

# HOUSE BILL 855

M4, C8

(2lr1990)

## ENROLLED BILL

— *Environment and Transportation/Education, Health, and Environmental Affairs  
and Budget and Taxation* —

Introduced by **Delegate Boyce**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Agriculture – Urban Agriculture Water and Power Infrastructure Grant**  
3 **Program and Fund – Establishment**

4 FOR the purpose of establishing the Urban Agriculture Water and Power Infrastructure  
5 Grant Program in the Department of Agriculture to increase the viability of urban  
6 farming and community gardens and improve access to urban-grown foods;  
7 establishing the Urban Agriculture Water and Power Infrastructure Grant Fund as  
8 a special, nonlapsing fund; and generally relating to the Urban Agriculture Water  
9 and Power Infrastructure Grant Program and Fund.

10 BY adding to

11 Article – Agriculture

12 Section 2–2101 through 2–2104 to be under the new subtitle “Subtitle 21. Urban  
13 Agriculture Water and Power Infrastructure Grant Program”

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 Annotated Code of Maryland  
2 (2016 Replacement Volume and 2021 Supplement)

3 BY adding to  
4 Article – Tax – Property  
5 Section 13–209(g)(4)(i)5.  
6 Annotated Code of Maryland  
7 (2019 Replacement Volume and 2021 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
9 That the Laws of Maryland read as follows:

10 **Article – Agriculture**

11 **SUBTITLE 21. URBAN AGRICULTURE WATER AND POWER INFRASTRUCTURE**  
12 **GRANT PROGRAM.**

13 **2–2101.**

14 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
15 INDICATED.

16 (B) “FARM PRODUCT” MEANS:

17 (1) ANY AGRICULTURAL, HORTICULTURAL, VEGETABLE, OR FRUIT  
18 PRODUCT OF THE SOIL, WHETHER RAW OR CANNED, FROZEN, DRIED, PICKLED, OR  
19 OTHERWISE PROCESSED;

20 (2) LIVESTOCK, MEATS, MARINE FOOD PRODUCTS, POULTRY, EGGS,  
21 OR DAIRY PRODUCTS;

22 (3) WOOL, HIDES, FEATHERS, NUTS, OR HONEY; OR

23 (4) ANY PRODUCT OF FARM, FOREST, ORCHARD, GARDEN, OR WATER.

24 (C) “FUND” MEANS THE URBAN AGRICULTURE WATER AND POWER  
25 INFRASTRUCTURE GRANT FUND.

26 (D) “PROGRAM” MEANS THE URBAN AGRICULTURE WATER AND POWER  
27 INFRASTRUCTURE GRANT PROGRAM.

28 (E) “QUALIFIED NONPROFIT ORGANIZATION” MEANS A NONPROFIT  
29 ORGANIZATION THAT OPERATES A FARM OR COMMUNITY GARDEN IN AN ~~URBAN~~  
30 ~~AREA OF THE STATE, AS DEFINED BY THE DEPARTMENT~~ DELINEATED AS AN URBAN  
31 AREA BY THE U.S. CENSUS BUREAU.

1 (F) "URBAN AGRICULTURAL PRODUCER" MEANS ANY PERSON THAT:

2 (1) ANNUALLY PRODUCES FARM PRODUCTS IN AN ~~URBAN~~ AREA OF  
3 THE STATE, ~~AS DEFINED BY THE DEPARTMENT~~ DELINEATED AS AN URBAN AREA BY  
4 THE U.S. CENSUS BUREAU; AND

5 (2) SELLS, PLANS TO SELL, OR NORMALLY WOULD HAVE SOLD AT  
6 LEAST \$1,000 ANNUALLY OF FARM PRODUCTS PRODUCED FROM A FARMING  
7 OPERATION IN THE STATE.

8 2-2102.

9 (A) THERE IS AN URBAN AGRICULTURE WATER AND POWER  
10 INFRASTRUCTURE GRANT PROGRAM IN THE DEPARTMENT.

11 (B) THE PURPOSE OF THE PROGRAM IS TO INCREASE THE VIABILITY OF  
12 URBAN FARMING AND COMMUNITY GARDENS AND IMPROVE ACCESS TO  
13 URBAN-GROWN FOODS.

14 2-2103.

15 (A) THERE IS AN URBAN AGRICULTURE WATER AND POWER  
16 INFRASTRUCTURE GRANT FUND.

17 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO URBAN  
18 AGRICULTURAL PRODUCERS AND QUALIFIED NONPROFIT ORGANIZATIONS FOR THE  
19 PURCHASE AND INSTALLATION OF:

20 (1) AGRICULTURE EQUIPMENT ASSOCIATED WITH WATER SUPPLY  
21 AND IRRIGATION; AND

22 (2) ELECTRIC POWER ACCESS.

23 (C) THE SECRETARY SHALL ADMINISTER THE FUND.

24 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
25 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

26 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
27 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

28 (E) THE FUND CONSISTS OF:



1 13-209.

2 (g) (4) (i) 5. FOR EACH OF FISCAL YEARS 2024, 2025, 2026, AND  
3 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL  
4 FUND APPROPRIATION OF \$500,000 TO THE URBAN AGRICULTURE WATER AND  
5 POWER INFRASTRUCTURE GRANT FUND ESTABLISHED UNDER § 2-2103 OF THE  
6 AGRICULTURE ARTICLE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.