

Date of Hearing: July 11, 2023

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Corey A. Jackson, Chair

SB 628 (Hurtado) – As Amended June 29, 2023

**SENATE VOTE:** 35-2

**SUBJECT:** State Healthy Food Access Policy

**SUMMARY:** Declares that every human being has the right to access sufficient affordable and healthy food as an established state policy. Requires relevant state agencies to consider this state 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 and adequate food. Requires the California Department of Social Services (CDSS), in consultation with specified state departments, to collect relevant data and submit a report to the Legislature that includes recommendations on increasing the availability of sufficient affordable and healthy food. Specifically, **this bill:**

- 1) Makes legislative findings and declarations related to food security and the negative impacts of climate change on food production, distribution, quality, and pricing, as well as the rising prevalence of diet-related diseases such as diabetes, obesity, hypertension, and certain cancers.
- 2) Declares the established policy of the state be that every human being has the right to access sufficient affordable and healthy food.
- 3) Defines “food insecurity” as the occasional or constant lack of access to the food one needs to live a healthy life and the uncertainty of being able to acquire enough food to meet the needs of an individual or household due to insufficient money or other resources.
- 4) Requires all relevant state agencies, including, but not limited to, CDSS, the Department of Food and Agriculture (CDFA), the California Department of Health Care Services (DHCS), the California Department of Education (CDE), and the California Department of Public Health (CDPH), to consider 2) above 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.
- 5) Provides that 4) above 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.
- 6) Requires CDSS, in consultation with CDFA and the Department of Conservation (DOC), to collect data and submit a report to the Legislature by January 1, 2026, on all of the following:
  - a) The number of people who currently use food and nutrition assistance programs and the number of people predicted to use food and nutrition assistance programs in 5 years, 10 years, 20 years, and 50 years;

- b) The barriers to accessing food, food assistance, and nutrition assistance programs currently faced by low-income Californians, including unique barriers faced by individuals who are Black, Indigenous, and people of color and by families with infants and children;
- c) The steps the state is taking to address any barriers to accessing food and maximizing state and federal food assistance programs;
- d) The steps the state is taking to increase acceptance of food and nutrition assistance benefits at farmers' markets;
- e) The steps the state is taking to distribute information about existing funds and resources for healthy food programs and projects, particularly in underserved communities;
- f) The steps the state can take to decrease the cost of food, now and in the future;
- g) The number of people that agricultural enterprises in California feed, both inside and outside of the state;
- h) The predominant diet trends regarding consumption;
- i) The anticipated impact changing water availability and needs, changing weather, and changing climate patterns will have on the state's ability to ensure people have access to sufficient, affordable, and culturally appropriate food for a healthy diet;
- j) An identification of the resource demands of foods grown in California and that are the most adaptable to the changing climate;
- k) CDSS' recommendations on all of the following:
  - i) How local, regional, and state governments can remove barriers to nutritious food choices, including the inequitable access to food due to systemic racism, and ensure that a vibrant and sustainable food system is available across all communities statewide, including to fully maximize federal nutrition programs and identify where state programs are needed to fill gaps in the federal food safety net to ensure food security for every Californian;
  - ii) How to mitigate any anticipated negative impacts to the food supply from changing water needs, changing weather, and changing climate patterns;
  - iii) The feasibility and necessity of shifting land use to address the impact of changing water needs, changing weather, and changing climate patterns;
  - iv) Methods to promote public and private funds and resources for healthy food programs and projects, and outreach for current and future food and nutrition assistance program participation;
  - v) How to increase healthy food accessibility through new and existing grocery stores, corner stores, farmers' markets, roadside stands, and other vendors; and,

- vi) Any other topic related to increasing the availability of sufficient affordable and healthy food.
- 7) Requires all specified departments in 4) above to consult with higher education institutions and collect relevant data for purposes of preparing the report to the Legislature.
- 8) Sunsets 6) and 7) above on January 1, 2030.

