

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Local Food, Farms, and Jobs Act is amended
5 by changing Sections 5, 10, 15, 20, and 25 and by adding
6 Section 13 as follows:

7 (30 ILCS 595/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Food desert" means an area lacking fresh fruit,
10 vegetables, and other healthful whole foods, due to a lack of
11 grocery stores, farmers' markets, or healthy food providers.

12 "Local farm fresh produce or food products" are products:
13 (1) grown in Illinois; or (2) processed and packaged in
14 Illinois, using at least one ingredient grown in Illinois.

15 "Socially disadvantaged farmers" means farmers located in
16 Illinois who have been subjected to racial or ethnic
17 prejudices or who have been placed at a disadvantage because
18 of their identity as a member of a racial or ethnic group
19 without regard to their individual qualities. "Socially
20 disadvantaged farmers" includes farmers who identify as a
21 "minority person", as defined under Section 2 of the Business
22 Enterprise for Minorities, Women, and Persons with
23 Disabilities Act, and who have been certified as a

1 minority-owned business by the Business Enterprise Program.

2 (Source: P.A. 101-258, eff. 1-1-20.)

3 (30 ILCS 595/10)

4 Sec. 10. Procurement goals for local farm fresh produce or
5 food products.

6 (a) In order to create, strengthen, and expand local farm
7 and food economies throughout Illinois, it shall be the goal
8 of this State that 20% of all food and food products purchased
9 by State agencies and State-owned facilities, including,
10 without limitation, facilities for persons with mental health
11 and developmental disabilities, correctional facilities, and
12 public universities, shall, by 2020, be local farm fresh
13 produce or food products.

14 (b) The State Local Food, Farms, and Jobs Council
15 ~~established under this Act~~ shall support and encourage that
16 10% of food and food products purchased by entities funded in
17 part or in whole by State dollars, which spend more than
18 \$25,000 per year on food or food products for its students,
19 residents, or clients, including, without limitation, public
20 schools, child care facilities, after-school programs, and
21 hospitals, shall, by 2020, be local farm fresh produce or food
22 products.

23 (c) To meet the goals set forth in this Section, when a
24 State contract for purchase of food or food products is to be
25 awarded to the lowest responsible bidder, an otherwise

1 qualified bidder who will fulfill the contract through the use
2 of local farm fresh produce or food products may be given
3 preference over other bidders, provided that the cost included
4 in the bid of local farm fresh produce or food products is not
5 more than 10% greater than the cost included in a bid that is
6 not for local farm fresh produce or food products.

7 (d) All State agencies ~~and State owned facilities~~ that
8 purchase food and food products for use at State-owned
9 facilities shall, ~~with the assistance of the Local Food,~~
10 ~~Farms, and Jobs Council,~~ develop a system for (i) identifying
11 the percentage of local farm fresh produce or food products
12 purchased for fiscal year 2011 as the baseline; and (ii)
13 tracking and reporting local farm fresh produce or food
14 products purchases on an annual basis.

15 (Source: P.A. 96-579, eff. 8-18-09.)

16 (30 ILCS 595/13 new)

17 Sec. 13. Socially disadvantaged farmers.

18 (a) To create, strengthen, and expand local farm and food
19 economies throughout Illinois, and to create equity in those
20 economies, it is the aspirational goal of this State for at
21 least 10% of all of the food and food products purchased by
22 State agencies to be local farm fresh produce or food products
23 produced by socially disadvantaged farmers.

24 (b) It is also the aspirational goal of the State for at
25 least 10% of the food and food products purchased by entities

1 that are funded in part or in whole by State dollars and that
2 spend more than \$25,000 per year on food or food products to be
3 local farm fresh produce or food products produced by socially
4 disadvantaged farmers.

5 (c) To meet the goals set forth in this Section, when a
6 State contract for the purchase of food or food products is to
7 be awarded to the lowest responsive and responsible bidder, an
8 otherwise qualified bidder who is a socially disadvantaged
9 farmer that will fulfill the contract through the use of local
10 farm fresh produce or food products may be given preference
11 over other bidders, provided that the cost included in the bid
12 of local farm fresh produce or food products is not more than
13 10% greater than the cost included in a bid that is not for
14 local farm fresh produce or food products. A State agency
15 purchasing fresh produce may request any information necessary
16 to determine whether a bidder will fulfill the contract
17 through the use of local farm fresh produce or food products.

