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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)

READ FIRST TIME 02/12/21.

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

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
5 agricultural industry is a significant part of the culture and  
6 economy of Washington. Even so, according to the 2017 census of  
7 agriculture prepared by the United States department of agriculture,  
8 farmers from historically underrepresented groups make up only a  
9 small fraction of total farmers. For example, less than 2,000  
10 producers out of 63,298 total, or about three percent, are from  
11 American Indian and Alaska Native, Asian, Black/African American, and  
12 Native Hawaiian and Pacific Islander communities. Additionally, under  
13 3,000 producers report to be of Latin, Hispanic, or Spanish origin.

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

19 (3) Therefore, it is the intent of the legislature to ensure  
20 opportunities for historically underrepresented groups to enter and  
21 remain in the farming industry. Further, it is the intent of the

1 legislature to ensure that farmers and ranchers from historically  
2 underrepresented groups are aware of and have equitable access to  
3 federal and state resources available to help them thrive.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires  
6 otherwise.

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

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

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

- 20 (a) Black/African Americans;
- 21 (b) Native Americans and Alaska Natives;
- 22 (c) Latin Americans and Hispanics;
- 23 (d) Asian Americans;
- 24 (e) Native Hawaiians and Pacific Islanders.

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

27 NEW SECTION. **Sec. 3.** (1) The department shall ensure the  
28 inclusion of historically underrepresented farmers and ranchers,  
29 including historically underrepresented farmers and ranchers in  
30 urbanized areas, in the development, implementation, and enforcement  
31 of food and agriculture laws, rules, regulations, policies, and  
32 programs.

33 (2) The department shall:

34 (a) Consult with the office of equity, the conservation  
35 commission, historically underrepresented farmers and ranchers,  
36 organizations that represent historically underrepresented farmers  
37 and ranchers, farmworkers, labor advocates, and organizations that  
38 represent farmworkers, labor advocates, or both on opportunities for

1 historically underrepresented farmers and ranchers, and to coordinate  
2 state programs;

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

6 (i) United States department of agriculture;

7 (ii) United States environmental protection agency;

8 (iii) General accounting office; and

9 (iv) Office of management and budget;

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

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

18 NEW SECTION. **Sec. 4.** (1) On or before October 31, 2022, the  
19 department of agriculture shall submit a report in accordance with  
20 RCW 43.01.036 to the governor and the legislature. The report must  
21 describe the department's efforts to serve historically  
22 underrepresented farmers and ranchers in Washington state pursuant to  
23 section 3 of this act, identify any existing gaps, including barriers  
24 to raising capital for land ownership and financing barriers to  
25 obtaining equipment, and include recommendations to improve outreach  
26 to and resources for historically underrepresented farmers and  
27 ranchers.

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

30 NEW SECTION. **Sec. 5.** Sections 1 through 3 of this act  
31 constitute a new chapter in Title 15 RCW.

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