

111TH CONGRESS  
1ST SESSION

# H. R. 3225

To help provide funds for community gardens, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2009

Mr. INSLEE (for himself, Ms. NORTON, Mr. BLUMENAUER, Ms. MATSUI, Mr. MORAN of Virginia, Mr. CONYERS, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. MOORE of Kansas, Mr. ENGEL, Ms. KAPTUR, Mrs. MALONEY, Mr. MCGOVERN, Mr. CARSON of Indiana, Mr. GRIJALVA, Ms. LEE of California, Ms. EDWARDS of Maryland, Ms. WOOLSEY, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To help provide funds for community gardens, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Gardens  
5 Act of 2009”.

### 6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish a program  
8 to—

- 1 (1) establish community gardens to enhance the
- 2 availability of fresh fruits and vegetables and help
- 3 reduce greenhouse gas emissions;
- 4 (2) promote healthy lifestyles; and
- 5 (3) educate and train the public on the impor-
- 6 tance and value of community gardening.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

- 9 (1) The term “community garden” means a
- 10 garden for individuals in a local community.
- 11 (2) The term “eligible entity” means—
- 12 (A) a non-profit organization;
- 13 (B) a public entity;
- 14 (C) a community development organiza-
- 15 tion;
- 16 (D) a Native American or tribal group;
- 17 (E) a technical, educational, or outreach
- 18 institution;
- 19 (F) a State or local government; or
- 20 (G) a State or local governmental organi-
- 21 zation.

22 **SEC. 4. GRANTS FOR COMMUNITY GARDENS.**

23 The Secretary of Agriculture (hereinafter in this Act

24 referred to as the “Secretary”) may make grants, with

25 such terms and conditions as the Secretary determines ap-

1 appropriate, to eligible entities for activities under section  
2 6.

3 **SEC. 5. APPLICATIONS.**

4 In order to receive a grant under this Act, an eligible  
5 entity shall submit an application in such form and con-  
6 taining such information as the Secretary may require, in-  
7 cluding the costs associated with a community garden for  
8 which the eligible entity will use the grant.

9 **SEC. 6. ACTIVITIES.**

10 An eligible entity that receives a grant under this Act  
11 may use that grant to engage in activities to establish,  
12 build, or operate community gardens. Such activities may  
13 include any or all of the following:

- 14 (1) Acquiring any interest in real property.
- 15 (2) Construction.
- 16 (3) Community outreach.
- 17 (4) Operations.
- 18 (5) Any other appropriate activity.

19 **SEC. 7. ALLOCATION OF GRANTS.**

20 In making a grant under this Act, the Secretary shall  
21 consider the following:

- 22 (1) Geographic diversity among grantees.
- 23 (2) The number of individuals in a local com-  
24 munity that are likely to participate in a community  
25 garden.

1 **SEC. 8. GRANT RECIPIENT TO ENSURE TIMELY OPENING**  
2 **OF COMMUNITY GARDEN.**

3 (a) IN GENERAL.—The eligible entity that receives  
4 the last grant made under this Act for a community gar-  
5 den shall ensure that the community garden is operational  
6 not later than an opening date that is 2 years after the  
7 grant, unless the Secretary provides an exception.

8 (b) SUBSEQUENT GRANTS TO VIOLATORS.—The Sec-  
9 retary shall treat as an exception a failure by the eligible  
10 entity to ensure that the community garden is operational  
11 not later than the opening date if the eligible entity re-  
12 ceives a grant under this Act for the community garden  
13 on or after the opening date.

14 **SEC. 9. LIMITATION ON USE OF REAL PROPERTY AC-**  
15 **QUIRED WITH GRANT.**

16 An eligible entity receiving a grant under this Act  
17 that acquires an interest in real property for a community  
18 garden using the grant shall ensure that the interest in  
19 real property is used for the community garden for a pe-  
20 riod of not less than 10 consecutive years, beginning on  
21 the opening date.

22 **SEC. 10. FEDERAL SHARE OF COSTS.**

23 (a) IN GENERAL.—A grant under this section may  
24 not exceed 80 percent of the costs specified in the applica-  
25 tion and associated with all community gardens assisted  
26 with the grant.

1       (b) ELIGIBLE ENTITY CONTRIBUTIONS.—An eligible  
2 entity may cover any of those costs that are not covered  
3 by the grant using cash or an in-kind contribution.

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