

111TH CONGRESS
2D SESSION

S. 3870

To amend the Federal Crop Insurance Act to permit certain livestock owners to plant a secondary crop for the use of the producer as emergency feed.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Federal Crop Insurance Act to permit certain livestock owners to plant a secondary crop for the use of the producer as emergency feed.

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. EMERGENCY EXCEPTION FOR PREVENTED**
4 **PLANTING.**

5 Section 508A(c) of the Federal Crop Insurance Act
6 (7 U.S.C. 1508a(c)) is amended—

7 (1) in paragraph (1), by inserting “paragraph
8 (6) or” before “subsections (d) and (e)”; and

1 (2) in paragraph (3), by inserting “an emer-
2 gency described in paragraph (6) or” after “in the
3 case of”; and

4 (3) by adding at the end the following:

5 “(6) EMERGENCY EXCEPTION.—

6 “(A) IN GENERAL.—A producer may plant
7 a second crop on the same acreage for harvest
8 in the same crop year as a first crop and re-
9 ceive full prevented planting indemnity pay-
10 ments under this subsection, if, as determined
11 by the Corporation—

12 “(i) the producer owns livestock;

13 “(ii) the affected agricultural oper-
14 ation of the producer is located in an area
15 that experienced excessive precipitation
16 that prevented the producer from planting
17 the first crop by the final planting date for
18 the crop established by the Risk Manage-
19 ment Agency; and

20 “(iii) the producer uses the second
21 crop solely for emergency feed of the live-
22 stock of the producer.

23 “(B) EFFECT ON ACTUAL PRODUCTION
24 HISTORY.—In the case of a producer described
25 in subparagraph (A)—

1 “(i) the adjustment in actual produc-
2 tion history described in paragraph (3)
3 shall be 100 percent of the producer’s ac-
4 tual production history for the agricultural
5 commodity; and

6 “(ii) the second crop shall not be con-
7 sidered the crop of record unless the pro-
8 ducer so elects.”.

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