

House Agriculture & Rural Affairs Committee Voting Meeting
Room 515 Irvis Office
Harrisburg, PA 17120
November 17, 2025
11:30 AM

Agenda

House Bill 2034 (Sappey) An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for mushroom farming; imposing duties on the Department of Agriculture; and establishing the Mushroom Farming and Composting Fund.

House Bill 1741 (MIHALEK) An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Agriculture Conservation Assistance Program, further providing for definitions and for powers, duties and administration.

House Bill 1768 A02152 (MOUL)

House Bill 1768 (BURGOS) An Act establishing the Keystone Fresh Program; providing for the Fresh Schools Grant Program, for the Keystone Producer Grant Program, for the Keystone Assistance Grant Program and for the administration of the Keystone Fresh Program by the Department of Education and the Department of Agriculture; and establishing the Keystone Fresh Fund.

House Resolution 327 (GREEN) A Resolution directing the Joint State Government Commission to conduct a study evaluating the feasibility of a multifaceted approach to decreasing food waste given this Commonwealth's current infrastructure.

And any other business that comes before the Committee

Adjournment

Attachments:

- 2025-0-HB2034P2591
- HB2304PN2591
- AMENDMENT_2025A02152
- HB1768P2177
- 2025-0-HB1768P2177
- HB1741P2143 (2)
- HB1741
- HR0327P2351
- 2025-0-HR0327P2351

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2034 Session of
2025

INTRODUCED BY SAPPEY, SANCHEZ, GUENST, HILL-EVANS, HOWARD,
PIELLI, SHUSTERMAN, FRIEL, OTTEN, HADDOCK AND PASHINSKI,
NOVEMBER 13, 2025

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
NOVEMBER 13, 2025

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for mushroom farming; imposing duties on
3 the Department of Agriculture; and establishing the Mushroom
4 Farming and Composting Fund.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
8 is amended by adding a chapter to read:

9 CHAPTER 12

10 MUSHROOM FARMING

11 Sec.

12 1201. Definitions.

13 1202. Best management practices.

14 1203. Mitigation plans.

15 1204. General inspections.

16 1205. Mushroom Farming and Composting Fund.

17 § 1201. Definitions.

18 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Fund." The Mushroom Farming and Composting Fund established
4 under section 1205 (relating to Mushroom Farming and Composting
5 Fund).

6 "Mushroom composting operation." Any farm or business that
7 produces compost from the spent mushroom substrate used to grow
8 mushrooms.

9 "Mushroom farm." A normal agricultural operation where the
10 main crop being produced, grown, harvested, transported or
11 exported are mushrooms.

12 "Normal agricultural operation." As defined under section 2
13 of the act of June 10, 1982 (P.L.454, No.133), entitled "An act
14 protecting agricultural operations from nuisance suits and
15 ordinances under certain circumstances."

16 "Operation." Either a mushroom composting operation or a
17 normal agricultural operation.
18 § 1202. Best management practices.

19 (a) Duties of the department.--The department shall, in
20 collaboration with the Department of Environmental Protection,
21 develop best management practices for mushroom farms and
22 mushroom composting operations. These practices shall include,
23 but are not limited to, measures providing for the mitigation
24 of:

25 (1) mushroom phorid flies on the farm or composting
26 operation; and

27 (2) hydrogen sulfide produced by mushroom farms or
28 mushroom composting operations.

29 (b) Notification.--Within 90 days following the effective
30 date of this subsection, the department shall promulgate the

best management practices and post them on the department's publicly accessible Internet website. The department shall notify operations required to develop a mitigation plan under section 1203 (relating to mitigation plans) by first class mail to each operation's registered mailing address.

§ 1203. Mitigation plans.

(a) Requirement.--All existing and new mushroom farms and mushroom composting operations shall develop and implement mitigation plans that utilize the best management practices for the mitigation of:

(1) phorid flies on the farm or composting operation;

and

(2) hydrogen sulfide.

(b) Review and approval.--The plan implemented under subsection (a), or any plan amendment, shall be submitted to the department for review and approval. Within 90 days of receipt of a mitigation plan or plan amendment, the department shall approve or disapprove the plan or plan amendment. The following shall apply:

(1) Approvals shall only be granted for those plans or plan amendments that satisfy the requirements of the regulations promulgated under this chapter.

(2) Notice of determination to approve or disapprove a plan or plan amendment shall be provided in writing to the person submitting the plan or plan amendment.

(3) Notice of a determination to disapprove shall include an explanation specifically stating the reasons for disapproval.

(4) If a plan or plan amendment is disapproved, the person submitting the plan or plan amendment shall have 60

1 days after receipt of notice of disapproval to resubmit a
2 revised plan or plan amendment.

3 (5) An existing or new mushroom farm or mushroom
4 composting operation that submits a complete plan or plan
5 amendment is authorized to implement the plan or plan
6 amendment if the department fails to act within 90 days of
7 submittal.

8 (c) Implementation.--A person required to have a mitigation
9 plan under this section shall fully implement the plan prior to
10 commencing use of the new mushroom farm or mushroom composting
11 operation.

12 (d) Transferability of plans.--A plan approved under this
13 section shall be transferable to a subsequent owner of a
14 mushroom farm or mushroom composting operation upon notification
15 of the transfer to the department unless the transfer results in
16 operational changes requiring plan modification pursuant to the
17 criteria established in this section.

18 (e) Fines.--If a farm or composting operation required to
19 have a mitigation plan under this section fails to submit a plan
20 or implement an approved plan within 90 days of the effective
21 date of this subsection, the department may assess a civil
22 penalty of not more than \$1,000.

23 (f) Effectiveness of section.--The requirements of this
24 section shall become mandatory 90 days following the effective
25 date of the best management practices promulgated under section
26 1202 (relating to best management practices).

27 § 1204. General inspections.

28 (a) Inspections.--To ensure that the operators of a mushroom
29 farm or mushroom composting operation are following established
30 best management practices and are implementing a mitigation plan

1 approved under section 1203 (relating to mitigation plans), the
2 department shall perform an unannounced inspection of each
3 operator's facilities once every 18 months following the
4 approval of the mitigation plan. If a facility is not in
5 compliance with the mitigation plan, operators shall have 60
6 days to make any corrections that the department determines to
7 be necessary.

8 (b) Fines.--Following the 60-day period under subsection
9 (a), the department may assess a civil penalty of not more than
10 \$1,000 for any mushroom farm or mushroom composting operation
11 that the department determines is out of compliance with the
12 approved mitigation plan.

13 § 1205. Mushroom Farming and Composting Fund.

14 (a) Establishment.--The Mushroom Farming and Composting Fund
15 is established as a restricted revenue account in the State
16 Treasury. Money collected by the department under this chapter
17 or appropriated, given, granted or donated for the purpose
18 established under this chapter by the Commonwealth or any other
19 government or private agency or person shall be deposited into
20 the fund.

21 (b) Appropriation.--

22 (1) Money in the fund is appropriated to the department
23 on a continuing basis to be used for the purposes of this
24 chapter.

25 (2) All interest and earnings received from investments
26 or deposits of the money in the fund shall be paid into the
27 fund for the purpose authorized by this section. Unexpended
28 money and interest or earnings on the money in the fund may
29 not be transferred or revert to the General Fund but shall
30 remain in the fund to be used by the department for the

1 purpose specified under this section.

