



General Assembly

**Substitute Bill No. 6854**

January Session, 2023



**AN ACT ESTABLISHING THE OFFICE OF THE FOOD ACCESS  
ADVOCATE AND TAX INCENTIVES FOR GROCERY STORES IN  
FOOD DESERTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) As used in this section  
2 and sections 2 and 3 of this act:

3 (1) "COVID-19" means the respiratory disease designated by the  
4 World Health Organization on February 11, 2020, as coronavirus 2019,  
5 and any related mutation thereof recognized by said organization as a  
6 communicable respiratory disease;

7 (2) "Food insecurity" means a household-level economic and social  
8 condition of limited or uncertain access to sufficient and nutritionally  
9 adequate food;

10 (3) "Food insecurity program" means a nutrition program in the  
11 state intended for households with limited or uncertain access to  
12 sufficient and nutritionally adequate food;

13 (4) "Food desert" means an area identified as a food desert in the  
14 Food Access Research Atlas produced by the United States  
15 Department of Agriculture's Economic Research Service;

16 (5) "Food recovery organization" means a public or private entity,

17 including, but not limited to, a community-based organization, food  
18 bank, food pantry or soup kitchen, that, on a nonprofit basis and in the  
19 ordinary course of such entity's business or operations, provides  
20 nutritional assistance to individuals in the state who are in need of  
21 such assistance, free of charge; and

22 (6) "Nutritionally adequate food" means food that provides  
23 sufficient nutrients and proteins consistent with the Dietary Guidelines  
24 for Americans recommended by the United States Department of  
25 Agriculture and the United States Department of Health and Human  
26 Services.

27 (b) There is established the Office of the Food Access Advocate,  
28 which shall be within the Department of Social Services for  
29 administrative purposes only. The Office of the Food Access Advocate  
30 shall:

31 (1) Coordinate outreach for food insecurity programs, including, but  
32 not limited to, developing new initiatives and outreach campaigns and  
33 identifying best practices to increase enrollment in the state's food  
34 insecurity programs;

35 (2) Provide support to the United Way's 2-1-1 Infoline program as  
36 the state's twenty-four hour toll-free hunger hotline to assist in making  
37 information about the state's food insecurity programs as widely  
38 available as possible;

39 (3) Create, support, monitor and make public data concerning food  
40 insecurity throughout the state on a town-by-town level;

41 (4) Support grant application processes related to food insecurity for  
42 in-state food recovery organizations and state departments by  
43 monitoring available grants, recommending grant applications,  
44 coordinating grants promoting equity in food access and assisting with  
45 the grant application process;

46 (5) Coordinate communication with and between food recovery

47 organizations, supermarkets and groups that work with the facilitation  
48 of food donations;

49 (6) Establish best practices for food recovery organizations to reduce  
50 food waste and to distribute more fresh produce and proteins to food  
51 insecurity programs and food banks;

52 (7) Collaborate with research organizations and universities to  
53 monitor research on areas that are underserved by current food  
54 insecurity programs;

55 (8) Collaborate with state and community partners to develop a  
56 strategic plan to address identified gaps in areas that are unserved by  
57 current food insecurity programs;

58 (9) Oversee the development and implementation of public-private  
59 partnerships to address food insecurity;

60 (10) Provide support in coordinating assistance to address food  
61 insecurity during federal or state declared states of emergency;

62 (11) Coordinate food insecurity programming and initiatives for  
63 institutions of higher education with the Office of Higher Education;

64 (12) Advocate for health, economic and agricultural policies that  
65 reduce food insecurity, including, but not limited to, policies  
66 promoting a living wage, housing security and health care access;

67 (13) Establish a system that easily disaggregates data by race, age,  
68 type of household and socioeconomic group to further analysis of  
69 disproportionate impacts of food security;

70 (14) Assess all (A) reports regarding food insecurity or food policy  
71 produced by government task forces, grantees and partnerships with  
72 nonprofit organizations, (B) food security programs offered in the  
73 state, and (C) policy recommendations created by past and present  
74 city-level food policy councils to create an actionable blueprint to

75 combat food insecurity;

76 (15) Support community-led efforts to create an environmentally  
77 sustainable and socially just food system;

78 (16) Create (A) a blueprint that will increase access to the  
79 production and sale of locally grown foods, and (B) a centralized  
80 database for food banks, supermarkets, food rescue organizations and  
81 others to work together to economize efficiency and reduce waste;

82 (17) Craft policy position documents, talking points and other  
83 materials for internal and external communication;

84 (18) Partner with industry leaders, trade associations,  
85 nongovernmental organizations, institutions that research food  
86 insecurity, charitable foundations and other external groups to align  
87 and build support for policy positions;

88 (19) Implement self-sustainable food practices where residents can  
89 grow their own food or pick their own food by creating more edible  
90 green spaces in neighborhoods, schools, public parks, community  
91 centers and other common areas;