**EXISTING LAW:**

- 1) Establishes under federal law the “Supplemental Nutrition Assistance Program” (SNAP) pursuant to the Food Stamp Act of 1964. (7 United States Code [USC] Section 2011 *et seq.*)
- 2) Establishes the “CalFresh” program to administer the provision of federal SNAP benefits to families and individuals meeting certain criteria, as specified. (Welfare and Institutions Code Section [WIC] 18900 *et seq.*)
- 3) Establishes the “Restaurant Meals Program” (RMP) under SNAP to allow eligible recipients who are experiencing homelessness, are elderly, or have a disability to purchase hot, prepared food from participating restaurants. (7 USC 2020, WIC 18919 *et seq.*)
- 4) Specifies “restaurant” includes, but is not limited to, an on-campus qualifying food facility, an eat-in establishment, a grocery store delicatessen, and a takeaway-only restaurant (WIC 18919(g))
- 5) Requires CDSS to establish the “California Food Assistance Program” (CFAP) to provide assistance for persons who are not eligible for federal SNAP benefits due solely to their immigration status, as specified. (WIC 18930 *et seq.*)
- 6) Requires CFAP to utilize existing CalFresh and electronic benefits transfer (EBT) system infrastructure to the extent permissible by federal law. (WIC 18930(b))
- 7) Requires the CDFA, headed by the Secretary of Food and Agriculture, to promote and protect the agricultural industry of the state. (Food and Agricultural Code Section 3 *et seq.*)
- 8) 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)

**FISCAL EFFECT:** According to the Senate Appropriations Committee analysis on May 1 2023, on a prior version of this bill:

- CDSS estimates one-time costs of \$300,000 in General Fund (GF) cost pressures over two years for a two-year limited term staff position to develop the report.
- CDFA estimates that the Farm Equity Advisor’s consultative role would constitute about 15% of the Advisors time for a period of six months at a cost of \$14,659 in GF.
- DOC estimates costs would be minor and absorbable.

**COMMENTS:**

**Background.** *Food Insecurity, Food Deserts, and Food Swamps in California.* The United States Department of Agriculture (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 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. Black, Latinx, Native American, and other Californians who identify with two or more racial categories have higher rates of food insecurity compared to their non-Latino, white counterparts. Data from the United States Census Bureau’s Household Pulse Survey shows that by March 2022, food insecurity for households with children in California was at 25.8%, with deep disparities for Black and Latinx households at 28.7% and 31.2%, respectively. For individuals who face food insecurity, the choice is often between nurturing their physical health or maintaining other aspects of their lives, such as purchasing necessary medications or paying rent to maintain housing. Lack of adequate food can have long-term consequences, particularly for children’s health and well-being. Studies show a link between deficiencies in key nutrients among children who are food insecure, and behavioral issues and mental health conditions, which can have negative impacts on children’s educational attainment and economic well-being.

Food insecurity can be impacted by a number of factors, including limited access to healthy foods, the price of food, and the ability to store and prepare food. Access to food is calculated by distance of a consumer residence to the nearest supermarket, supercenter, grocery store, or farmer’s market. Specifically, 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. The main factor used to classify a low-income community as a food desert is distance from nutritional food retailers. Individuals who live in food deserts often face barriers to gain access to healthy food and impacts people’s choices of stores to shop for food due to distance, having no private transportation or having to utilize public transit, or traveling several miles on foot to the closest budget-friendly grocery store. Consumers without cars are dependent on food sources in their closest proximity. In 2016, the California Endowment’s FreshWorks Food Access Report stated that “nearly one million Californians, 45% of whom are low-income, live without access to nearby supermarkets or large grocery stores.” Research suggests that land-use policies have facilitated the development of larger supermarkets in predominately wealthy and suburban neighborhoods and away from low-income neighborhoods, known as “supermarket redlining.” This often translates into families living in urban areas and some rural areas shopping at gas stations, convenience stores or liquor stores for their routine groceries, which typically lack fresh fruit and vegetables and provide an overabundance of processed foods high in calories, sugars, fat, and artificial ingredients at significantly higher prices, known as “food swamps.” The problem increases in rural food desert areas, where closing the distance to nutritional food access on foot can be challenging.