2 Section 2. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2034 PN2591	Prepared By:	Destiny Zeiders
Committee:	Agriculture & Rural Affairs		717 783 0686
Sponsor:	Sappey, Christina	Executive Director:	Destiny Zeiders
Date:	11/13/2025		

A. Brief Concept

Provides for best management practices for mushroom farming

C. Analysis of the Bill

HB2034 amends Title 3 (Agriculture) to create a new chapter for mushroom farming best management practices aimed at combating the Phorid fly and hydrogen sulfide produced by mushroom farms or mushroom composting operations.

New definitions include:

"Mushroom composting operation." Any farm or business that produces compost from the spent mushroom substrate used to grow mushrooms.

"Mushroom farm." A normal agricultural operation where the main crop being produced, grown, harvested, transported, or exported are mushrooms.

"Fund." The Mushroom Farming and Composting Fund established under section 1205 (relating to Mushroom Farming and Composting Fund).

The Pennsylvania Department of Agriculture in collaboration with the Department of Environmental Protection, shall develop best management practices for mushroom farms and mushroom composting operations. These practices shall include, but are not limited to, measures providing for the mitigation of

- mushroom phorid flies on the farm or composting operations
- hydrogen sulfide produced by mushroom farms or mushroom composting operations.

Within 90 days, the department shall promulgate the best management practices and post them on the department's website. The department shall notify individuals required to develop a mitigation plan by first class mail.

Mitigation plans

All existing and new mushroom farms and mushroom composting operations shall develop and implement mitigation plans that utilize the best management practices for the mitigation of phorid fly and hydrogen sulfide emissions

The plan or any amended plan shall be submitted to the department for review and approval. Within 90 days of receipt of a mitigation plan or plan amendment, the department shall approve or disapprove the plan or plan amendment. The following shall apply:

- Approvals shall only be granted for those plans or plan amendments that satisfy the requirements of the regulations.
- Approval or disapproval of a plan shall be provided in writing.
- Disapproval shall include an explanation specifically stating the reasons for disapproval.
- If a plan or plan amendment is disapproved, the person submitting the plan shall have 60 days after receipt of notice of disapproval to resubmit a revised plan.

- An existing or new mushroom farm or mushroom composting operation that submits a plan is authorized to implement the plan if the department fails to act within 60 days of submittal.

An operation required to have a mitigation plan shall fully implement the plan prior to commencing use of the new mushroom farm or mushroom composting operation.

An approved plan is transferable to a subsequent owner of a mushroom farm or mushroom composting operation upon notification of the transfer to the department unless the transfer results in operational changes requiring plan modification.

If an operation required to have a mitigation plan fails to submit a plan or implement an approved plan within 90 days the department may assess a civil penalty of not more than \$1,000.

General inspections

The department shall perform an unannounced inspection of each operator's facilities once every 18 months following the approval of the mitigation plan. If a facility is not in

compliance with the mitigation plan, operators shall have 90 days to make any corrections that the department determines to be necessary.

Following the 90-day period to make corrections, the department may assess a civil penalty of not more than \$1,000 for any mushroom farm or mushroom composting operation that the department determines is out of compliance with the approved mitigation plan.

Mushroom Farming and Composting Fund

The Mushroom Farming and Composting Fund is established as a restricted revenue account in the State Treasury. Money collected by the department under this chapter or appropriated, given, granted or donated for the purpose established under this chapter by the Commonwealth or any other government or private agency or person shall be deposited into the fund.

Money in the fund is appropriated to the department on a continuing basis to be used for the purposes of this chapter.

All interest and earnings received from investments or deposits of the money in the fund shall be paid into the fund for the purpose authorized by this section. The money in the fund may not be transferred or revert to the General Fund.

Effective Date:

Immediately

G. Relevant Existing Laws

Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes governs agriculture and best management practices, however there are not provision in Title 3 for mushroom farming or composting.

The "Best Practices for Environmental Protection in the Mushroom Farm Community" (June 29, 2012) is a comprehensive guide developed by the Pennsylvania Department of Environmental Protection to help mushroom farmers operate sustainably and in compliance with environmental regulations. The manual aligns with Title 3 by supporting voluntary compliance, nutrient management, and agricultural waste handling.

The Air Pollution Control Act (35 P.S. § 4001 et seq.) and the Solid Waste Management Act (Act 97 of 1980) are two environmental laws in Pennsylvania that directly impact agricultural operations, including mushroom farms. The Air Pollution Control Act safeguards public health and welfare by controlling and reducing air pollution from various sources and The Solid Waste

Management Act regulated the handling, treatment, and disposal of solid, residual, and hazardous waste

Pennsylvania issued a quarantine order on January 30, 2025, targeting phorid fly infestations in mushroom farms located in Kennett and New Garden Townships, Chester County. Quarantine Order

The Shapiro administration has allocated \$500,000 in funding to assist mushroom farmers with treatment and compliance costs.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

N/A

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1768

Sponsor:

Printer's No. 2177

1 Amend Bill, page 1, lines 1 through 18; pages 2 through 12,
2 lines 1 through 30; page 13, line 1; by striking out all of said
3 lines on said pages and inserting

4 Establishing the Local Food Purchasing Incentive Grant Program,
5 the Keystone Producer Grant Program, the Keystone Assistance
6 Grant Program and the Keystone Fresh Farm to School Account;
7 and imposing duties on the Department of Education and the
8 Department of Agriculture.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Short title.

12 This act shall be known and may be cited as the Keystone
13 Fresh Farm to School Nutrition Act.

14 Section 2. Findings and declarations.

15 The General Assembly finds and declares as follows:

16 (1) Schools across Pennsylvania serve more than
17 168,000,000 lunches per year, providing critical nutrients to
18 children across this Commonwealth. Due to the large volume of
19 food purchased to support nutrition programs, schools have
20 the potential to be one of the largest markets for
21 agricultural producers across this Commonwealth. Farm to
22 School programs encourage schools to purchase, promote and
23 serve local foods.

24 (2) The purpose of the Local Food Purchasing Incentive
25 Grant Program is to meet Statewide interest in increasing the
26 amount of local food served in school meals by helping to
27 change school food procurement practices, provide technical
28 assistance and training for how to integrate local foods in
29 school meals and help Pennsylvania producers access the
30 school food market.

31 (3) Enacting the Keystone Fresh Farm to School Nutrition
32 Act will provide State-level investment to expand farm-to-
33 school efforts and provide economic, public health and
34 community benefits for Pennsylvanians.

35 Section 3. Definitions.

36 The following words and phrases when used in this act shall
37 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Account." The Keystone Fresh Farm to School Account
3 established under section 8(a).

4 "Department." The Department of Education of the
5 Commonwealth.

6 "Local food." Fruits, herbs, vegetables, grains, meats,
7 fish, beans, yogurt and cheese that are grown, harvested or
8 raised and minimally processed products in this Commonwealth.

9 "Minimally processed products."

10 (1) A food product processed in a manner that does not
11 fundamentally alter the product and that retains its inherent
12 character so that the primary product can still be
13 identified.

14 (2) The process under paragraph (1) includes freezing,
15 pasteurizing milk for use in yogurt or cheese, butchering
16 livestock and poultry, cleaning fish, forming ground food
17 products into patties, grinding meats, grinding grains,
18 drying grains or beans, dehydrating food products and washing
19 and cutting produce.

20 (3) For the purposes of this act, fully cooked items are
21 not considered minimally processed products.

22 "National School Lunch Program." As defined in 7 CFR 210.2
23 (relating to definitions).

24 "New and beginning farmer or rancher."

25 (1) A farmer or rancher who has operated a farm or ranch
26 for less than 10 years.

27 (2) The term includes a legal entity or joint operation
28 only if all individual owners thereof have operated farms or
29 ranches for 10 years or more.

30 "Program." The Local Food Purchasing Incentive Grant Program
31 established under section 4(a).

