

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_ May 13, 2021  
Chair of Committee Date

Committee on Agriculture & Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB21-235 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 15, strike "**rules.**" and substitute "**rules**
- 2 **- repeal.**".
- 3 Page 3, line 18, change the comma to a period.
- 4 Page 3, strike lines 19 through 25.
- 5 Page 4, line 4, strike "PURPOSES" and substitute "PURPOSE".
- 6 Page 4, after line 19 insert:
- 7 "(IV) THIS SUBSECTION (1)(ff) IS REPEALED, EFFECTIVE
- 8 DECEMBER 31, 2022."
- 9 Page 4, line 20, after "35-75-205," insert "**amend** (1); and".
- 10 Page 4, line 23, after "**created** -" insert "**definition** -".
- 11 Page 4, line 24, strike "(4) (a)" and substitute "(1) (a) ~~Moneys~~ MONEY
- 12 received by the board from public or private gifts, grants, or donations or
- 13 from any other source shall be forwarded to the state treasurer and shall
- 14 be credited to the agriculture value-added cash fund, which fund is hereby
- 15 created. ~~Moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to
- 16 the board and shall be used for the purpose of preparing criteria and

1 reviewing applications as provided in section 35-75-204 and for financial  
2 or technical assistance to agricultural projects, project concepts, and  
3 research as approved by the board. All interest earned on the investment  
4 of ~~moneys~~ MONEY in the fund shall be credited to the fund. The board  
5 may provide or facilitate grants, loans and loan guarantees, and equity  
6 investments for agricultural projects, project concepts, or research; except  
7 that such grants, loans and loan guarantees, and equity investments shall  
8 be limited to two million dollars per project AND, OF THE MONEY  
9 TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (4)(a) OF THIS  
10 SECTION, THE BOARD SHALL ALLOCATE AT LEAST ONE HUNDRED FIFTY  
11 THOUSAND DOLLARS TO RESEARCH, GUIDANCE, TECHNICAL ASSISTANCE,  
12 FEASIBILITY STUDIES, AND PROJECTS RELATED TO AGRIVOLTAICS. Grants,  
13 loans and loan guarantees, and equity investments may only be provided  
14 to feasible projects and for an amount that is the least amount necessary  
15 to cause the project to occur, as determined by the board. The board may  
16 structure the grants, loans and loan guarantees, and equity investments in  
17 a way that facilitates the project and also provides for a compensatory  
18 return on investment or loan payment to the board based on the risk of the  
19 project. Any ~~moneys~~ MONEY credited to the agriculture value-added cash  
20 fund and unexpended at the end of any given fiscal year shall remain in  
21 the fund and shall not revert to the general fund or any other fund.

22 (b) AS USED IN THIS SECTION, "AGRIVOLTAICS" MEANS ONE OR  
23 MORE SOLAR ENERGY GENERATION FACILITIES CO-LOCATED ON THE SAME  
24 PARCEL OF LAND AS AGRICULTURAL PRODUCTION, INCLUDING CROP  
25 PRODUCTION, GRAZING, APIARIES, OR OTHER PRODUCTION OF  
26 AGRICULTURAL COMMODITIES FOR SALE IN THE RETAIL OR WHOLESALE  
27 MARKET.

28 (4) (a)".

29 Page 6, line 14, strike "2022." and substitute "2022, and, of the total  
30 amount expended by that date, the department shall expend at least  
31 \$1,000,000 in grants to conservation districts."

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