

STATE FOOD SUPPLY AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor: _____

LONG TITLE

General Description:

This bill addresses regulation of local food.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ addresses the imposition of restrictions on local food during an emergency; and
- ▶ addresses rulemaking authority.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53-2a-222, Utah Code Annotated 1953

63G-3-203, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-2a-222** is enacted to read:

53-2a-222. Control of food production during a state of emergency.

(1) As used in this section, "local food" means an agricultural or livestock product that



28 is:

29 (a) produced, processed, and distributed for sale within the state; and

30 (b) sold to an end consumer within the state.

31 (2) During a state of emergency or local emergency:

32 (a) the governor, an executive branch agency, or a political subdivision may not impose
33 a restriction controlling the production, processing, distribution, or sale price of local food;

34 (b) except as provided in Subsection (2)(c), a state statute may impose a restriction
35 controlling the production, processing, distribution, or sale price of local food, only if passed
36 by a two-thirds majority vote of each house; and

37 (c) a statute described in Subsection (2)(b) may not impose a restriction on a home
38 garden.

39 (3) A restriction imposed under this section may not violate the Constitution of the
40 United States or the Utah Constitution.

41 Section 2. Section **63G-3-203** is enacted to read:

42 **63G-3-203. Rules impacting local food.**

43 (1) As used in this section, "local food" means the same as that term is defined in
44 Section [53-2a-222](#).

45 (2) An executive branch agency may not make a rule that impacts more than 50% of
46 the production of a local food product within a county or the state.