

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB26-023 be amended as follows:

1 Amend printed bill, page 3, after line 4 insert:

2 "SECTION 2. In Colorado Revised Statutes, 22-82.9-205, **amend**
3 (1), (2), (3), and (4); and **add** (6) as follows:

4 **22-82.9-205. Local food purchasing grant - amount - advisory**
5 **committee - verification of invoices - definition.**

6 (1) (a) Subject to subsection (5) of this section, each participating
7 school food authority OR CHARTER SCHOOL THAT OPERATES UNDER A
8 PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY that commits to
9 operating an advisory committee as described in subsection (3) of this
10 section is eligible to receive a local food purchasing grant pursuant to this
11 section to purchase Colorado grown, raised, or processed products. It is
12 the general assembly's intent that these grants be used primarily to support
13 small- and medium-sized farms and ranches.

14 (b) On or before August 1 of the first full budget year in which
15 this section is effective as provided in subsection (5) of this section and
16 on or before August 1 of each budget year thereafter, each participating
17 ~~school food authority~~ GRANTEE shall track and report to the department
18 for the preceding budget year:

19 (I) The total amount spent in purchasing all products used in
20 preparing meals and how much of that total was attributable to the local
21 food purchasing grant the participating ~~school food authority~~ GRANTEE
22 received;

23 (II) The total amount spent to purchase Colorado grown, raised,
24 or processed products and how much of that total was attributable to the
25 local food purchasing grant the participating ~~school food authority~~
26 GRANTEE received;

27 (III) The total amount spent to purchase value-added processed
28 products and how much of that total was attributable to the local food
29 purchasing grant the participating ~~school food authority~~ GRANTEE
30 received; and

31 (IV) The total number of eligible meals the participating ~~school~~
32 ~~food authority~~ GRANTEE provided to students.

33 (2) (a) Subject to subsection (2)(b) of this section, at the beginning
34 of each budget year the department, subject to available appropriations,
35 shall distribute to each participating ~~school food authority~~ GRANTEE that
36 is eligible to receive a grant pursuant to this section an amount established
37 pursuant to section 22-82.9-211 (3). The participating ~~school food~~
38 ~~authority~~ GRANTEE shall use the money received pursuant to this section
39 to purchase only Colorado grown, raised, or processed products and as
40 provided in subsection (3)(b) of this section and shall not use more than
41 twenty-five percent of the amount received to purchase value-added

1 processed products. In addition, a ~~school food authority~~ PARTICIPATING
2 GRANTEE may use up to ten percent of the money received pursuant to
3 this section to pay allowable costs, as identified by rules of the state
4 board, incurred in complying with this section.

5 (b) At the beginning of each budget year, each participating
6 ~~school food authority~~ GRANTEE shall submit to the department an estimate
7 of the amount it expects to spend to purchase Colorado grown, raised, or
8 processed products for the budget year; a description of the items and
9 amounts it expects to purchase; and a list of the suppliers from which it
10 expects to purchase the items. If, based on the information provided, the
11 department determines that a participating ~~school food authority~~ GRANTEE
12 is unlikely to spend the full amount of the grant described in subsection
13 (2)(a) of this section, the department shall reduce the amount of the grant
14 accordingly. The department shall distribute to other participating ~~school~~
15 ~~food authorities~~ GRANTEES that are eligible to receive grants pursuant to
16 this section any amount that is retained pursuant to this subsection (2)(b).
17 The department shall distribute the additional amounts to the participating
18 ~~school food authorities~~ GRANTEES for which the grant amount calculated
19 pursuant to subsection (2)(a) of this section is less than twenty-five
20 thousand dollars, prioritized based on the highest identified student
21 percentages and greatest financial need.

22 (3) (a) To receive a local food purchasing grant pursuant to this
23 section, a participating ~~school food authority~~ GRANTEE must have or
24 establish an advisory committee made up of students and parents of
25 students enrolled in the public schools served by the participating school
26 food authority. In selecting students and parents to serve on the advisory
27 committee, the participating ~~school food authority~~ GRANTEE shall ensure
28 that the membership of the advisory committee reflects the racial, ethnic,
29 and socioeconomic demographics of the student population enrolled by
30 the participating ~~school food authority~~ GRANTEE. The advisory committee
31 shall advise the participating ~~school food authority~~ GRANTEE concerning
32 the selection of foods to ensure that meals are culturally relevant, healthy,
33 and appealing to all ages of the student population.

34 (b) A participating ~~school food authority~~ GRANTEE may use up to
35 twelve percent of the amount received pursuant to subsection (2) of this
36 section to support implementation of the advisory committee required in
37 subsection (3)(a) of this section.