While increasing healthier food options may lead to greater food security, food consumption data shows that eliminating food deserts and increasing full-service grocery stores alone does not lead to healthier eating, as poor dietary habits are created over time within a given community that has a low supply of healthy foods. Therefore, demand for healthy food is less incentivized. This creates a circular problem and requires both policy changes and education to move communities beyond poor nutrition. As a result of food deserts and food swamps, California is experiencing a rising prevalence of diet-related diseases such as diabetes, obesity, hypertension, and certain cancers, particularly among urban Latinx and Black communities, as well as rural Indigenous

populations who disproportionately live in food deserts and face greater food insecurity. One study found that residents who lived in areas with no supermarkets nearby were 25-46% less likely to have a healthy diet. Health disparities related to food access and consumption are associated with residential segregation, low incomes, and neighborhood deprivation.

*Healthy Food Financing Initiative.* The federal government launched the Healthy Food Financing Initiative in 2010 to confront the challenges of food deserts and provide funding to community-based nonprofits to finance healthy food projects in underserved communities. In response, California's Governor, Jerry Brown signed into law AB 581, (Pérez), Chapter 505, Statutes of 2011, the California Healthy Food Financing Initiative (CHFFI) to improve the availability of healthy, affordable, and high-quality food in underserved urban and rural areas and to eliminate food deserts. Through the CHFFI, the CDFA convened an advisory group to develop recommendations on ways to increase access to healthy foods, which addressed how the infrastructure that moves food from farmers to consumers disadvantages certain communities. The 2012 CDFA report to the Legislature titled, "*Improving Food Access in California*", states that "sufficient" food access requires the following components:

- Proximity: the distance residents have to travel to reach outlets that sell healthy foods, including travel costs;
- Variety: access to a variety of healthy food choices;
- Quality; and,
- Affordability: affordable sticker price as well as the ability to use nutrition program benefits (e.g. CalFresh or the Special Supplemental Nutrition Program for Women, Infants, and Children [WIC]) in addition to cash.

The report further outlines recommendations to increase access to sufficient food, including:

- 1) *Support regional food hubs:* a food hub is a business or organization that actively manages the aggregation, distribution, and marketing of local and regional food products primarily from small to mid-sized producers to wholesalers, retailers, and/or institutional buyers. Examples include schools, WIC stores, and corner stores. Food hubs support small and mid-size growers that otherwise have difficulty reaching smaller consumers because the cost of bringing their product to multiple consumers is too high given the amount of product they are supplying. Small and mid-size growers do not, individually, grow a sufficient variety or quantity to meet the demand of institutional buyers and smaller stores who need a variety of products. By combining their products with that of other growers through a food hub, these smaller producers can together supply the quantity and variety of food demanded.
- 2) *Increase new grocery stores in underserved areas:* full service grocery stores often charge about 10% less than small corner stores and may decrease the price of food in existing stores due to increased competition. New stores can also contribute to neighborhood revitalization and increased property values in the surrounding area.
- 3) *Increase healthy food sold at existing stores:* existing stores, mostly corner stores, are already located and frequented by residents in underserved areas. Increasing the amount of healthy food stores carry brings healthier food close to residents and in a greater variety. Corner

stores would need to increase their cold storage space, like updating or acquiring new refrigeration units, to carry a wider selection of perishable produce.