32 "School food authority." The governing body responsible for
33 the administration of one or more schools that has the legal
34 authority to operate the National School Lunch Program.

35 "Seamless Summer Option." A Federal program that allows
36 school districts to operate a modified version of the National
37 School Lunch Program under the National School Lunch Act (60
38 Stat. 230, 42 U.S.C. § 1751) to provide summer meals for
39 children.

40 "Veteran farmer or rancher."

41 (1) A producer who served in the United States Armed
42 Forces, including a reserve component or the National Guard,
43 and who was discharged or released from service under
44 conditions other than dishonorable.

45 (2) A legal entity or joint operation can be a veteran
46 farmer or rancher only if all individual members
47 independently qualify.

48 Section 4. Local Food Purchasing Incentive Grant Program.

49 (a) Establishment.--Not later than 18 months after the
50 effective date of this subsection, the department shall
51 establish the Local Food Purchasing Incentive Grant Program.

1 (b) Purpose.--The purpose of the program is to award grants
2 to school food authorities for the purchase of local food to be
3 used in school meals.

4 (c) Administration.--The department, in consultation with
5 the Department of Agriculture, shall implement and administer
6 the program, including the development of a process to review
7 and approve grants under the program.

8 (d) Application generally.--The department shall:

9 (1) Develop a form for school food authorities to submit
10 an application to the department for a grant under the
11 program, including the school's local food purchasing plan.

12 (2) Prescribe the manner in which a completed
13 application form must be submitted to the department.

14 (3) Post the application form on the publicly accessible
15 Internet website of the department.

16 (e) Eligibility.--A school food authority may submit an
17 application to the department for a grant for a school,
18 including a public school, charter school and private school,
19 that operates the National School Lunch Program and has at least
20 100 enrolled students in a building at the school.

21 (f) Application review.--

22 (1) The department shall review the application of each
23 school food authority.

24 (2) In determining whether to approve an application,
25 the department shall:

26 (i) Evaluate the readiness level of the school food
27 authority to purchase and serve local food in school
28 meals by considering:

29 (A) The applicant's local food purchasing plan.

30 (B) The applicant's ability to demonstrate a
31 commitment to purchasing local food supplemented with
32 agricultural education.

33 (C) The applicant's access to a kitchen with the
34 ability to store, prepare and serve local food
35 products.

36 (ii) Give preference to applicants sourcing from
37 veteran farmers or ranchers or new and beginning farmers
38 or ranchers.

39 (iii) Give preference to applicants who meet the
40 community eligibility provision under the Healthy,
41 Hunger-Free Kids Act of 2010 (Public Law 111-296, 124
42 Stat. 3183).

43 (g) Grant amounts.--The department shall, to the extent that
44 money is available, award a grant under the program to a school
45 food authority based on student enrollment, as identified in the
46 application of the school food authority, in the following
47 amounts on an annual basis:

48 (1) An applicant with a student enrollment from 100 to
49 1,000 is eligible for an award from \$16,500 to \$45,000.

50 (2) An applicant with a student enrollment from 1,001 to
51 5,000 is eligible for an award from \$35,000 to \$120,000.

1 (3) An applicant with a student enrollment from 5,001 to
2 10,000 is eligible for an award from \$85,000 to \$200,000.

3 (4) An applicant with a student enrollment from 10,001
4 to 32,000 is eligible for an award from \$100,000 to \$275,000.

5 (5) An applicant with a student enrollment exceeding
6 32,000 is eligible for an award from \$200,000 to \$650,000.

7 (h) Extension.--The department may allow a school food
8 authority to apply for an extension to spend unused funds in the
9 following school year.

10 (i) Eligible use of grants.--A school food authority may use
11 a grant under the program for any of the following purposes:

12 (1) To purchase local food.

13 (2) To purchase local food that has been processed in a
14 neighboring state into minimally processed products.

15 (j) Restrictions.--

16 (1) No more than 20% of the total amounts awarded under
17 the program to a school food authority may be used to support
18 equipment upgrades, materials, training and staff time
19 directly related to supporting the increased amount of local
20 food served in school meals.

21 (2) A grant under the program may only be used for
22 school lunch, breakfast or Seamless Summer Option program
23 meals in school settings and purchased in accordance with
24 Federal, State and local procurement requirements.

25 (k) Ineligible use of grant.--A school food authority may
26 not use a grant under the program for costs that do not
27 constitute eligible costs for the purposes of the program,
28 including costs incurred by a school or school food authority in
29 the sourcing or purchasing of fluid dairy milk or in association
30 with the school or school food authority's ordinary, unexpanded
31 sourcing and procurement of local food products at or below the
32 baseline levels identified in the school or school food
33 authority's grant application submitted under this section.

34 (l) Reporting on use of grant.--

35 (1) The department shall monitor the program to ensure
36 program integrity.

37 (2) A school food authority that receives a grant under
38 the program shall submit the following information to the
39 department:

40 (i) An itemization of local food purchased,
41 including quantity and itemized dollar amount.

42 (ii) The name, location and total amount spent per
43 farm, food hub or local food aggregator.

44 (iii) Other information deemed necessary by the
45 department to validate the purchase of local food.

46 Section 5. Keystone Producer Grant Program and Keystone
47 Assistance Grant Program.

48 (a) Establishment.--Not later than 18 months after the
49 effective date of this subsection, the Department of
50 Agriculture, in consultation with the department, shall
51 establish the Keystone Producer Grant Program and the Keystone

1 Assistance Grant Program.

2 (b) Administration.--The Department of Agriculture shall
3 work in consultation with the department to implement and
4 administer the Keystone Producer Grant Program and the Keystone
5 Assistance Grant Program, including the process to review and
6 approve grants under this section.

7 (c) Purposes.--

8 (1) The purpose of the Keystone Producer Grant Program
9 is to award grants for the purposes of providing funding to
10 participating farms, food hubs and local food aggregators for
11 equipment and marketing needed to participate in the program.
12 Eligible entities include individual producers, food hubs and
13 local food aggregators participating in the program.

14 (2) The purpose of the Keystone Assistance Grant Program
15 is to award technical assistance or small equipment grants to
16 assist school food authorities who receive a grant under the
17 program with procuring local food or incorporating additional
18 minimally processed products into their lunch programs,
19 including scratch cooking. Eligible entities include
20 nonprofit organizations and institutions of higher education
21 located in this Commonwealth approved by the department and
22 able to demonstrate their partnership with the school food
23 authority or authorities that they intend to assist.

24 (d) Grants.--The Department of Agriculture, in consultation
25 with the department, shall:

26 (1) Develop a form to apply for a grant under this
27 section.

28 (2) Prescribe the manner in which a completed
29 application form must be submitted to the Department of
30 Agriculture.

31 (3) Post the application form on the publicly accessible
32 Internet website of the Department of Agriculture.

33 (e) Application review.--The Department of Agriculture shall
34 review the application of each applicant and, in determining
35 whether to approve the application, shall give preference to
36 applicants sourcing from or working with veteran farmers or
37 ranchers or new and beginning farmers or ranchers.

38 (f) Eligibility.--An applicant shall be eligible to apply
39 for one of the grants outlined in this section per grant cycle.

40 (g) Grant amounts.--Subject to the availability of money,
41 the Department of Agriculture shall determine the amount of each
42 grant in this section, with the maximum award amount not to
43 exceed \$150,000 per grantee.