92 (20) Support the establishment and growth of programs in which  
93 mobile food trucks serve communities with low levels of  
94 transportation options;

95 (21) Advocate for universal school meals and summer programs for  
96 youth and underserved persons;

97 (22) Facilitate the coordination of efforts between food policy  
98 councils and community and state entities;

99 (23) Create and publicly release annual reports on findings  
100 regarding food insecurity and recommendations to reduce food  
101 insecurity; and

102 (24) Implement recommendations from the National Strategy on

103 Hunger, Nutrition and Health concerning community lessons on  
104 growing, healthy storage and cooking of food.

105       Sec. 2. (NEW) (*Effective October 1, 2023*) (a) The administrator and  
106 chief executive officer of the Office of the Food Access Advocate,  
107 established pursuant to section 1 of this act, shall be appointed by the  
108 Governor with the approval of the General Assembly and be known as  
109 the Food Access Advocate. The advocate shall be a person qualified by  
110 training and experience to perform the duties of the office. Any  
111 vacancy occurring in the position shall be filled in the same manner as  
112 the original appointment, except that if the advocate dies, resigns,  
113 becomes ineligible to serve for any reason or is removed from office,  
114 the Governor shall appoint an acting Food Access Advocate, who shall  
115 serve until the appointment and qualification of the advocate's  
116 successor. An acting Food Access Advocate shall exercise all the  
117 powers and duties of the Food Access Advocate pursuant to the  
118 provisions of this section.

119       (b) The Food Access Advocate, as administrator and chief executive  
120 officer of the office, may:

121       (1) Administer and organize the work of the office and establish  
122 such administrative subdivisions as the advocate may deem necessary,  
123 proper and expedient;

124       (2) Formulate and adopt rules and regulations and prescribe duties  
125 for the efficient conduct of the business, work and general  
126 administration of the office;

127       (3) Delegate to subordinate officers or employees in the office such  
128 power as the Food Access Advocate may deem desirable to be  
129 exercised under the advocate's supervision and control;

130       (4) Within available appropriations, appoint and remove clerical,  
131 administrative and other secretarial assistants as may be required for  
132 the proper conduct of the office;

133 (5) Within available appropriations, appoint, retain or employ any  
134 officers, financial managers, social workers or other professionally  
135 qualified personnel on a contract basis or otherwise as the advocate  
136 deems necessary;

137 (6) Maintain suitable headquarters for the office and such other  
138 quarters the advocate deems necessary for the proper functioning of  
139 the office;

140 (7) Solicit and accept grants or funds from the federal government  
141 and from other public and any private sources for any of the purposes  
142 of this section, provided any such state funds shall be expended only  
143 within available appropriations;

144 (8) Serve as the food access liaison between the Departments of  
145 Agriculture, Education and Social Services; and

146 (9) Establish an Internet web site for the office and perform such  
147 other functions as may be prescribed by law.

148 (c) The Food Access Advocate shall file annual reports not later than  
149 January fifteenth, in accordance with the provisions of section 11-4a of  
150 the general statutes, to the joint standing committees of the General  
151 Assembly having cognizance of matters relating to children, education,  
152 the environment, human services and public health on the status of  
153 food insecurity in the state along with recommendations on reducing  
154 food insecurity.

155 Sec. 3. (NEW) (*Effective October 1, 2023*) The Office of the Food  
156 Access Advocate, established pursuant to section 1 of this act, shall  
157 collect, maintain and make publicly available on its Internet web site a  
158 link that provides access to a repository of information regarding food  
159 access and insecurity, including, but not limited to:

160 (1) Breakdowns of food insecurity by town and United States census  
161 tract based on reports produced by the United States Census Bureau,  
162 the United States Department of Agriculture and nonprofit

163 organizations that track food insecurity;

164 (2) The number and location of food deserts in the state and average  
165 distance traveled for a person within such food desert to obtain  
166 nutritionally adequate food;

167 (3) The number of food recovery organizations by town or United  
168 States census tract and numbers of persons they serve compared to  
169 numbers of persons with food insecurity in such town or United States  
170 Census tract;

171 (4) The amount of food recovered and wasted per town or United  
172 States Census tract;

173 (5) The estimated number of homeless persons and immigrants  
174 without legal residency status per town or United States Census tract;  
175 and

176 (6) The impact of the COVID-19 pandemic on the number of food  
177 insecure persons by town or United States Census tract.