- 4) *Promote acceptance of EBT and WIC at farmers' markets and other food retailers:* CalFresh and WIC need to be accepted where people shop for food – whether at small or large stores, or farmer's markets and other vendors. An increasing number of farmer's markets are accepting CalFresh and WIC.
- 5) *Increase CalFresh participation:* as of January 2023, about 5.2 million were eligible for CalFresh. Compared to the national SNAP participation rate of 82%, California has a 70% participation rate. California also has the second lowest working poor participation rate, with only 59% of California's eligible working poor participating to a national rate of 74%. Increasing participation rates can give residents of underserved communities additional funds, making healthy food more affordable.
- 6) *Support farmers market nutrition program participation:* the WIC Farmers Market Nutrition Program and Senior Farmers' Market Nutrition Program are significantly underutilized, which provides eligible participants with the ability to buy fresh fruits, vegetables, and herbs at farmer's markets.
- 7) *Increase healthy food incentive programs:* even with nutrition assistance programs such as CalFresh and WIC, many struggle with food insecurity. Incentive programs offer a way to stretch limited food dollars even further by reducing the price of healthy food purchases relative to other purchases.
- 8) *Support healthy school meals:* because schools are often the largest source of food for children in underserved communities, any efforts to increase access to healthier food should also include school meals and snacks. Nutrition standards for school meals were recently updated at the federal level related to added sugars, milk, sodium, and whole grains.
- 9) *Support urban agriculture:* community and school gardens and other types of urban agriculture can increase the amount of healthy food available in urban areas. Urban agricultural areas can also reconnect city residents with the food system, emphasize the importance of eating fresh fruits and vegetables, and increase resident's desire to do so.

Because California has limited new resources, the report emphasized the above recommendations to be implemented with existing state, federal and private resources. As of June 2022, the USDA announced an additional \$22.6 million investment on top of prior allocations in the past decade for these purposes. As written, the bill's reporting requirement does not explicitly achieve all of these recommendations, but it does enumerate the option of including any other topic related to increasing the availability of sufficient affordable and healthy food – which the 2012 recommendations listed above could be updated and expanded upon.

*Climate Change Impacts on Food Production, Distribution, Quality and Pricing.* Agriculture is among the greatest contributors to global warming, emitting more greenhouse gases than cars, trucks, trains, and airplanes combined. Agriculture is also very sensitive to weather and climate, which heavily relies on land, water, and other natural resources that climate affects. Climate change, such as extreme heat, droughts, and floods, is expected to increase and is likely to affect food security at the global, regional, and local level. The impacts of climate change has the potential to disrupt food availability, reduce access to food, and affect food quality. Specifically,

climate change could make it more difficult to grow crops, raise animals, and catch fish in the same ways and same places as we have done in the past. For example, projected increases in temperatures, changes in precipitation patterns, changes in extreme weather events, and reductions in water availability may all result in reduced agricultural productivity. Furthermore, increases in the frequency and severity of extreme weather events can also interrupt food delivery and contribute to spoilage and contamination. Consequently, spikes in food prices after extreme events are expected to be more frequent in the future.

While California's population has slightly decreased in the last few years, global population growth is expected to increase by more than 35% by 2050, which may magnify the effects of climate change on food security. Despite having to produce double the amount of crops to feed a projected 9 billion people worldwide, only 55% of the world's crop calories end up being eaten by humans, while another 50% of total food weight is lost or wasted before consumption. Similar to the challenges faced with efforts to decrease food deserts and increase healthy food options and full-scale grocery stores, according to the Food and Agriculture Organization of the United Nations (FAO), increasing food production alone is not sufficient to achieve food security, but rather, by reducing poverty through safety net programs.

To balance the need to double the availability of food while simultaneously cutting the environmental harm caused by agriculture, the USDA approved the sales of lab-made meat cultivated by two private companies, Good Meat and Upside. This bill would declare that it is the established policy of the state that every human being has the right to access sufficient affordable and healthy food. The bill also requires all relevant state agencies to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and grant criteria are pertinent to the distribution of sufficient affordable food. This bill further requires CDSS, in consultation with the CDFA and DOC, to collect existing data and submit a report to the Legislature relating to food access and recommendations to increase the availability of sufficient affordable and healthy food. With these significant advances in food and biotechnology, this bill would consider and assess the viability of using public benefits to purchase cultivated meat through food and nutrition assistance programs.