44 Section 6. Administration.

45 (a) Administration by department.--For the purposes of
46 carrying out this act and subject to the availability of money,
47 the department may use up to 3.5% of appropriated money that it
48 receives to cover administrative costs incurred in establishing
49 the program and commencing initial program operations under this
50 act, including the costs associated with:

51 (1) Hiring and employing at least one full-time staff

1 person and other personnel necessary for the administration
2 and management of the program and providing relevant program-
3 related information and assistance to school food
4 authorities.

5 (2) Developing requests for proposals, reviewing
6 applications and administering disbursements to grant
7 recipients.

8 (3) Acquiring, maintaining and repairing relevant
9 technology, equipment and computer programs needed to
10 implement and administer this act and facilitate the annual
11 pro rata allocation, awarding and periodic disbursement of
12 program grant funding available.

13 (4) Monitoring and developing reports related to the
14 program, including program implementation and operations,
15 program funding and program-related activities and outcomes.

16 (b) Administration by Department of Agriculture.--For the
17 purposes of carrying out this act and subject to the
18 availability of money, the Department of Agriculture may use up
19 to 3.5% of appropriated money that it receives to cover
20 administrative costs incurred in establishing the programs under
21 section 5 and commencing their initial operations under this
22 act, including the costs associated with:

23 (1) Hiring and employing at least one full-time staff
24 person and other personnel necessary for the administration
25 and management of the programs under section 5 and provide
26 relevant program-related information to producers, farmers
27 and entities providing technical assistance.

28 (2) Developing requests for proposals, reviewing
29 applications and administering disbursements to grant
30 recipients.

31 (3) Conducting outreach and providing appropriate
32 training to farmers who are engaged or who plan to engage in
33 the sale or donation of local food products to schools and
34 school food authorities.

35 (4) Monitoring and developing reports related to the
36 programs under section 5, including implementation and
37 operations, funding and related activities and outcomes.

38 (c) Internet website.--The department, in consultation with
39 the Department of Agriculture, shall develop a farm-to-school
40 Internet website that includes, at a minimum, the following
41 information:

42 (1) A list of farms that have served a school food
43 authority.

44 (2) The following materials, divided into sections:

45 (i) School meal operators, which must include the
46 following information:

47 (A) Buying local foods.

48 (B) Preparing local foods.

49 (C) Promoting local school meals using local
50 food.

51 (ii) Agricultural producers, which must include the

1 following information:

2 (A) Understanding school market channels.

3 (B) Best practices for selling to school food
4 authorities.

5 (C) Promoting local foods to school food
6 authorities.

7 (iii) School and community members, which must
8 include the following information:

9 (A) Insights into school meal programs.

10 (B) Engaging with school meal programs.

11 (iv) Sample menus incorporating local products.

12 (v) Recipes using local products.

13 (vi) Marketing materials for local food in
14 cafeterias.

15 Section 7. External evaluations.

16 (a) External review.--The department, in consultation with
17 the Department of Agriculture, shall:

18 (1) Determine qualified entities, including nonprofit
19 organizations and academic institutions, that can conduct, on
20 a biennial basis, an external review to evaluate the efficacy
21 of the components of this act.

22 (2) Contract with a qualified entity for the purpose
23 described in paragraph (1).

24 (b) Contents.--Each biennial external evaluation under this
25 section shall include, at a minimum:

26 (1) Outcomes of the overall grant programs under this
27 act, including the dollar amount spent on local food, the
28 purchasing impact on various agricultural sectors as
29 determined by the Department of Agriculture and changes in
30 values-based purchasing behavior.

31 (2) Guidance to the department and the Department of
32 Agriculture on areas of success and areas in need of
33 improvement to increase local food procurement.

34 (c) Reports.--

35 (1) Not later than two years after the programs under
36 sections 4 and 5 are established, and every two years
37 thereafter, the department, in consultation with the
38 Department of Agriculture, shall issue a report based on the
39 biennial external evaluation under this section.

40 (2) Each report under this subsection shall be
41 transmitted to:

42 (i) The chairperson and minority chairperson of the
43 Agriculture and Rural Affairs Committee of the Senate.

44 (ii) The chairperson and minority chairperson of the
45 Agriculture and Rural Affairs Committee of the House of
46 Representatives.

47 (iii) The chairperson and minority chairperson of
48 the Education Committee of the Senate.

49 (iv) The chairperson and minority chairperson of the
50 Education Committee of the House of Representatives.

51 (3) Each report under this subsection shall be posted on

1 the publicly accessible Internet websites of the department
2 and the Department of Agriculture.

3 Section 8. Keystone Fresh Farm to School Account.

4 (a) Establishment.--The Keystone Fresh Farm to School
5 Account is established as an restricted revenue account within
6 the General Fund. Money in the account, including interest
7 earned on the money in the account, is appropriated to the
8 department and the Department of Agriculture on a continuing
9 basis to carry out the purposes of this act.

10 (b) Deposits.--Money appropriated, given, granted or donated
11 to the programs or activities specified under this act by the
12 Federal Government, the Commonwealth or any other governmental
13 or private agency or person shall be deposited into the account.

14 (c) Use of money.--Every two years, \$250,000 of the money
15 deposited into the account shall be reserved for the purposes of
16 carrying out the biennial external evaluations under section 7.

17 Section 9. Effective date.

18 This act shall take effect as follows:

19 (1) The following shall take effect immediately:

20 Section 4.

21 Section 5.

22 This section.

23 (2) The remainder of this act shall take effect in 180
24 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1768 PN2177	Prepared By:	Will Hughes
Committee:	Agriculture & Rural Affairs		(717) 783-0686,6136
Sponsor:	Burgos, Danilo	Executive Director:	Destiny Zeiders
Date:	8/5/2025		

A. Brief Concept

Establishes the Keystone Fresh Program to provide a state level investment to expand farm-to-school efforts with grant opportunities for school districts, farms & food hubs who want to be able to sell to schools, and school food authorities in need of technical assistance incorporating local foods into their programs.

C. Analysis of the Bill

The Keystone Fresh Program, established under the Department of Education, in consultation with the Department of Agriculture, aims to support local food procurement and integration in school meals through three grant programs: Fresh Schools Grant Program; Keystone Producer Grant Program; and the Keystone Assistance Grant Program.

Fresh Schools Grant Program

The Department of Education would be responsible for administering the Fresh Schools Grant program, whose purpose is to reimburse school food authorities for purchases of local food for school meals.

Participating school food authorities would be reimbursed annually for the purchase of eligible local food for school lunch, breakfast or Seamless Summer Option program meals.

Eligible local food includes any fruits, vegetables, grains, meats, fish, beans, yogurt, and cheese that are grown, harvested or raised and minimally processed products in this Commonwealth, as well as products that are 100% Pennsylvania grown but processed in a neighboring state.

- **Eligibility:** Schools and school districts can apply for grants, evaluated based on their readiness and commitment to using local foods. Preference will be given to applicants sourcing from veteran farmers or ranchers, farmers or ranchers who are from socially disadvantaged groups, new and beginning farmers or ranchers or farmers or ranchers that use sustainable agriculture techniques.
 - **Grant Amounts:** The amount of funds per grant shall be determined by the Department of Education based on the enrollment of the applicant, within the following parameters:
 - Applicants with a student enrollment from 100 to 1,000 are eligible for an award from \$16,500 to \$45,000.
 - Applicants with a student enrollment from 1,001 to 5,000 are eligible for an award from \$35,000 to \$120,000.
 - Applicants with a student enrollment from 5,001 to 10,000 are eligible for an award from \$85,000 to \$200,000.
 - Applicants with a student enrollment from 10,001 to 32,000 are eligible for an award from \$100,000 to \$275,000.
 - Applicants with a student enrollment above 32,000 are eligible for an award from \$200,000 to \$650,000.
 - **Eligible Uses:** Grants can be used to buy local whole and minimally processed foods, as well as up to 20% of the grant award for support equipment upgrades as well as staff training related to increasing the amount of local food used in school meals.
 - **Ineligible Uses:** Cannot be used to purchase fluid dairy milk or other non-eligible costs.
- Reimbursement and Reporting: Schools must submit invoices for reimbursement and

report on their purchases – including the name, location, and amount purchased per farm/ food hub.