18 (d) All State agencies that purchase food and food
19 products for use at State-owned facilities shall develop a
20 system for: (i) identifying the percentage of local farm fresh
21 produce or food products produced by socially disadvantaged
22 farmers and purchased for fiscal year 2020 as the baseline;
23 and (ii) tracking and reporting local farm fresh produce or
24 food products produced by socially disadvantaged farmers and
25 purchased on an annual basis.

1 (30 ILCS 595/15)

2 Sec. 15. Creation of the Local Food, Farms, and Jobs
3 Council.

4 (a) The General Assembly authorizes the Department of
5 Agriculture, in accordance with Section 10 of the State Agency
6 Entity Creation Act, to create the Local Food, Farms, and Jobs
7 Council.

8 (b) The purpose of the Local Food, Farms, and Jobs Council
9 shall be to facilitate the growth of an Illinois-based local
10 farm and food product economy that revitalizes rural and urban
11 communities, promotes healthy eating with access to fresh
12 foods, creates jobs, ensures a readily available supply of
13 safe food in an emergency event, and supports economic growth
14 through making local farm fresh produce or food products
15 available to all Illinois citizens.

16 (Source: P.A. 96-579, eff. 8-18-09.)

17 (30 ILCS 595/20)

18 Sec. 20. Responsibilities of the Local Food, Farms, and
19 Jobs Council. The responsibilities of the Local Food, Farms,
20 and Jobs Council include, but are not limited to, the
21 following:

22 (a) To assist State agencies, State-owned facilities,
23 and other entities with the purchase of local farm fresh
24 produce or food products and with tracking and reporting
25 of such purchases in order to meet the goals established

1 in Section 10 of this Act.

2 (a-5) To assist State agencies, State-owned
3 facilities, and other entities with the purchase of local
4 farm fresh produce or food products produced by socially
5 disadvantaged farmers and with tracking and reporting of
6 such purchases to meet the goals established in Section 13
7 of this Act.

8 (b) To assist local farm and food entrepreneurs,
9 including socially disadvantaged farmers, to identify and
10 secure necessary resources and equipment to begin,
11 maintain, and expand projects and networks necessary for
12 the development of local farm fresh produce or food
13 products; provided, however, that it is the intent of this
14 Act that the Local Food, Farms, and Jobs Council will
15 facilitate program start-ups and then relinquish rights,
16 benefits, and control within a reasonably short duration
17 of time.

18 (c) To facilitate the building of infrastructure,
19 including aggregation, processing, storage, packaging, and
20 distribution facilities necessary to move local farm fresh
21 produce or food products to local and other markets.

22 (d) To support and expand programs that recruit,
23 train, and provide technical assistance to Illinois
24 farmers, including socially disadvantaged farmers, and
25 residents in order to encourage the production of local
26 farm fresh produce or food products.

1 (e) To coordinate interagency policies, initiatives,
2 and procedures promoting local farm and food products in
3 Illinois communities, by working with and involving State,
4 federal, and local agencies, as well as community based
5 organizations, educational institutions, and trade
6 organizations in executing the purposes of this Act.

7 (f) To facilitate the elimination of social, racial,
8 and legal barriers hindering the development of a local
9 farm and food economy by working with federal, State, and
10 local public health agencies, other agencies and
11 applicable entities, and the Illinois Attorney General to
12 create consistent and compatible regulations for the
13 production, storage, distribution, and marketing of local
14 farm fresh produce or food products.

15 (g) To facilitate the use of public lands for growing
16 local farm fresh produce or food products by working with
17 governmental entities at the local, State, and federal
18 levels.

19 (h) To set annual goals for all purchases of local
20 farm fresh produce or food products by Illinois residents
21 and to monitor the development and expansion of a local
22 farm and food economy through data collection, tracking,
23 measurement, analysis, and reporting on progress made in
24 an annual report to the Illinois General Assembly.

25 (i) (Blank).

26 (j) To initiate and facilitate public awareness

1 campaigns about the economic benefits of a local farm and
2 food economy.

3 (k) To facilitate and bolster access to more readily
4 available healthy food options in areas considered to be a
5 food desert, including support and expansion of programs
6 utilizing local farm fresh produce or food products to
7 provide increased food options in such areas.

8 (Source: P.A. 99-653, eff. 1-1-17.)