*Food and Nutrition Assistance Programs.* The federal government administers numerous food and nutrition assistance programs aimed at increasing food security by providing tens of millions of children and low-income adult's access to food, a healthy diet, and nutrition education. Nutrition assistance programs provide eligible households with monthly benefits they can use to purchase nutritious foods while food assistance programs encompasses nutrition assistance programs, but also includes the ability to purchase hot, prepared meals with public benefits. As a result of the COVID-19 pandemic, the USDA has also launched additional temporary programs and implemented numerous policy changes that expanded the scope and coverage of existing programs. Some of the federally funded food and nutrition assistance programs California administers includes, but is not limited to:

- CalFresh (federally known as SNAP) provides monthly benefits to eligible low-income households to purchase food items. CalFresh benefits are federally funded and administrated by the USDA at the federal level and by CDSS at the state level; as such, it is the responsibility of the USDA to set specific eligibility requirements for SNAP programs across the country in addition to the gross and net income tests, work requirements, and other documentation requirements that is prescribed by the USDA. Effective October 1, 2022, through September 30, 2023, the maximum annual gross income for a household size of three

is \$46,080. About 4.8 million Californians – one in eight – participate in CalFresh each month as of September 2022.

- Pandemic-EBT (P-EBT) was a temporary federally funded program that extended CalFresh benefits due to the COVID-19 pandemic. Beginning in October 2020, eligibility for P-EBT expanded to include children under six not enrolled in school if they were living in households receiving SNAP benefits and living in an area where schools were closed or operating with reduced hours or attendance. In January 2021, P-EBT benefits increased by about 15% to include reimbursement for an after-school snack. In March 2021, P-EBT was further expanded to cover summer months when schools are typically closed. P-EBT benefits will end by September 30, 2023, following the end of the federal public health emergency declaration. California also had given the maximum benefits available for each household size during the pandemic; however, those emergency allotments ended March 26, 2023, meaning for some single-person households, CalFresh benefits decreased from \$281 to as little as \$23 a month.
- WIC is a federally funded nutrition program that provides grants to states to support low-income pregnant, breastfeeding, and postpartum women; infants in low-income families; and children younger than age five in families who are found to be at nutritional risk. Benefits include tailored food packages designed to meet the nutritional needs of participants. Participants receive an EBT card to purchase their food packages at authorized retailers. WIC serves about 1 million participants each month.
- Child nutrition programs, including the National School Lunch Program, the School Breakfast Program (SBP), the Child and Adult Care Food Program, and the Summer Food Service Program are federally funded programs that provide nutritious meals and snacks at low or no cost to children in participating schools, childcare centers or other organizations like community centers, churches, camps or other public sites where children gather. In return, participating schools, childcare centers, daycare homes or adult daycare facilities are reimbursed by the USDA for all qualifying meals and snacks served under the programs. In 2020, California became one of the first states in the country to pass a Universal Meals Program. Starting with the 2022–23 school year, all children in California regardless of income are receiving free breakfast and lunch.

While the federal government has made strides to address food insecurity nationwide, not all food options are eligible for purchase and not all persons are eligible for food and nutrition assistance programs through the federal government. As such, California has taken steps to bridge that gap, which includes, but is not limited to the following programs:

- RMP: Federal SNAP rules prohibit the purchase of certain items, such as alcohol, vitamins and medicines, pet foods, food that will be eaten in the store, and hot foods. The RMP is a state option that permits certain CalFresh recipients who may not have the ability to prepare meals for themselves to purchase ready-to-eat food. To be eligible for the RMP, an individual must be an adult age 60 or older, have a disability, or be experiencing homelessness.
- CFAP: Federal law prohibits CalFresh benefits to undocumented immigrants. However, California provides state-funded food benefits through CFAP for a limited group of qualified non-citizens who are not eligible for federal benefits due to their immigration status, including lawful permanent residents, refugees and those seeking asylum, Cuban/Haitian

entrants, battered spouses and children, and victims of trafficking. There have been a variety of legislative efforts attempting to expand CFAP to a wider array of immigrants. Like CalFresh, CFAP benefits are provided via EBT cards and can only be used to purchase food products authorized under CalFresh.

