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**SUBSTITUTE HOUSE BILL 1395**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** House Rural Development, Agriculture & Natural Resources (originally sponsored by Representatives Morgan, Ramos, Ormsby, Valdez, Kloba, Simmons, Ortiz-Self, Shewmake, Ramel, Paul, Fitzgibbon, J. Johnson, Sells, Ryu, Peterson, Slatter, Pollet, Berg, Macri, Gregerson, Eslick, Callan, and Harris-Talley)

AN ACT Relating to ensuring equity in farming; adding a new chapter to Title 15 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature finds that the agricultural industry is a significant part of the culture and economy of Washington. Even so, according to the 2017 census of agriculture prepared by the United States department of agriculture, farmers from historically underrepresented groups make up only a small fraction of total farmers. For example, less than 2,000 producers out of 63,298 total, or about three percent, are from American Indian and Alaska Native, Asian, Black/African American, and Native Hawaiian and Pacific Islander communities. Additionally, under 3,000 producers report to be of Latin, Hispanic, or Spanish origin.

(2) The legislature further recognizes systemic barriers for historically underrepresented groups have kept these groups from accessing opportunities in agriculture. It is critical to provide opportunities to enter and remain in the agricultural industry to people who are underrepresented in agriculture.

(3) Therefore, it is the intent of the legislature to ensure opportunities for historically underrepresented groups to enter and remain in the farming industry. Further, it is the intent of the legislature to ensure that farmers and ranchers from historically underrepresented groups are aware of and have equitable access to federal and state resources available to help them thrive.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Farming and ranching" means engaging in activities associated with agriculture, including growing, producing, or raising commodities such as livestock, fruit, vegetables, or grains. Farming and ranching may be conducted on land owned, leased, or otherwise lawfully accessed by the farmer or rancher through either a formal or informal agreement.

(2) "Historically underrepresented farmer or rancher" means a farmer or rancher who is a member of a historically underrepresented group of people.

(3) "Historically underrepresented group" means a group of people whose members have not been represented in farming or ranching due to prejudice based on race or ethnicity. These groups include all of the following:

(a) Black/African Americans;

(b) Native Americans and Alaska Natives;

(c) Latin Americans and Hispanics;

(d) Asian Americans;

(e) Native Hawaiians and Pacific Islanders.

(4) "Urbanized area," as used by the United States census bureau, means a geographic area with a population of at least 50,000 people.

NEW SECTION. **Sec.**  (1) The department shall ensure the inclusion of historically underrepresented farmers and ranchers, including historically underrepresented farmers and ranchers in urbanized areas, in the development, implementation, and enforcement of food and agriculture laws, rules, regulations, policies, and programs.

(2) The department shall:

(a) Consult with the office of equity, the conservation commission, historically underrepresented farmers and ranchers, organizations that represent historically underrepresented farmers and ranchers, farmworkers, labor advocates, and organizations that represent farmworkers, labor advocates, or both on opportunities for historically underrepresented farmers and ranchers, and to coordinate state programs;

(b) Disseminate information regarding opportunities for historically underrepresented farmers and ranchers provided by federal government agencies including, but not limited to, the:

(i) United States department of agriculture;

(ii) United States environmental protection agency;

(iii) General accounting office; and

(iv) Office of management and budget;

(c) Work with the office of equity to evaluate boards, committees, commissions, and advisory panels created under this title and Titles 16 and 17 RCW for inclusion of and outreach to historically underrepresented farmers and ranchers; and

(d) Consider ways to increase engagement in agricultural education and workforce development opportunities for youth in historically underrepresented groups, so young people view farming as a viable career.

NEW SECTION. **Sec.**  (1) On or before October 31, 2022, the department of agriculture shall submit a report in accordance with RCW 43.01.036 to the governor and the legislature. The report must describe the department's efforts to serve historically underrepresented farmers and ranchers in Washington state pursuant to section 3 of this act, identify any existing gaps, including barriers to raising capital for land ownership and financing barriers to obtaining equipment, and include recommendations to improve outreach to and resources for historically underrepresented farmers and ranchers.

(2) The definitions in section 2 of this act apply throughout this section unless the context clearly requires otherwise.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act constitute a new chapter in Title 15 RCW.

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