9 (30 ILCS 595/25)

10 Sec. 25. Governance of the Local Food, Farms, and Jobs
11 Council.

12 (a) The Local Food, Farms, and Jobs Council shall be
13 governed by a 20-member board of directors, which shall be
14 comprised of the following:

15 (1) one representative each from the Department of
16 Agriculture; the Department of Public Health; the Illinois
17 Finance Authority; the Office of the State Treasurer; an
18 agency tasked with responsibilities over economic or
19 workforce development;

20 (2) one agricultural specialist from the University of
21 Illinois Extension;

22 (3) one representative of the State's largest general
23 farm organization;

24 (4) thirteen representatives, each of whom shall
25 represent at least one of the following interests, and

1 each interest shall be represented by at least one
2 representative:

3 (A) local farm fresh produce or food product
4 farmers representing different sectors, including, but
5 not limited to, dairy, meat, vegetable, and grain;

6 (B) local farm fresh produce or food product
7 producers representing different flower, fruit,
8 viticulture, aquaculture, forestry, seeds, fiber,
9 ornamental, or other specialty crop sectors;

10 (C) local farm fresh produce or food product
11 processors or distributors, preferentially those
12 operating cooperatively or under local ownership;

13 (D) not-for-profit educational organizations that
14 specialize in supporting and expanding local farm
15 fresh produce or food product networks;

16 (E) local farm fresh produce or food product
17 retailers;

18 (F) municipalities in the State actively engaged
19 in the development of local farm fresh produce or food
20 products;

21 (G) banking, investment, or philanthropic
22 communities with expertise in financing or supporting
23 local foods production and infrastructure;

24 (H) community-based organizations focusing on
25 access to local farm fresh produce or food products;

26 (I) restaurants or food service businesses,

1 schools, or institutions that use or seek to increase
2 and promote use of local foods; and

3 (J) employees working for businesses in the food
4 system.

5 (b) The 15 non-state governmental board members shall be
6 appointed by the Governor to 3-year staggered terms as
7 determined by the Governor. Persons may be nominated by
8 organizations representing the sectors outlined in subsection
9 (a) of this Section. Vacancies shall be filled by the
10 Governor.

11 (c) The Local Food, Farms, and Jobs Council may apply for
12 and establish a not for profit corporation under the General
13 Not For Profit Corporation Act of 1986.

14 (d) The board of directors shall have all the rights,
15 titles, powers, privileges, and obligations provided for in
16 the General Not For Profit Corporation Act of 1986. It shall
17 elect its presiding officers from among its members and may
18 elect or appoint an executive committee, other committees, and
19 subcommittees to conduct the business of the organization.

20 (e) The Local Food, Farms, and Jobs Council may solicit
21 grants, loans, and contributions from public or private
22 sources and may enter into any contracts, grants, loans, or
23 agreements with respect to the use of such funds to execute the
24 purposes of this Act. No debt or obligation of the Local Food,
25 Farms, and Jobs Council shall become the debt or obligation of
26 the State.

1 (f) The Local Food, Farms, and Jobs Council shall not be
2 considered a State Agency, and its funds shall be considered
3 private funds and held in an appropriate account outside of
4 the State Treasury. Private funds collected by the Local Food,
5 Farms, and Jobs Council are not subject to the Public Funds
6 Investment Act. Local Food, Farms, and Jobs Council
7 procurement is exempt from the Illinois Procurement Code. The
8 treasurer of Local Food, Farms, and Jobs Council funds shall
9 be custodian of all Local Food, Farms, and Jobs Council funds.
10 The Local Food, Farms, and Jobs Council and its officers shall
11 be responsible for the approval of recording of receipts,
12 approval of payments, and the proper filing of required
13 reports. The Local Food, Farms, and Jobs Council's records
14 shall be audited annually by an independent auditor who is a
15 certified public accountant and has been selected by the
16 Board. An annual report shall also be compiled by the Board.
17 Both the annual report and the annual audit shall be filed with
18 any public agency providing funds to the Local Food, Farms,
19 and Jobs Council and be made available to the public.

20 (g) Subject to the availability of public or private
21 funds, the board of directors may employ an executive
22 director, treasurer, other staff, or independent contractors
23 necessary to execute the purposes of this Act, and it may fix
24 the compensation, benefits, terms, and conditions of those
25 persons' employment.

26 (h) The State Governmental agencies represented on the

1 board of directors may re-direct existing staff, as
2 appropriations permit; assist in executing the purposes of
3 this Act; and provide office space, meeting space, and other
4 research and communication services as appropriate.

5 (i) The Local Food, Farms, and Jobs Council may be
6 assisted in carrying out its functions by personnel of the
7 Department of Agriculture. The Department shall provide
8 reasonable assistance to the Local Food, Farms, and Jobs
9 Council to help it achieve its purposes.

10 (Source: P.A. 99-653, eff. 1-1-17.)