*Food Banks.* In addition to food and nutrition assistance programs, California has dozens of food banks throughout the state. Food banks collect and distribute food to hunger-relief entities, such as food pantries or food closets, which in turn distribute the food within their local communities, without requiring households or individuals to verify eligibility. Oftentimes, people turn to food banks when their CalFresh benefits are reduced or are entirely kicked off the program to make up the difference. According to a June 2023 article by CalMatters, the reduction in extra CalFresh benefits for 5.3 million Californians coupled with inflation is leading the statewide food banks associations to sound the alarm of an imminent “catastrophic hunger crisis.” The rising costs of groceries and the high cost of living in California no longer makes basic essentials like eggs and milk affordable. For example, the average cost of a dozen eggs in California reached \$7 in January 2023 compared to \$2 a dozen in December of 2021.

The article continues to state, “instead of functioning as sources of emergency aid, food banks say they are becoming long-term supermarkets for Californians facing food insecurity” for people in their 20s to people of retirement age. This has led to unprecedented spikes in demand for food. For example, the Sacramento Food Bank & Family Services reported that they served 305,000 and 280,000 in March and April of 2023, whereas before the COVID-19 pandemic, the food bank served around 150,000 people per month. The Berkeley Food Pantry reported consistently running out of nutritious foods that are often more expensive at groceries stores, like fresh vegetables, meat, eggs and dairy products. Food banks have also expressed concerns about the federal debt ceiling agreement, which would impose additional work requirements on food aid recipients.

*Barriers to Food and Nutrition Assistance Programs.* Two commonly cited reasons for low enrollment in CalFresh are the complicated enrollment and recertification processes, especially for people who are elderly or disabled. Additional barriers to senior participation include social and linguistic isolation, lack of knowledge about the benefit, confusion about eligibility requirements, difficulty filling out an application and stigma. For the immigrant community, poor translation services and misinformation on eligibility have also been identified as barriers to food assistance. People who have become dis-enrolled and have to reapply for CalFresh due to missing paperwork or other program requirements is also a persistent issue. During the pandemic, this phenomenon had decreased as the state and federal government required that people not be discontinued from assistance programs such as CalFresh and Medi-Cal. However, as we move back to pre-pandemic policies, there will likely be an increased number of people losing their assistance benefit again, although they are eligible.

**Author’s Statement:** According to the author, “California feeds the world, but not all of its residents know where their next meal will come from. This problem is likely to get worse as climate change, drought, and population growth threaten our ability to produce and distribute the food we need.

“With this significant problem in mind, [this bill] prepares for the future. The bill declares the Human Right to Food state policy. It also requires reporting on the future of food in California, including what the impacts of climate change and population growth will have on our ability to

produce and feed our population. [This bill] also sheds light on what we can and should do to shift land use to support our future food needs, and what we can do to decrease the cost of food.”

**Need for this bill:** The provisions of this bill seek to establish as state policy the human right to access sufficient affordable and healthy food. Under this bill, all relevant state agencies, including, but not limited to, CDSS, CDFA, DHCS, CDE, and CDPH are required to consider this state 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 and adequate food. This bill also requires CDSS, in consultation with other specified state departments, to collect existing data and submit a report to the Legislature that addresses current and future projections of participants using food and nutrition assistance programs and barriers to accessing these programs, as well as the availability of sufficient affordable and healthy food through the lens of climate change.

The provisions of this bill seek to build upon the report of the California Healthy Food Financing Initiative published in 2012 listing out recommendations for the state to take to eliminate food deserts and increase food security by adding additional measures, including, but not limited to: a) the steps the state is taking to increase acceptance of food and nutrition assistance benefits at farmers’ markets; b) steps the state is taking to distribute information about existing funds and resources for healthy food programs and projects, particularly in underserved communities; c) predominant diet trends regarding consumption; d) ways to decrease the cost of food now and in the future; and, e) an identification of the resource demands of foods grown in the state and that are most adaptable to the changing climate.

