

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 458

Short Title: Food Desert Agriculture Incentive Zones. (Public)

Sponsors: Representatives Brown, Reives, Brody, and Alston (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Finance, if favorable, Families, Children, and Aging Policy, if favorable,  
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 31, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCENTIVIZE HEALTHY FOOD AVAILABILITY IN FOOD DESERT  
3 ZONES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 106 of the General Statutes is amended by adding a new  
6 Article to read:

7 "Article 55B.

8 "Food Desert Agriculture Grants.

9 **"§ 106-652. Food Desert Agriculture Grant Program.**

10 (a) Fund Established; Purpose. – The North Carolina Food Desert Agriculture Grant  
11 Fund is established as a special fund in the Department of Agriculture and Consumer Services.  
12 The Department is responsible for administering the Fund using personnel and other  
13 administrative resources of the Agricultural Development and Farmland Preservation Trust Fund  
14 program. The Fund may receive funds appropriated by the General Assembly and any gifts,  
15 grants, or donations from any public or private sources. The Fund shall be used, as available, to  
16 encourage agricultural production and availability in food desert zones in the State. Grants from  
17 the Fund shall be made upon application pursuant to this section.

18 (b) Definitions. – The definitions in G.S. 105-164.3 apply and the following definitions  
19 apply in this Article:

20 (1) Department. – The North Carolina Department of Agriculture and Consumer  
21 Services.

22 (2) Eligible activity. – The use of real property for the production of crops or  
23 plants for sale as food or as a farmers market.

24 (3) Food desert zone. – An area designated as a food desert zone by the Economic  
25 Research Service of the United States Department of Agriculture.

26 (c) Grants. – An owner of property located in a food desert zone using the property for  
27 an eligible activity may apply for a grant from the Fund. The Department shall specify the form  
28 and contents of the application, including procedures for the submission of applications  
29 electronically. The Department may establish a fee for grant applicants to recover the reasonable  
30 costs of reviewing and processing applications. The amount of a grant under this section shall  
31 not exceed the property tax due for the property in the year the application is submitted reduced  
32 by the amount of any rent charged for using the property for an eligible activity and reduced  
33 proportionately for (i) any amount of the property not used for the eligible activity and (ii) any  
34 full months during the tax year when the property was not used for the eligible activity. Awards



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1 shall be issued in the order that each completed eligible application is received. In the event that  
2 the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund,  
3 the grants shall be paid in the next fiscal year in which funds are available.

4 (d) Rulemaking. – The Department may issue rules to implement the requirements of this  
5 Article.

6 (e) Reports. – The Department shall report on the grants made from the Fund no later  
7 than February 1 of each year following a year in which a grant from the Fund was made and shall  
8 provide a copy to the Joint Legislative Oversight Committee on Agriculture and Natural and  
9 Economic Resources and the Fiscal Research Division of the Legislative Services Office of the  
10 General Assembly. The report shall include the number of applications, the total amount  
11 requested, the total amount awarded, and a list of the recipients, including the amount received  
12 by each."

13 **SECTION 2.** There is appropriated from the General Fund to the Department of  
14 Agriculture and Consumer Services the sum of five hundred thousand dollars (\$500,000) in  
15 nonrecurring funds for the 2021-2022 fiscal year to be used for Food Desert Agriculture Grants  
16 pursuant to Article 55B of Chapter 106 of the General Statutes, as enacted by this act.

17 **SECTION 3.** This act is effective when it becomes law.