring funds from the General Revenue Fund is  
135 appropriated to the Department of Agriculture and Consumer  
136 Services for the purpose of implementing this act.

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**T I T L E A M E N D M E N T**

140 Remove lines 195-196 of the amendment and insert:  
141 to provide specified financing to rehabilitate or expand  
142 independent grocery stores and

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