**Equity Implications:** Lack of access to healthy foods is a public health issue and disproportionately impacts vulnerable communities. Ensuring nutritional stability is key for improved outcomes, particularly among low-income individuals, pregnant women, households with children, Black and Latinxs, immigrants, people who are disabled, and the elderly who often face greater food hardship.

According to an analysis conducted by the Center on Budget and Policy Priorities on the Census Bureau’s Household Pulse Survey in 2021, 18 million adults said their household didn’t get enough to eat sometimes or often in the last seven days. The COVID-19 pandemic exacerbated hardships, as food insecurity and poverty levels rose across the nation. In 2022, food insecurity for households with children in California was at 25.8%, with deep disparities for Black and Latinx households at 28.7% and 31.2%, respectively.

Over one-fifth of children in Black and Latinx households didn’t eat enough – three times the rate for white children. This level of food hardship among children is unprecedented in recent decades and may mean that families have so few resources they cannot protect children from food insecurity. The Urban Institute found that throughout the COVID-19 pandemic, households with at least one non-citizen member faced higher rates of food insecurity than households where all members are citizens. With significant reductions in CalFresh benefits as a result of the federal public health emergency coming to an end, California will face significantly higher rates of food insecurity across households for generations to come.

This bill attempts to directly address inequities in hunger experienced by vulnerable populations through a report that examines the intersection of accessing healthy foods and food and nutrition assistance programs with persistent climate change patterns.

**RELATED AND PRIOR LEGISLATION:**

***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 2100 (Carrillo) of 2022***, would have required CDSS to apply for federal waivers, and, if granted, expand the RMP to include all CalFresh recipients. AB 2100 also would have expanded the locations where CalFresh benefits under the RMP could be used. *AB 2100 was held on the Senate Appropriations Committee suspense file.*

***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.

***AB 221 (Santiago) of 2021***, would have required CDSS to provide a food assistance benefit statewide to low-income California residents, regardless of their immigration status; contract with certain entities to issue the benefit; and in consultation with a workgroup, conduct a study to provide recommendations and solutions for a permanent food assistance program for low-income California residents experiencing food insecurity, regardless of their immigration status. *AB 221 was held on the Senate Appropriations Committee suspense file.*

***AB 942 (Weber), Chapter 814, Statutes of 2019***, established the "Access to Safe Food Choices and Food Security Act of 2019" to establish a statewide RMP, as specified.

***AB 1894 (Weber), Chapter 746, Statutes of 2018***, allowed CDSS to enter into a memorandum of understanding with the California State University (CSU) Chancellor in order to allow any qualifying food facility located on a CSU campus to participate in the RMP, even if the CSU campus is located in a county that does not participate in the RMP.

***SB 854 (Committee on Budget and Fiscal Review), Chapter 51, Statutes of 2018***, created the "Healthy Stores Refrigeration Grant Program" to award grants to qualified entities, for the purchase of energy-efficient refrigeration units by a small business or corner store that is located in a food desert. Requires a small business or corner store that purchases a refrigeration unit with grant funding to stock the unit with California-grown fresh fruits, nuts, and vegetables.

***SB 282 (Wiener), Chapter 355, Statutes of 2017***, required CDSS to communicate with counties regarding how to participate in the RMP, among other things.

***AB 1348 (Aguiar-Curry), Chapter 620, Statutes of 2017***, required CDFA to ensure the inclusion of socially disadvantaged farmers and ranchers in the development, adoption, implementation, and enforcement of food and agriculture laws, regulations, and policies and programs.

***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 1661 (Bonta) of 2014*, would have established the “Healthy Options for Everyone (HOPE) Act of 2014” to authorize the creation of “HOPE Incentive Zones” designed to increase the availability of fresh fruits and vegetables, and other grown foods. *AB 1661 was held on the Assembly Appropriations Committee suspense file.*

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

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Community Action Partnership of Kern  
National Association of Social Workers, California Chapter

**Opposition**

None on file

**Analysis Prepared by:** Bri-Ann Hernandez / HUM. S. / (916) 319-2089