

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 727**  
**97TH GENERAL ASSEMBLY**

5396H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To amend chapters 144 and 208, RSMo, by adding thereto two new sections relating to farmers' markets.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 144 and 208, RSMo, are amended by adding thereto two new sections, to be known as sections 144.527 and 208.018, to read as follows:

**144.527. 1. In addition to the exemptions granted under this chapter, there shall also be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, and section 238.235 all sales of farm products sold at a farmers' market.**

**2. For purposes of this section "farm products" shall mean any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese, and other dairy products, food products of "aquaculture", as defined in section 277.024, including fish, oysters, clams, mussels, and other molluscan shellfish taken from the waters of the state, products from any tree, vine, or plant and other flowers, or any of the products listed in this subsection that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products.**

**3. For purposes of this section "farmers' market" shall mean an individual farmer or a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for an individual farmer or a group of farmers to sell farm products directly to consumers, and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 where the products sold are produced by the participating farmers with the sole intent and  
19 purpose of generating a portion of household income.

20 4. The provisions of this section do not apply to any person or entity with estimated  
21 total annual sales of twenty-five thousand dollars or more from participating in farmers'  
22 markets.

208.018. 1. Subject to federal approval, the department of social services shall  
2 establish a pilot program for the purpose of providing Supplemental Nutrition Assistance  
3 Program (SNAP) participants with access and the ability to afford fresh food when  
4 purchasing fresh food at farmers' markets. Under the pilot program, such participants  
5 shall be able to:

6 (1) Purchase fresh fruit, vegetables, meat, fish, poultry, eggs, and honey with SNAP  
7 benefits with an electronic benefit transfer (EBT) card; and

8 (2) Receive a dollar-for-dollar match for every SNAP dollar spent at a participating  
9 farmer's market or vending urban agricultural zone as defined in section 262.900 in an  
10 amount up to ten dollars per week whenever the participant purchases fresh food with an  
11 EBT card.

12 2. For purposes of this section, the term "farmers' market" shall mean a market  
13 with multiple stalls at which farmer-producers sell agricultural products, particularly  
14 fresh fruit and vegetables, directly to the general public at a central or fixed location.

15 3. Purchases of approved fresh food by SNAP participants under this section shall  
16 automatically trigger matching funds reimbursement into the vendor accounts by the  
17 department.

18 4. The funding of this pilot program shall be subject to appropriation. In addition  
19 to appropriations from the general assembly, the department may apply for available  
20 grants and shall be able to accept other gifts, grants, and donations to develop and  
21 maintain the program.

22 5. The department shall promulgate rules setting forth the procedures and methods  
23 of implementing this section. Any rule or portion of a rule, as that term is defined in  
24 section 536.010, that is created under the authority delegated in this section shall become  
25 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
26 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of  
27 the powers vested with the general assembly pursuant to chapter 536 to review, to delay  
28 the effective date, or to disapprove and annul a rule are subsequently held  
29 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
30 after August 28, 2014, shall be invalid and void.

31 6. Pursuant to section 23.253 of the Missouri sunset act:

32           **(1) The provisions of this section shall sunset automatically six years after the**  
33 **effective date of this section unless reauthorized by an act of the general assembly; and**

34           **(2) If such program is reauthorized, the program authorized under this section**  
35 **shall sunset automatically twelve years after the effective date of the reauthorization of this**  
36 **section; and**

37           **(3) This section shall terminate on September first of the calendar year immediately**  
38 **following the calendar year in which the program authorized under this section is sunset.**

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