178 Sec. 4. (NEW) (*Effective October 1, 2023*) (a) As used in this section:

179 (1) "Bona fide labor organization" means a labor union that is  
180 representing or actively seeking to represent grocery store workers in  
181 the state with the following factors indicative, but not determinative,  
182 of a finding that a labor organization is a bona fide labor organization:  
183 The organization (A) represents employees in this state with regard to  
184 wages, hours and working conditions, (B) has officers elected by a  
185 secret ballot or otherwise in a manner consistent with federal law, (C)  
186 is free of domination or interference by any employer and has received  
187 no improper assistance or support from any employer, (D) has been  
188 recognized or certified as the bargaining representative for grocery  
189 store employees in the state, (E) has executed a current collective  
190 bargaining agreement or agreements with grocery store employers in  
191 the state, (F) has spent resources as part of a current and active attempt  
192 or attempts to organize and represent grocery store workers in the

193 state, (G) has filed the annual report required by 29 USC 431(b) for the  
194 three years immediately preceding any labor peace agreement entered  
195 into with a grocery store seeking a tax abatement pursuant to this  
196 section, (H) has audited financial reports for the three years  
197 immediately preceding any labor peace agreement entered into with a  
198 grocery store seeking a tax abatement pursuant to this section, (I) has  
199 written bylaws or a constitution for the three years immediately  
200 preceding any labor peace agreement entered into with a grocery store  
201 seeking a tax abatement pursuant to this section, and (J) is affiliated  
202 with a regional or national association of unions, including, but not  
203 limited to, central labor councils.

204 (2) "Food desert" means an area identified as a food desert in the  
205 Food Access Research Atlas produced by the United States  
206 Department of Agriculture's Economic Research Service.

207 (3) "Grocery store" means a retail facility (A) (i) at which at least  
208 ninety per cent of square footage is used for the display and sale of  
209 food products with (ii) at least twenty per cent of such square footage  
210 used to display and sell fresh produce, dairy and meat products; (B)  
211 that is constructed, rehabilitated, remodeled or refurbished in  
212 accordance with the provisions of subsection (b) of section 31-53c of  
213 the general statutes; and (C) has entered into a labor peace agreement  
214 with a bona fide labor organization.

215 (4) "Labor peace agreement" means an agreement between the  
216 business owner or operator of a grocery store and a bona fide labor  
217 organization, which requires, for the duration of the agreement, that  
218 (A) any participating bona fide labor organization and its members  
219 agree to refrain from (i) picketing, (ii) work stoppages, (iii) boycotts, or  
220 (iv) other economic interference against the business; and (B) the  
221 business owner agrees to (i) maintain a neutral posture with respect to  
222 efforts of any participating bona fide labor organization to represent  
223 employees at the grocery store, (ii) permit the labor organization to  
224 have access to the employees, and (iii) guarantee to the labor  
225 organization the right to obtain recognition as the exclusive collective



226 bargaining representative of the employees at such grocery store by  
227 demonstrating that a majority of workers at such store have shown  
228 their preference for the labor organization to be their representative by  
229 signing authorization cards indicating such preference.

230 (b) Any municipality may, by ordinance, provide for the abatement,  
231 in part or in whole, of real property taxes on any new grocery store  
232 established in a food desert for the assessment years beginning on  
233 October 1, 2023, and October 1, 2024. Such ordinance shall prescribe  
234 requirements for such abatement and an application process.

235 Sec. 5. (NEW) (*Effective October 1, 2023*) The state, acting by and in  
236 the discretion of the Commissioner of Economic and Community  
237 Development, may, within available appropriations, enter into a  
238 contract with a municipality for state financial assistance in the form of  
239 a state grant-in-aid to the municipality not to exceed the amount of  
240 taxes abated by the municipality pursuant to section 4 of this act. Such  
241 grant-in-aid shall be paid to the municipality in each of the assessment  
242 years commencing on October 1, 2023, and October 1, 2024, in an  
243 amount not to exceed the amount of taxes abated for each such year.

244 Sec. 6. (*Effective October 1, 2023*) (a) As used in this section, "food  
245 desert" and "grocery store" have the same meanings as provided in  
246 section 4 of this act.

247 (b) The Commissioner of Economic and Community Development,  
248 in consultation with the Commissioner of Agriculture, shall develop a  
249 strategic plan to (1) provide incentives for the construction of a grocery  
250 store in a food desert, and (2) expand opportunities for residents of  
251 food deserts to gain access to nutritionally adequate food.

252 (c) The Commissioner of Economic and Community Development  
253 shall file a report on the strategic plan, in accordance with the  
254 provisions of section 11-4a of the general statutes, not later than  
255 January 1, 2024, to the joint standing committees of the General  
256 Assembly having cognizance of matters relating to commerce, the

257 environment, finance, revenue and bonding, human services and  
258 planning and development.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>October 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	New section
Sec. 4	<i>October 1, 2023</i>	New section
Sec. 5	<i>October 1, 2023</i>	New section
Sec. 6	<i>October 1, 2023</i>	New section

**HS**      *Joint Favorable Subst.*