

AN ACT relating to the Department of Corrections' farm operations.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 196 IS CREATED TO READ AS FOLLOWS:

(1) For the purposes of this section and administrative regulations promulgated under its provisions:

(a) "Agricultural commodity" means any agricultural product, including but not limited to plant and animal products grown, raised, or produced within this state for use as food, feed, seed, or any aesthetic, industrial, or chemurgic purpose;

(b) "Agriculture" means the business of raising or producing:

1. Crops, the products of which are used for food, feed, fiber, energy, or pharmaceuticals;
2. Horticulture products;
3. Aquaculture products;
4. Livestock, poultry, and ratite birds and eggs;
5. Milk and milk products;
6. Eggs and egg products;
7. Bees and bee products;
8. Timber; and
9. Viticulture;

(c) "Apiary" means any place where one (1) or more colonies or nuclei of bees are kept;

(d) "Aquaculture" means the science, art, and business of producing and raising aquatic organisms under controlled or semi-controlled conditions;

(e) "Food bank" means a surplus food collection and distribution system operated and established to assist in bringing donated food to nonprofit

charitable organizations and individuals for redistribution to reduce hunger and supply nutritional needs;

(f) "Livestock" means cattle, sheep, swine, goats, horses, llamas, buffaloes, deer, elk, and any other animals of the bovine, ovine, porcine, caprine, or equine species; and

(g) "Poultry" means chickens, ducks, turkeys, or other domestic fowl.

(2) There is hereby established a Farm Operations Program in the Department of Corrections to decrease the operating costs of Kentucky correctional institutions, improve the health of inmates, promote healthy living, and train inmates for future employment. To the extent feasible, the department shall extend the benefits of farm programs operated by the department on the effective date of this Act to all correctional institutions within the Commonwealth, including adult correctional facilities operating under KRS 197.505 to 197.525.

(3) The Farm Operations Program shall include but is not limited to livestock, agricultural, apiary, and aquacultural production.

(4) Any agricultural commodity grown or produced at institutions under the Farm Operations Program shall be consumed or utilized by:

(a) Inmates housed in correctional institutions within the Commonwealth, including adult correctional facilities operating under KRS 197.505 to 197.525; and

(b) Persons employed by a correctional facility within the Commonwealth and associated staff.

(5) If there is a surplus of agricultural commodities as determined by the department, the surplus shall be donated to food banks or other charitable nonprofit food distribution programs operated within the Commonwealth.

(6) The livestock production, use, and sale, domestic and foreign, of cattle and bovine animal products shall be:

- (a) Exempt from subsections (4) and (5) of this section; and
- (b) Any revenue generated from the production or sale of cattle and bovine animal products shall be for the sole use of the Farm Operations Program.
- (7) No agricultural commodity governed under this section, shall be sold, given, delivered, transferred, or otherwise made available to a third party except as authorized by subsections (5) and (6) of this section.
- (8) As allowed by statute, the department shall utilize the services of inmates of the adult correctional institutions to perform the work needed to implement this section.
- (9) The department may create an outreach program to facilitate the development and implementation of a farm operations program for county jails operating within the Commonwealth.
- (10) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to:
- (a) Develop a strategic plan for the implementation of goals, objectives, and program criteria;
- (b) Identify land and property suitable for development pursuant to this section;
- (c) Create a strategic plan to increase the use of agricultural commodities in the inmates' diet; and
- (d) Incorporate and expand the farm programs operated by the department on the effective date of this Act into the Farm Operations Program established in this section.
- (11) The department shall submit an annual report to the Interim Joint Committee on Judiciary by November 1, beginning in 2017, that provides information on the status of the program, including:
- (a) Progress made in achieving the program's purposes;
- (b) Any obstacles to making progress;

- (c) Any findings or recommendations to increase the program's ability to better achieve the Farm Operation Program's purposes;
- (d) Quantitative and qualitative information on the various types of agricultural production undertaken by the department in the program, including those described in subsection (1) of this section;
- (e) Expenditures and cost savings attributed to the program; and
- (f) Any other information the department can provide to inform the committee of the program's operations.