Keystone Producer and Keystone Assistance Grant Programs

The Department of Agriculture would be responsible for developing and administering the Keystone Producer and Keystone Assistance grant programs to help farmers and producers who want to participate in the program and assist schools in incorporating more local food into their kitchens.

Keystone Producer Grant Program: Provides funding to farms and food hubs for equipment and marketing needed to participate in the program.

- **Eligibility:** Farms, food hubs and local food aggregators are all eligible to apply.
- **Grant Amounts:** Determined by Department of Agriculture, with maximum award capped at no more than \$150,000 per grantee.
- **Eligible Uses:** Equipment or marketing needed by producers to meet the school food institutional standards.

Keystone Assistance Grant Program: Offers technical assistance grants to Pennsylvania nonprofits and institutions of higher education to assist school food authorities with incorporating local food into their meal programs.

- **Eligibility:** Nonprofits and institutions of higher education located in Pennsylvania.
- **Grant Amounts:** Determined by Department of Agriculture, with maximum award capped at no more than \$150,000 per grantee.
- **Eligible Uses:** Assisting school food authorities incorporate additional unprocessed and minimally processed products into school food programs, including scratch cooking.

For both grant programs, the Department of Agriculture shall give preference to applicants sourcing from or working with veteran farmers or ranchers, farmers or ranchers who are from socially disadvantaged groups, new and beginning farmers or ranchers or farmers or ranchers that use sustainable agriculture techniques.

Program Administration

The Department of Education and the Department of Agriculture would each be authorized to use funds for the administration and management of the program, including to hire at least one full-time staff person and other personnel necessary for their respective grant programs. The bill allows the Department of Education to use funding to provide relevant program-related information and assistance to eligible school districts.

The Department of Agriculture would also be authorized to use funds to conduct outreach and provide appropriate training to farmers who are engaged or who plan to engage in the sale or donation of local food products to schools and school districts for program purposes. Additionally, the Department of Agriculture would be responsible for developing a resource-rich farm-to-school internet website that includes a list of farms who have served a school district, information on integrating local foods into school meals, how producers can access school meal channels, and sample menus.

External Evaluations

Biennial external reviews will be conducted by a nonprofit organization or academic institution contracted by the Department of Education in consultation with the Department of Agriculture to assess the program's effectiveness, with reports made publicly available. The report would be transmitted to members of the General Assembly and published on a public website.

External evaluations must include outcomes of the overall grant program, including the dollar

amount spent on local products, as well as guidance to the Departments of Education and Agriculture on areas of success and areas in need of improvement to increase local food procurement.

Program Fund

The bill established the Keystone Fresh Fund, an interest-bearing account to fund the programs, with specific allocations for grants, administrative costs, and external evaluations.

The fund has the following requirements:

- (1) No less than 60% of money deposited into the fund shall be appropriated for the Fresh Schools Grant Program.
- (2) No less than 25% of money deposited into the fund shall be appropriated to cover the administrative costs incurred by the department and the Department of Agriculture, including for administering the Keystone Producer Grant Program, Keystone Assistance Grant Program.
- (3) No less than \$250,000 of money deposited into the fund shall be reserved every two years for the purpose of carrying out the biennial external evaluations.

Eligible school district: A kindergarten through grade 12 school district or school in this Commonwealth with at least 100 students, operating the National School Lunch Program.

Local food: Any fruits, vegetables, grains, meats, fish, beans, yogurt and cheese that are grown, harvested or raised and minimally processed products in this Commonwealth.

Minimally processed products: Food products processed in a manner that does not fundamentally alter the product and where the product retains its inherent character, and the primary item can still be identified. The term includes, but is not limited to, freezing, pasteurizing milk for use in yogurt or cheese, butchering livestock and poultry, cleaning fish, dicing and slicing produce, forming ground food products into patties, grinding meats, grinding grains, drying grains or beans or dehydrating food products and washing and cutting produce. Fully cooked or canned items are not considered minimally processed products.

School food authority: The governing body responsible for the administration of one or more schools that has the legal authority to operate the National School Lunch Program.

Effective Date:

The Fresh Schools Grant Program, Keystone Producer Grant Program, Keystone Assistance Grant Program, and External Evaluation sections shall take effect in 245 days.

The remainder of this act shall take effect in 180 days.

G. Relevant Existing Laws

N/A

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This bill was previously introduced as House Bill 2420 in the 2023-24 session, and received the following votes:

6.25.24 House Agriculture and Rural Affairs Committee Vote ([13-11](#)--Party line)
7.1.24 Third Consideration and Final Passage ([145-57](#))

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1768 Session of
2025

INTRODUCED BY BURGOS, FRITZ, KENYATTA, PASHINSKI, McNEILL,
GIRAL, HOHENSTEIN, PIELLI, KHAN, CEPEDA-FREYTIZ, SANCHEZ,
RABB, HADDOCK, BRENNAN, CIRESI, HILL-EVANS, HOWARD, MADDEN,
MALAGARI, NEILSON, FREEMAN, DAVIDSON, DEASY, WARREN, CERRATO,
CURRY, GUZMAN, SCHLOSSBERG AND GREEN, JULY 28, 2025

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
AUGUST 4, 2025

AN ACT

1 Establishing the Keystone Fresh Program; providing for the Fresh
2 Schools Grant Program, for the Keystone Producer Grant
3 Program, for the Keystone Assistance Grant Program and for
4 the administration of the Keystone Fresh Program by the
5 Department of Education and the Department of Agriculture;
6 and establishing the Keystone Fresh Fund.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Keystone
11 Fresh Act.

12 Section 2. Findings and declarations.

13 The General Assembly finds and declares as follows:

14 (1) Schools across Pennsylvania serve more than 168
15 million lunches per year, providing critical nutrients to
16 children across this Commonwealth. Due to the large volume of
17 food purchased to support nutrition programs, schools have
18 the potential to be one of the largest markets for

1 agricultural producers across this Commonwealth. Farm to
2 School programs encourage schools to purchase, promote and
3 serve local foods. Nationally, Farm to School programs have
4 shown to be an innovative strategy to improve child
5 nutrition, with research indicating students eat 37% more
6 vegetables and 11% more fruit. Pennsylvania has a long
7 history of interest in Farm to School programs, with 268
8 districts (44%) currently participating in some level of
9 farm-to-school activity. According to the United States
10 Department of Agriculture's 2023 Farm to School Census, more
11 than 71% of Pennsylvania's schools reported purchasing some
12 Pennsylvania products, yet those local food sales, excluding
13 liquid milk, were only 9% of their total lunch program
14 budget.

15 (2) The purpose of this program is to meet Statewide
16 interest in increasing the amount of local food served in
17 school meals by helping to change school food procurement
18 practices, provide technical assistance and training for how
19 to integrate local foods in school meals and help
20 Pennsylvania producers access the school food market.

21 (3) Enacting the Keystone Fresh Act will provide State-
22 level investment to expand farm-to-school efforts and provide
23 economic, public health and community benefits for
24 Pennsylvanians.

