

## S 2682

### Protecting America's Orchardists and Nursery Tree Growers Act

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Agriculture and Food

**Introduced:** Jul 27, 2023

**Current Status:** Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.

**Latest Action:** Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (Jul 27, 2023)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/2682>

### Sponsor

**Name:** Sen. Warnock, Raphael G. [D-GA]

**Party:** Democratic • **State:** GA • **Chamber:** Senate

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Tillis, Thomas [R-NC]	R · NC		Jul 27, 2023
Sen. Ossoff, Jon [D-GA]	D · GA		Apr 18, 2024

### Committee Activity

Committee	Chamber	Activity	Date
Agriculture, Nutrition, and Forestry Committee	Senate	Referred To	Jul 27, 2023

### Subjects & Policy Tags

#### Policy Area:

Agriculture and Food

### Related Bills

Bill	Relationship	Last Action
118 HR 4739	Related bill	<b>Sep 19, 2023:</b> Referred to the Subcommittee on General Farm Commodities, Risk Management, and Credit.

## **Protecting America's Orchardists and Nursery Tree Growers Act**

This bill expands eligibility and flexibility under the Tree Assistance Program (TAP) of the Farm Service Agency (FSA). (TAP provides financial assistance to qualifying orchardists and nursery tree growers to replant or rehabilitate eligible trees, bushes, and vines damaged by natural disasters.)

The bill expands eligibility to include growers who produce biennial crops. The current program is limited to producers of annual crops.

The bill also expands eligibility to include growers who experience tree mortality that exceeds normal mortality. Currently, mortality must exceed 15%.

Further, the bill exempts growers who derive at least 75% of their average adjusted gross income from farming, ranching, or silviculture activities from a limit on adjusted gross income. (Under current law, the limit prohibits a grower with an average adjusted gross income that exceeds \$900,000 from being eligible for TAP.)

A grower may carry out any replacement and rehabilitation activities within 12 months of approval of the application for assistance or at such time as is necessary to ensure tree survival. Further, a grower may replant using an alternative (1) variety, (2) stand density, and (3) location than was used prior to the loss.

Finally, the FSA must approve or deny an application (and notify the applicant) within 120 days of receiving the application.

### **Actions Timeline**

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- **Jul 27, 2023:** Introduced in Senate
- **Jul 27, 2023:** Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.