

# SENATE BILL REPORT

## SB 5214

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As Reported by Senate Committee On:  
Human Services, January 22, 2025

**Title:** An act relating to mobile market programs.

**Brief Description:** Concerning mobile market programs.

**Sponsors:** Senators Shewmake, Harris, Wellman, Kauffman, Stanford, Chapman, Riccelli, Saldaña, Hasegawa, Krishnadasan, Nobles, Slatter and Valdez.

**Brief History:**

**Committee Activity:** Human Services: 1/15/25, 1/22/25 [DPS, w/oRec].

### Brief Summary of First Substitute Bill

- Establishes the Mobile Market Program within the Department of Health.
- Provides that women, infant, and children, and senior farmers market nutrition program participants may use their benefits at mobile markets.

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### SENATE COMMITTEE ON HUMAN SERVICES

**Majority Report:** That Substitute Senate Bill No. 5214 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Orwall.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Christian, Ranking Member; Warnick.

**Staff:** Alison Mendiola (786-7488)

**Background:** There are more than 100 farmers markets in Washington. Farmers markets

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may accept Basic Food benefits, Women, Infants and Children Nutrition Program (WIC) benefits, Federal Market Nutrition Program (FMNP) benefits, as well as other incentive programs targeted to provide low-income households with access to fresh vegetables and produce.

The Basic Food Program is Washington State's name for the combination of federally-funded Supplemental Nutrition Assistance Program and the state-funded Food Assistance Program for Legal Immigrants . Basic Food helps low-income individuals and families access nutritious foods.

Administered by the Department of Health (DOH), WIC serves pregnant people, nursing parents, infants, and children under the age of five. According to DOH, WIC helps improve the health of parents and children through nutrition education, nursing support, healthy foods, and health screening and referrals. Eligibility is based on household size and income. A household may receive WIC benefits in addition to Basic Food and as other economic benefits. In January through November 2024, 202,690 WIC participants used some of their benefits at farmers markets.

FMNP was established by Congress in 1992 to provide fresh, unprepared, locally grown fruits and vegetables to participants of the WIC program, and to expand the awareness, use of, and sales at farmers markets. This program is administered through the United States Department of Agriculture. In Washington, the program is administered by DOH.

The FMNP administers the WIC and the Senior Farmers Market Nutrition Program (SFMNP). The WIC and SFMNP programs have three main goals:

- to provide fresh, nutritious, unprocessed, locally grown fruits, vegetables and cut herbs to WIC participants and low-income seniors;
- to expand awareness, use, and sales at farmers markets and authorized farm stores; and
- to provide nutrition information to WIC and senior participants, such as the importance of fruits and vegetables in their diet and how to store and prepare them.

Eligible WIC participants are issued FMNP benefits in addition to their regular WIC benefits. WIC and SFMNP benefits can be used to buy eligible foods from farmers, farmers markets, or farm stands that have been approved by DOH to accept FMNP and provide access to locally grown fruits, vegetables, and herbs. Both WIC and SFMNP are both federally and state funded. In Washington, WIC participants receive \$30 and SFMNP participants receive \$80 for the market season.

The SFMNP is part of the Department of Social and Health Services Aging and Long-Term Support Administration. To be eligible for SFMNP, a participant must be a low-income adult over the age of 60 or age 55 for Native Americans or Alaska Natives.

In 2024, 35,571 WIC and 34,409 SFMNP participants utilized program benefits.

Mobile markets operate from a truck, van, trailer, or other mobile vehicle. Similar to farmers markets, mobile markets can serve various communities on a scheduled or rotating basis. Mobile markets exist across the country and provide access to fresh food in rural communities where there may be limited access to a farmers market, people must travel long distances to access stores that sell fresh food, or people have limited access to transportation. In some states, mobile markets can accept WIC and SFMNP.

**Summary of Bill (First Substitute):** The Mobile Market Program (Program) is established within the DOH with the goal of providing increased nutrition access to participants of the WIC and SFMNP so long as funding is made available through the United States Department of Agriculture (USDA).

Through rulemaking, DOH is to establish the Program and define the Program which, at a minimum, must require Programs be operated by non-profit organizations and prevent market competition between a mobile market and a farmers market that is participating in the FMNP.

DOH may file a waiver with the USDA to allow mobile market programs to accept both WIC and SFMNP benefits, if it deems it is necessary to do so.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):**

Roadside stands is struck and replaced with farm stands. At a minimum, the definition of mobile markets must require Programs be operated by a non-profit organization and prevent market competition between a mobile market and a farmers market that is participating in the FMNP. The effective date of May 1, 2025, is struck and replaced with March 1, 2026. The emergency clause is struck.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on March 1, 2026.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: Some areas of the state are very rural and it is hard to access fresh fruits and vegetables. For example, in Whatcom county you can be in an area that is a one hour bus ride to Bellingham, and even longer to a grocery store. While you can get some things at the convenience store, there are no fresh products. Parts of Whatcom County are a USDA designated food desert. It's about geographic

equity. A mobile market can help fill this gap and while they can currently accept some food benefit programs such as EBT and Market Match, they are not allowed to accept WIC and Senior FMNP benefits. Mobile markets can go to where the underserved areas are and in this area there isn't the economic base to support a farmers market. The mobile market in Whatcom County purchases food from local growers. There is support for expanded food access. However, we should be concerned about how a mobile market is defined to maintain the connection with local food. There are concerns about DOH being able to implement this by the effective date, in time for this year's market season.

OTHER: It is vitally important to maintain the core purpose and intent of the FMNP of purchasing directly from farmers. We need to safeguard the integrity of the program for all growers and markets, although we understand there are gaps. We support mobile markets, they just need to be kept distinct from farmers markets.

**Persons Testifying:** PRO: Senator Sharon Shewmake, Prime Sponsor; Caitlin Sieh, Twin Sisters Mobile Market (Director of Special Projects); Claire Lane, Anti-Hunger & Nutrition Coalition.

OTHER: Colleen Donovan, WA State Farmers Market Association.

**Persons Signed In To Testify But Not Testifying:** No one.