

115TH CONGRESS
1ST SESSION

S. 2263

To amend the Agricultural Act of 2014 to require base acres planted to fruits, vegetables, and wild rice to be considered planted to a covered commodity for purposes of any recalculation of base acres.

IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2017

Mr. DONNELLY (for himself and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Act of 2014 to require base acres planted to fruits, vegetables, and wild rice to be considered planted to a covered commodity for purposes of any recalculation of base acres.

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 “Fruit and Vegetable
5 Planting Flexibility Act of 2017”.

1 **SEC. 2. EFFECT OF PLANTING FRUITS AND VEGETABLES.**

2 Section 1114 of the Agricultural Act of 2014 (7
3 U.S.C. 9014) is amended by striking subsection (e) and
4 inserting the following:

5 “(e) EFFECT OF PLANTING FRUITS AND VEGETA-
6 BLES.—

7 “(1) REDUCTION REQUIRED.—In the manner
8 provided in this subsection, payment acres on a farm
9 shall be reduced in any crop year in which fruits,
10 vegetables (other than mung beans and pulse crops),
11 or wild rice have been planted on base acres on a
12 farm.

13 “(2) PRICE LOSS COVERAGE AND COUNTY COV-
14 ERAGE.—In the case of price loss coverage payments
15 and agricultural risk coverage payments using coun-
16 ty coverage, the reduction under paragraph (1) shall
17 be the amount equal to the base acres planted to
18 crops referred to in that paragraph in excess of 15
19 percent of base acres.

20 “(3) INDIVIDUAL COVERAGE.—In the case of
21 agricultural risk coverage payments using individual
22 coverage, the reduction under paragraph (1) shall be
23 the amount equal to the base acres planted to crops
24 referred to in that paragraph in excess of 35 percent
25 of base acres.

1 “(4) REDUCTION EXCEPTIONS.—No reduction
2 to payment acres shall be made under this sub-
3 section if—

4 “(A) cover crops or crops described in
5 paragraph (1) are grown solely for conservation
6 purposes and not harvested for use or sale, as
7 determined by the Secretary; or

8 “(B) in any region in which there is a his-
9 tory of double-cropping covered commodities
10 with crops described in paragraph (1), those
11 crops were so double-cropped on the base acres,
12 as determined by the Secretary.

13 “(5) RECALCULATION OF BASE ACRES.—

14 “(A) IN GENERAL.—For each crop year
15 for which fruits, vegetables (other than mung
16 beans and pulse crops), or wild rice are planted
17 to base acres on a farm for which a reduction
18 in payment acres is made under this subsection,
19 the Secretary shall consider those base acres to
20 be planted or prevented from planting to a cov-
21 ered commodity for purposes of any realloca-
22 tion, adjustment, or reduction of base acres for
23 the farm under section 1112.

24 “(B) PROHIBITION.—Nothing in this para-
25 graph provides authority to the Secretary to re-

- 1 allocate, adjust, reduce, or otherwise recalculate
- 2 base acres for a farm.”.