25 Section 3. Definitions.

26 The following words and phrases when used in this act shall
27 have the meanings given to them in this section unless the
28 context clearly indicates otherwise:

29 "Department." The Department of Education of the
30 Commonwealth.

1 "Eligible costs." The actual, documented costs of local
2 food, which are reimbursable with program grant funds as
3 provided under sections 5, 6, 7 and 8.

4 "Eligible school district." A kindergarten through grade 12
5 school district or school in this Commonwealth with at least 100
6 students participating in the National School Lunch Program.

7 "Fund." The Keystone Fresh Fund established under section 9.

8 "Ineligible costs." Any costs that do not constitute
9 eligible costs for the purposes of the program, including, but
10 not limited to, any costs incurred by a school or school
11 district in the sourcing or purchasing of fluid dairy milk or in
12 association with the school or school district's ordinary,
13 unexpanded sourcing and procurement of local food products at or
14 below the baseline levels identified in the school or school
15 district's grant application submitted under section 5.

16 "Local food." Any fruits, vegetables, grains, meats, fish,
17 beans, yogurt and cheese that are grown, harvested or raised and
18 minimally processed products in this Commonwealth.

19 "Minimally processed products." Food products processed in a
20 manner that does not fundamentally alter the product and where
21 the product retains its inherent character and the primary item
22 can still be identified. The term includes, but is not limited
23 to, freezing, pasteurizing milk for use in yogurt or cheese,
24 butchering livestock and poultry, cleaning fish, dicing and
25 slicing produce, forming ground food products into patties,
26 grinding meats, grinding grains, drying grains or beans or
27 dehydrating food products and washing and cutting produce. Fully
28 cooked or canned items are not considered minimally processed
29 products.

30 "National School Lunch Program." The federally funded school

1 lunch meal program operating in this Commonwealth's public and
2 nonprofit private schools.

3 "New and beginning farmer or rancher." A farmer or rancher
4 who has operated a farm or ranch for 10 years or less either as
5 a sole operator or with others who have operated a farm or ranch
6 for 10 years or less.

7 "Program." The Keystone Fresh Program established under
8 section 4.

9 "School food authority." The governing body responsible for
10 the administration of one or more schools that has the legal
11 authority to operate the National School Lunch Program.

12 "Socially disadvantaged group." A population group whose
13 members have been subjected to prejudice or discrimination on
14 the basis of race, color, national origin, age, disability or,
15 where applicable, sex, marital status, familial status, parental
16 status, religion, sexual orientation, genetic information,
17 political beliefs or participation in any public assistance
18 program, because of their membership in the group or the shared
19 characteristics of the group and without regard to their
20 individual qualities.

21 "Sustainable agriculture techniques." Agriculture practices
22 that include no-till and/or use of a cover crop system,
23 certified organic, regenerative organic practices, pastured
24 poultry or grass-fed meat.

25 "Veteran farmer or rancher."

26 (1) A producer who served in the United States Armed
27 Forces, including a reserve component or the National Guard,
28 and who was discharged or released from service under
29 conditions other than dishonorable.

30 (2) A legal entity or joint operation can be a veteran

farmer or rancher only if all individual members
independently qualify.

Section 4. Establishment.

The Keystone Fresh Program is established within the
department in consultation with the Department of Agriculture.

Section 5. Fresh Schools Grant Program.

(a) Authorization.--The department, in consultation with the
Department of Agriculture, shall establish the Fresh Schools
Grant Program to award grants for the purpose of reimbursing
school food authorities for the purchase of local food to be
used in school meals.

(b) Eligibility.--An eligible school district may submit an
application to the department for grant funding.

(c) Evaluation of applicants.--The department shall develop
an application and evaluate applicants based on the readiness
level of a school food authority to purchase and serve local
food in school meals by considering:

(1) The applicant's local foods purchasing plan in the
grant application.

(2) The applicant's ability to demonstrate a commitment
to local purchasing of food and agricultural education.

(3) The applicant's access to a kitchen with the ability
to store, prepare and serve local food products.

(4) That preference shall be given to applicants
sourcing from veteran farmers or ranchers, farmers or
ranchers who are from socially disadvantaged groups, new and
beginning farmers or ranchers or farmers or ranchers that use
sustainable agriculture techniques.

(d) Grant amounts.--The department shall award grants based
on student enrollment, as identified by the applicant in the

following amounts on an annual basis:

(1) Applicants with a student enrollment from 100 to 1,000 are eligible for an award from \$16,500 to \$45,000.

(2) Applicants with a student enrollment from 1,001 to 5,000 are eligible for an award from \$35,000 to \$120,000.

(3) Applicants with a student enrollment from 5,001 to 10,000 are eligible for an award from \$85,000 to \$200,000.

(4) Applicants with a student enrollment from 10,001 to 32,000 are eligible for an award from \$100,000 to \$275,000.

(5) Applicants with a student enrollment above 32,000 are eligible for an award from \$200,000 to \$650,000.

(e) Eligible use of grants.--A school district may use grant awards for the following purposes:

(1) To purchase whole and minimally processed fruits, vegetables, herbs, meat, seafood, yogurt, cheese, legumes and grains that are 100% grown, raised or caught and processed in this Commonwealth.

(2) To purchase products that are 100% Pennsylvania grown but processed in a neighboring state.

(3) No more than 20% of the total amounts awarded to the school district may be used to support equipment upgrades, materials, training and staff time directly related to supporting the increased amount of local Pennsylvania products served in school meals.

(4) Grant awards may only be used for school lunch, breakfast or Seamless Summer Option program meals in school settings.

(f) Ineligible use of grant awards.--School districts may not use grant awards to purchase fluid dairy milk for the purposes of this program or any other ineligible costs.

(g) Reimbursement of eligible costs.--The department shall reimburse school food authorities for eligible costs on an annual basis with the following conditions:

(1) School food authorities shall submit invoices on a timeline set by the department in order to be reimbursed for their eligible costs under this section.

(2) The department may allow the school food authority to apply for an extension to spend down unused money in the following year.

(h) Reporting on use of grant awards.--The department shall monitor the Fresh Schools Grant Program to ensure program integrity. Grantees shall be required to include the following information to request reimbursement:

(1) Products purchased.

(2) The name, location and total amount spent per farm, either through receipts or uploading procurement details.

Section 6. Keystone Producer Grant Program and Keystone Assistance Grant Program.

(a) Authorization.--The Department of Agriculture, in consultation with the department, shall establish the following grant programs:

(1) The Keystone Producer Grant Program to award grants for the purposes of providing funding to participating farms, food hubs and local food aggregators for equipment and marketing needed to participate in the program. Eligible entities shall include individual farms, food hubs and local food aggregators participating in the program.

(2) The Keystone Assistance Grant Program to award technical assistance grants to assist school food authorities with incorporating additional minimally processed products

1 into their lunch programs, including scratch cooking.

2 Eligible entities shall include nonprofits and institutions
3 of higher education located in this Commonwealth
4 participating in the program.

5 (b) Eligible use of money.--The Department of Agriculture
6 shall allow grant awards outlined in this section for the
7 following purposes:

8 (1) Keystone Producer Grant Program awards may be used
9 for equipment or marketing needed by producers to meet the
10 school food institutional standards.

11 (2) Keystone Assistance Grant Program awards may be used
12 by awardees to assist school food authorities to incorporate
13 additional minimally processed products into their lunch
14 programs, including scratch cooking.

15 (c) Grant awards.--The Department of Agriculture, in
16 consultation with the department, shall develop an application
17 and process for awarding grants outlined in this section that
18 includes the following requirements and considerations:

19 (1) Preference shall be given to applicants sourcing
20 from or working with veteran farmers or ranchers, farmers or
21 ranchers who are from socially disadvantaged groups, new and
22 beginning farmers or ranchers or farmers or ranchers that use
23 sustainable agriculture techniques.

