

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 727

97TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Read 1st time January 15, 2014, and ordered printed.

Read 2nd time February 26, 2014, and referred to the Committee on Ways and Means.

Reported from the Committee March 6, 2014, with recommendation that the bill do pass.

Taken up for Perfection March 25, 2014. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

5396S.01P

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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  
2 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  
2 chapter, there shall also be specifically exempted from state and local  
3 sales and use taxes defined, levied, or calculated under section 32.085,  
4 sections 144.010 to 144.525, sections 144.600 to 144.761, and section  
5 238.235 all sales of farm products sold at a farmers' market.

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

17 3. For purposes of this section "farmers' market" shall mean an  
18 individual farmer or a cooperative or nonprofit enterprise or

19 association that consistently occupies a given site throughout the  
20 season, which operates principally as a common marketplace for an  
21 individual farmer or a group of farmers to sell farm products directly  
22 to consumers, and where the products sold are produced by the  
23 participating farmers with the sole intent and purpose of generating a  
24 portion of household income.

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

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

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

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

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

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

22 4. The department shall promulgate rules setting forth the  
23 procedures and methods of implementing this section. Any rule or  
24 portion of a rule, as that term is defined in section 536.010, that is  
25 created under the authority delegated in this section shall become  
26 effective only if it complies with and is subject to all of the provisions  
27 of chapter 536 and, if applicable, section 536.028. This section and  
28 chapter 536 are nonseverable and if any of the powers vested with the

29 general assembly pursuant to chapter 536 to review, to delay the  
30 effective date, or to disapprove and annul a rule are subsequently held  
31 unconstitutional, then the grant of rulemaking authority and any rule  
32 proposed or adopted after August 28, 2014, shall be invalid and void.

33 5. Pursuant to section 23.253 of the Missouri sunset act:

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

37 (2) If such program is reauthorized, the program authorized  
38 under this section shall sunset automatically twelve years after the  
39 effective date of the reauthorization of this section; and

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

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Bill

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