

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5131

**FISCAL
NOTE**

By Delegate Young

[Introduced February 03, 2026; referred to the
Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, relating to establishing a food desert program under the Department of Agriculture to provide residents of food desert communities with access to fresh and affordable produce.

Be it enacted by the Legislature of West Virginia:

ARTICLE 67. FOOD DESERT PROGRAM.

§16-67-1. Food desert program.

(a) A "food desert community" is an area that lacks access to nutritious, affordable food.

(b) The Department of Agriculture shall establish a two-year program to provide residents of food desert communities with access to fresh and affordable produce. In establishing the program, the department shall select one or more partnering providers to establish weekly markets in three food desert communities, one of which shall be located in a rural area, in order to make fruits and vegetables more affordable to families and individuals with limited access to fresh food.

(c) The department shall:

(1) Solicit and select a partnering provider that demonstrates the ability to reliably provide a consistent, year-round supply of reasonably priced fresh fruits and vegetables to serve food desert communities;

(2) Work with food desert communities to identify and recruit a partnering provider to establish weekly markets, which may be operated in partnership with local public schools, community organizations, or nonprofit organizations; and

(3) Engage in appropriate outreach efforts with food desert communities, the agricultural industry, and the public concerning the availability of the program.

(d) A partnering provider that operates a market shall, at a minimum:

(1) Demonstrate to the department the ability to reliably provide a consistent, year-round supply of reasonably priced fresh fruits and vegetables;

- 20 (2) Accept cash, credit, debit, and food vouchers for produce at any market operating
21 under the program;
- 22 (3) Offer reduced price produce packages;
- 23 (4) Include storage guides containing information on how to keep the produce fresh and
24 recipes for use of the produce; and
- 25 (5) Donate any surplus produce at the end of each market to food banks, food pantries,
26 soup kitchens, and other nonprofit organizations that distribute food to individuals in need located
27 in the state.
- 28 (e) Within two years after the date of enactment of this article the department shall submit a
29 written report to the Legislature, summarizing the program established pursuant to this section;
30 identifying the partnering providers and food desert communities participating in the program, as
31 well as the number of families and individuals served by the markets, and the amount of food
32 vouchers redeemed at the markets; and providing recommendations for legislative actions to
33 expand access to, and the affordability of, fruits and vegetables to residents in food desert
34 communities throughout the state.

NOTE: The purpose of this bill is to establish a food desert program to provide communities with access to fresh and affordable produce.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.