24 (2) Grantees shall be eligible to apply for one of the
25 grants outlined in this section per grant cycle.

26 (d) Grant amounts.--Subject to the availability of money
27 under section 9, the Department of Agriculture shall determine
28 the amount of each grant in this section with the maximum award
29 amount not to exceed \$150,000 per grantee.

30 Section 7. Administration.

1 (a) Department administration.--For the purposes of carrying
2 out this act and subject to the availability of money under
3 section 9, the department shall receive necessary money from the
4 fund to cover administrative costs incurred in establishing the
5 program and commencing initial program operations under this
6 act, including, but not limited to, the costs associated with:

7 (1) Hiring and employing of at least one full-time staff
8 person and other personnel necessary for the administration
9 and management of the programs established in this act and
10 providing relevant program-related information and assistance
11 to eligible school districts.

12 (2) Developing requests for proposals, reviewing
13 applications and administering disbursements to grant
14 recipients.

15 (3) Acquiring, maintaining and repairing relevant
16 technology, equipment and computer programs needed to
17 establish, implement and successfully operate this act and
18 facilitate the annual pro rata allocation, awarding and
19 periodic disbursement of program grant funding available.

20 (4) Monitoring and developing reports related to the
21 Fresh Schools Grant Program, including, but not limited to,
22 program implementation and operations, program funding and
23 program-related activities and outcomes.

24 (b) Department of Agriculture administration.--For the
25 purposes of carrying out this act and subject to the
26 availability of money under section 9, the Department of
27 Agriculture shall receive necessary money from the fund to cover
28 administrative costs incurred in establishing the program and
29 commencing initial program operations under this act, including,
30 but not limited to, the costs associated with:

1 (1) Hiring and employing at least one full-time staff
2 person and other personnel as may be necessary to administer
3 and manage the grants in section 6 and provide relevant
4 program-related information to producers, farmers and
5 entities providing technical assistance.

6 (2) Developing requests for proposals, reviewing
7 applications and administering disbursements to grant
8 recipients.

9 (3) Conducting outreach and providing appropriate
10 training to farmers who are engaged or who plan to engage in
11 the sale or donation of local food products to schools and
12 school districts for program purposes.

13 (4) Developing a farm-to-school Internet website that
14 includes, at a minimum, the following information:

15 (i) A list of farms that have served an eligible
16 school district.

17 (ii) Materials listed below, divided into sections:

18 (A) School meal operators. The following
19 information shall be included:

20 (I) Buying local foods.

21 (II) Preparing local foods.

22 (III) Promoting local school meals.

23 (B) Agricultural producers. The following
24 information shall be included:

25 (I) Understanding school market channels.

26 (II) Best practices for selling to eligible
27 school districts.

28 (III) Promoting local foods to eligible
29 school districts.

30 (C) School and community members. The following

information shall be included:

(I) Insights into school meal programs.

(II) Engaging with school meal programs.

(D) Sample menus incorporating local products.

(E) Recipes using local products.

(F) Marketing materials for local food in
cafeterias.

(5) Monitoring and developing reports related to the
grants established in section 6, including, but not limited
to, program implementation and operations, program funding
and program-related activities and outcomes.

Section 8. External evaluations.

(a) External review.--The department, in consultation with
the Department of Agriculture, shall biennially contract with an
eligible entity to conduct an external review to evaluate the
efficacy of the components of this act.

(b) Reviewers.--Eligible entities to conduct external
reviews shall include nonprofit organizations and academic
institutions as determined by the department.

(c) Report.--External evaluations shall include, at a
minimum:

(1) Outcomes of the overall grant program, including the
dollar amount spent on local products, the purchasing impact
on various agricultural sectors as determined by the
Department of Agriculture and changes in values-based
purchasing behavior.

(2) Guidance to the department and the Department of
Agriculture on areas of success and areas in need of
improvement to increase local food procurement.

(3) A report to be transmitted to the members of the

General Assembly and made available to the public on a publicly accessible Internet website.

Section 9. Establishment of Keystone Fresh Fund.

(a) Fund established.--The Keystone Fresh Fund is established as an interest-bearing restricted revenue account, into which shall be deposited money as it is appropriated, given, granted or donated to the Fresh Schools Grant Program, the Keystone Producer Grant Program and the Keystone Assistance Grant Program, by the Federal Government, the Commonwealth or any other governmental or private agency or person.

(b) Use of fund.--Money deposited into the fund and interest earned on the money deposited into the fund shall be used solely for the purpose of carrying out the provisions of this act, with the following requirements:

(1) No less than 60% of money deposited into the fund shall be appropriated for the grants established in section 5.

(2) No less than 25% of money deposited into the fund shall be appropriated to cover the costs incurred by the department and the Department of Agriculture in carrying out the provisions of sections 6 and 7.

(3) No less than \$250,000 of money deposited into the fund shall be reserved every two years for the purpose of carrying out the biennial external evaluations provided for in section 8.

Section 10. Effective date.

This act shall take effect as follows:

(1) Sections 5, 6 and 8 shall take effect in 245 days.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 180

1 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1741 PN2143	Prepared By:	Destiny Zeiders
Committee:	Agriculture & Rural Affairs		717 783 0686
Sponsor:	Mihalek, Natalie and Benham, Jessica	Executive Director:	Destiny Zeiders
Date:	11/10/2025		

A. Brief Concept

Requires 15% of county conservation district's Agriculture Conservation Assistance Program funds to be awarded to cover crop projects

C. Analysis of the Bill

HB1741 amends The Fiscal Code (Act of April 9, 1929) in Article XVI-R Agriculture Conservation Assistance Program to require conservation districts who participate in the Agriculture Conservation Assistance Program (ACAP) to award at least 15% of funds for best management practices for cover crop projects. If the conservation district does not receive complete applications for cover crop projects totaling 15% of the funds, the district may allocate the remaining amount to other best management practices.

HB1741 also expands definitions related to the ACAP, specifically focusing on cover crops and best management practices (BMPs).

"cover crops" *A crop grown primarily for the purpose of controlling erosion, suppressing weeds, reducing soil compaction, increasing moisture and nutrient content of soil, improving yield potential, attracting pollinators or providing habitat for beneficial insects and wildlife as well as supplemental food for animals, including certain grasses, small grains and legumes.*

"Cover crop project." *A best management practice in which cover crops are used.*

Effective Date:

60 DAYS

G. Relevant Existing Laws

April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Agriculture Conservation Assistance Program(ACAP), further providing for definitions and for powers, duties and administration.

ACAP is overseen by the State Conservation Commission (SCC) and administered by conservation districts participating in the program. Beginning in 2024, 71.5% of the Clean Streams Fund is used for ACAP. Other sources of ACAP funding may include additional appropriations, Federal money appropriated or authorized for the program, money from other governmental agencies or agreements, contributions from public or private sources and return on money dedicated to the program.

The SCC apportions funds to participating conservation districts based on criteria developed by the commission to establish priorities focused on preventing nutrient and sediment pollution.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

N/A

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HB 1741

Legislative Reference Bureau

AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Agriculture Conservation Assistance Program, further providing for definitions and for powers, duties and administration.