38 (c) A ~~school food authority~~ GRANTEE that provided one million or
39 fewer lunches in the 2023-24 school year may, subject to approval by the
40 department, work with other ~~school food authorities~~ GRANTEES to
41 implement an advisory committee that collaborates with multiple school
42 food authorities.

43 (d) An advisory committee established pursuant to this subsection

- 1 (3) is not limited to, but may:
- 2 (I) Schedule and hold meetings as necessary for the advisory
- 3 committee to have ongoing collaboration with the participating ~~school~~
- 4 ~~food authority~~ GRANTEE and achieve the advisory committee's goals;
- 5 (II) Through student surveys or other methods as necessary, gather
- 6 student feedback on meals and meal preferences;
- 7 (III) Suggest the types of purchases of local ingredients to the
- 8 ~~school food authority~~ GRANTEE that would support local farmers and
- 9 ranchers in the school food authority's region;
- 10 (IV) Inform the school food authority of recipes that are both
- 11 nutritious and reflect the cultures of the student population enrolled by the
- 12 participating ~~school food authority~~ GRANTEE;
- 13 (V) Taste test healthy meal options;
- 14 (VI) Develop solutions to reduce food waste;
- 15 (VII) Assist the ~~school food authority~~ GRANTEE in developing
- 16 plans to support more scratch cooking;
- 17 (VIII) Assist the ~~school food authority~~ PARTICIPATING GRANTEE
- 18 in obtaining the necessary resources to provide meals that are culturally
- 19 relevant, healthy, and appealing to all ages of the student population;
- 20 (IX) Inform the ~~school food authority~~ GRANTEE of, and assist in
- 21 the implementation of, strategies to maximize the collection and
- 22 completion of household income application forms for national school
- 23 lunch programs;
- 24 (X) Evaluate the effectiveness of the advisory committee in
- 25 supporting the ~~school food authority~~ PARTICIPATING GRANTEE in
- 26 improving meal quality and student satisfaction with the meals provided
- 27 by the ~~school food authority~~ GRANTEE; and
- 28 (XI) Learn from a ~~school food authority~~ GRANTEE about the
- 29 logistics of local food procurement, menu requirements, and operational
- 30 management to support the advisory committee in suggesting realistic and
- 31 attainable changes to school meals.
- 32 (e) A ~~school food authority~~ GRANTEE may contract with an
- 33 external nonprofit organization to convene and facilitate an advisory
- 34 committee pursuant to this subsection (3).
- 35 (4) The department shall annually require a selected group of
- 36 participating ~~school food authorities~~ GRANTEES that received a grant
- 37 pursuant to this section in the preceding budget year to submit to the
- 38 department a representative sample of the invoices for the products
- 39 purchased using the grant money. No later than September 1 of the
- 40 second budget year in which this section is effective as provided in
- 41 subsection (5) of this section, and no later than September 1 of each year
- 42 thereafter, the department shall review the invoices to verify that the
- 43 products purchased met the requirements specified in this section. If the

1 department finds that a participating school food authority used a
2 significant portion of the grant money, as determined by rule of the state
3 board, to purchase products that did not meet the requirements of this
4 section, the participating ~~school food authority~~ GRANTEE is ineligible to
5 receive a grant pursuant to this section for the next budget year following
6 the budget year in which the department completes the review.

7 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES, "GRANTEE" MEANS A PARTICIPATING SCHOOL FOOD AUTHORITY
9 OR CHARTER SCHOOL THAT OPERATES UNDER A PARTICIPATING SCHOOL
10 FOOD AUTHORITY DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT IS
11 ELIGIBLE FOR AND RECEIVES A LOCAL FOOD PURCHASING GRANT PROGRAM
12 PURSUANT TO THIS SECTION.

13 **SECTION 3.** In Colorado Revised Statutes, 22-82.9-206, **amend**
14 (1) as follows:

15 **22-82.9-206. School meals food preparation and service**
16 **employees - wage increase or stipend.**

17 (1) Subject to subsection (2) of this section, in addition to the
18 amounts received pursuant to sections 22-82.9-204 and 22-82.9-205, a
19 participating school food authority OR CHARTER SCHOOL THAT OPERATES
20 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY may receive
21 an amount described in section 22-82.9-211 (3), so long as the
22 participating school food authority OR CHARTER SCHOOL THAT OPERATES
23 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY uses one
24 hundred percent of the amount received pursuant to this section to
25 increase wages or provide stipends for individuals whom the participating
26 school food authority employs to directly prepare and serve food for
27 school meals. To receive the amount described in this section, a
28 participating school food authority OR CHARTER SCHOOL THAT OPERATES
29 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY must submit
30 documentation to the department as required by rules of the state board
31 to demonstrate that the increase in wages or provision of stipends using
32 the amount received pursuant to this section is implemented for the
33 budget year in which the amount is received."

34 Renumber succeeding section accordingly.

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