INTRODUCED July 15, 2025

By Mihalek, Natalie District NO. 40

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

☐ Prior Session _____

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws
32 imposing taxes for State purposes, or to pay license fees or
33 other moneys to the Commonwealth, or any agency thereof,

every State depository and every debtor or creditor of the Commonwealth," in Agriculture Conservation Assistance Program, further providing for definitions and for powers, duties and administration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "best management practice" or "BMP" in section 1601-R of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is amended and the section is amended by adding definitions to read:

Section 1601-R. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Best management practice" or "BMP." A practice or combination of practices determined by the commission or United States Department of Agriculture Natural Resources Conservation Service to be effective and practical, considering technological, economic and institutional factors, to manage nutrients and sediment to protect surface water and groundwater. The term includes the use of cover crops.

* * *

"Cover crop." A crop grown primarily for the purpose of controlling erosion, suppressing weeds, reducing soil compaction, increasing moisture and nutrient content of soil, improving yield potential, attracting pollinators or providing habitat for beneficial insects and wildlife as well as supplemental food for animals, including certain grasses, small grains and legumes.

"Cover crop project." A best management practice in which cover crops are used.

* * *

Section 2. Section 1604-R(e) of the act is amended by adding a paragraph to read:

Section 1604-R. Powers, duties and administration.

* * *

(e) Powers and duties of participating conservation districts.--The following shall apply:

* * *

(2.1) (i) Except as provided under subparagraph (ii), no less than 15% of the amount apportioned to each conservation district shall be awarded for cover crop projects.

(ii) If a conservation district receives complete applications for cover crop projects in amounts less than the amount under subparagraph (i), the conservation district may allocate the remaining amount to other best management practices.

* * *

Section 3. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HR0327 PN2351	Prepared By:	Dominick Bierman
Committee:	Agriculture & Rural Affairs		717 783 0686
Sponsor:	Green, G. Roni	Executive Director:	Destiny Zeiders
Date:	10/6/2025		

A. Brief Concept

Directs the Joint State Government Commission to conduct a study and make recommendations regarding ways to improve state infrastructure for reducing food waste.

C. Analysis of the Bill

HR 327 would direct the Joint State Government Commission to conduct a study and issue a report on the physical and human infrastructure for reducing food waste within this Commonwealth.

The Joint State Government Commission would be required to study the feasibility of additional approaches to decreasing food waste, such as through:

- Incentivizing additional food rescue operations;
- Incentivizing the collection of food that can no longer be marketed to humans but can be safely consumed by livestock or composted;
- Incentivizing the disposal of food at anaerobic digestion facilities;
- Potentially requiring food waste recycling by businesses and individuals.

The findings of this study would be compiled in collaboration with the Department of Agriculture, the Department of Environmental Protection, at least one nonprofit organization currently engaged in food rescue operations, and at least one business engaged in composting or biodigestion. The final report would contain recommendations for improving infrastructure for reducing food waste, which would include a comparative cost analysis of compost versus landfilling organic waste.

Effective Date:

Report of findings and recommendations would be due no later than 12 months after adoption of the resolution.

G. Relevant Existing Laws

There is no relevant existing law.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This resolution was not introduced in the prior session. A similar resolution was introduced in the 2019-2020 Legislative Session by former Representative Donna Bullock, House Resolution 219. It received no action.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 327 Session of 2025

INTRODUCED BY GREEN, HILL-EVANS, KHAN, GIRAL, PROBST, PIELLI,
HOWARD, SCHLOSSBERG, VITALI, CIRESI, SANCHEZ, SHUSTERMAN,
PASHINSKI, O'MARA AND RABB, SEPTEMBER 26, 2025

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
SEPTEMBER 29, 2025

A RESOLUTION

1 Directing the Joint State Government Commission to conduct a
2 study evaluating the feasibility of a multifaceted approach
3 to decreasing food waste given this Commonwealth's current
4 infrastructure.

5 WHEREAS, Food waste is defined as a decrease of food in
6 stages of the supply chain intended for human consumption; and

7 WHEREAS, The United States Department of Agriculture
8 estimates that 30% to 40% of the food supply in the United
9 States is wasted; and

10 WHEREAS, The amount of food wasted every year is
11 approximately 92 billion pounds, representing roughly 145
12 billion meals' worth of food annually; and

13 WHEREAS, The PA Waste Characterization Study, published in
14 2022, revealed that food waste was 17%, or 1,593,109 tons, of
15 the waste in this Commonwealth's waste stream on an annual basis
16 and that edible food comprises over 72% of total food waste; and

17 WHEREAS, Americans throw away approximately \$473 billion in
18 food every year, including food at retailers, restaurants and at

1 home; and

2 WHEREAS, Food waste accounts for approximately 24% of
3 landfill weight at landfills; and

4 WHEREAS, Methane is released when food breaks down in
5 landfills, which is a greenhouse gas that is more than 28 times
6 more powerful than carbon dioxide; and

7 WHEREAS, This Commonwealth's Statewide network of nonprofit
8 regional food banks, and the nearly 3,000 local food assistance
9 agencies they serve, work to reduce food waste by rescuing
10 surplus foods from manufacturers, retailers and farms; and

11 WHEREAS, This Commonwealth benefits from several successful
12 food rescue programs designed to reduce waste by moving food to
13 individuals facing hunger; and

14 WHEREAS, This Commonwealth is home to thousands of livestock
15 farms, many of which already accept donations of food for animal
16 consumption; and

17 WHEREAS, Food recycling methods like composting or anaerobic
18 digestion can help in reducing the harmful impacts of food
19 waste; and

20 WHEREAS, Composting can turn what would ordinarily be food
21 waste into plant and soil amendment for trees and shrubs or
22 mixed in as topsoil, helping with water retention and providing
23 valuable nutrients for plant life; and

24 WHEREAS, Anaerobic digestion, which is the method of
25 controlling the breakdown of food waste by microorganisms,
26 releases a biogas from which methane can be extracted and used
27 to power engines, run alternative fuel vehicles and supply homes
28 and businesses through natural gas pipelines; and

29 WHEREAS, Food waste being repurposed and recycled for other
30 uses has both positive environmental and economic impacts and

1 should be studied; therefore be it

2 RESOLVED, That the House of Representatives direct the Joint
3 State Government Commission to conduct a study evaluating the
4 feasibility of a multifaceted approach to decreasing food waste
5 given this Commonwealth's current infrastructure, including:

6 (1) incentivizing additional food rescue operations to
7 enable safe and wholesome food to be eaten by individuals;

8 (2) incentivizing collection of food no longer
9 marketable to individuals for consumption by livestock to be
10 composted instead of landfilled;

11 (3) when and if no other option is available,
12 incentivizing the disposal of food at anaerobic digestion
13 facilities permitted to accept food waste; and

14 (4) requiring food waste recycling by businesses and
15 individuals within this Commonwealth given the current
16 infrastructure;

17 and be it further

18 RESOLVED, That the Joint State Government Commission develop
19 a report of the results of the study in collaboration with the:

20 (1) Department of Agriculture;

21 (2) Department of Environmental Protection;

22 (3) at least one nonprofit organization currently
23 engaged in food rescue operations; and

24 (4) at least one business engaged in composting or
25 biodigestion;

26 and be it further

27 RESOLVED, That the Joint State Government Commission provide
28 recommendations necessary or desirable for ways to improve this
29 Commonwealth's infrastructure for reducing food waste, including
30 a comparative cost analysis of compost versus landfilling

1 organic waste and recommendations, including, but not limited
2 to, lowering financial barriers to compost, including
3 consideration of increasing the cost of landfilling; and be it
4 further

5 RESOLVED, That the Joint State Government Commission issue a
6 report of the results of the study and recommendations
7 evaluating this Commonwealth's physical and human infrastructure
8 for reducing food waste and file the report with the House of
9 Representatives no later than one year after adoption of this
10 resolution.