

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 17-0718.01 Yelana Love x2295

**HOUSE BILL 17-1192**

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**HOUSE SPONSORSHIP**

**Duran and McLachlan,**

**SENATE SPONSORSHIP**

**Coram and Fields, Priola**

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**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL,**  
102 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill repeals the interagency farm-to-school coordination task force (task force) and ends the terms of current members of the Colorado food systems advisory council (council). The bill provides for the appointment of new members to the council.

The council's duties are to:

! Collaborate and coordinate with producers, relevant state

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
May 1, 2017

HOUSE  
Amended 2nd Reading  
April 28, 2017

and federal agencies, and consumers regarding linking Colorado producers, particularly specialty crop producers, with food and nutrition assistance programs;

- ! Collaborate with relevant state and federal agencies and other entities regarding the study, development, and recommendation of policies and methods to best implement the farm-to-school program;
- ! Collaborate with producers, relevant government agencies, educational institutions, nongovernmental organizations, and consumers regarding support for the recommendations in the Colorado blueprint for food and agriculture, and ensure that the blueprint, or its successor, is updated as needed;
- ! Conduct research regarding national best practices regarding food and nutrition assistance, direct and intermediated market development, and farm-to-school programs as well as other priorities determined by the council;
- ! Collaborate with, serve as a resource to, and receive input from local and regional food policy councils in the state;
- ! Explore methods of collecting and assessing statewide data relating to council activities and report the relevant information and data regarding council activities as required by current law; and
- ! Collaborate with the department of agriculture in leveraging existing domestic marketing programs that benefit Colorado agriculture.

The bill extends the repeal of the council from September 1, 2018, to September 1, 2022.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add with amended**  
3 **and relocated provisions** part 2 to article 1 of title 35 as follows:

4 PART 2

5 COLORADO FOOD SYSTEMS ADVISORY COUNCIL

6 **35-1-201. [Formerly 24-37.3-101] Legislative declaration.**

7 (1) The general assembly hereby finds and declares that:

8 (a) In September 2009, the federal centers for disease control and

1 prevention reported that no state in the United States was meeting  
2 national goals for the amount of fruits and vegetables that Americans  
3 should be eating. As a result, the centers for disease control and  
4 prevention identified the creation of food policy councils, consisting of  
5 multi-stakeholder organizations, as an effective way to support system  
6 changes to improve local, regional, and state food economies.

7 (b) Food councils formed in other states have been effective in  
8 bringing together a broad array of food-related government and  
9 nongovernment constituencies to employ a food systems approach that  
10 facilitates evaluation and program development at every stage of the food  
11 process from farm to table;

12 (c) Formation of a state food advisory council is intended to  
13 benefit Colorado agriculturists and others involved in all aspects of  
14 agricultural production;

15 (d) Creation of a state food advisory council will provide  
16 increased focus on the economic development opportunities of Colorado's  
17 food system along with improvements to agricultural production,  
18 community well-being, and public health; AND

19 (e) Nothing in this ~~article~~ PART 2 is intended to impede, cause  
20 harm to, or limit conventionally produced agricultural products or the  
21 persons who produce them.

22 (2) The general assembly further finds that building local,  
23 regional, and state food economies will create jobs, stimulate statewide  
24 economic development, and circulate money from local food sales within  
25 local communities. The general assembly finds that building robust,  
26 resilient, and long-term local food economies in Colorado will preserve  
27 and protect the natural environment, increase consumer access to fresh,

1 healthy, and safe foods, and provide greater food security for all  
2 Coloradans.

3 **35-1-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "FARM-TO-SCHOOL PROGRAM" MEANS A PROGRAM THAT  
6 ENCOURAGES THE ACQUISITION AND USE OF LOCALLY GROWN, PRODUCED,  
7 AND PROCESSED AGRICULTURAL PRODUCTS BY SCHOOLS IN ORDER TO  
8 PROVIDE HEALTHY, LOCAL FOOD PRODUCTS TO STUDENTS AND BENEFIT  
9 THE STATE'S AGRICULTURAL INDUSTRY.

10 (2) "FOOD AND NUTRITION ASSISTANCE" MEANS FEDERAL AND  
11 COMMUNITY-BASED FOOD PROGRAMS THAT PROVIDE FOOD DIRECTLY, OR  
12 SUPPLEMENTAL INCOME TO PURCHASE FOOD, TO ELIGIBLE LOW-INCOME  
13 CITIZENS.

14 (3) "SCHOOL" MEANS EARLY CARE INSTITUTIONS THROUGH HIGHER  
15 EDUCATION.

16 **35-1-203. [Formerly 24-37.3-102] Colorado food systems**  
17 **advisory council - created - membership - terms - vacancies.**

18 (1) There is hereby established in the department of ~~agriculture~~ the  
19 Colorado food systems advisory council, referred to in this ~~article~~ PART  
20 2 as the "council". The council is created as an advisory committee to  
21 ~~foster a~~ STRENGTHEN healthy food ~~supply available to~~ ACCESS FOR all  
22 Colorado residents ~~while enhancing the state's agricultural and natural~~  
23 ~~resources, encouraging economic growth, expanding the viability of~~  
24 ~~agriculture, and improving the health of our communities and residents.~~  
25 ~~The council's role is to make recommendations to the general assembly~~  
26 ~~and to the appropriate regulatory agencies, not to create policy. The~~  
27 ~~council shall use a method of dialogue and consensus decision-making to~~

1 ~~arrive at its recommendations~~ THROUGH COLORADO AGRICULTURE AND  
2 LOCAL FOOD SYSTEMS AND ECONOMIES.

3 (2) The council consists of: ~~fifteen members as follows:~~

4 (a) ~~The executive director, or his or her designee, of each of the~~  
5 ~~following state departments~~ FOLLOWING MEMBERS APPOINTED AS  
6 INDICATED:

7 (I) ONE REPRESENTATIVE OF THE DEPARTMENT OF EDUCATION,  
8 APPOINTED BY THE COMMISSIONER OF EDUCATION;

9 ~~(H)~~ (II) ONE REPRESENTATIVE OF the department of public health  
10 and environment, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
11 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

12 ~~(H)~~ (III) ONE REPRESENTATIVE OF the department, ~~of agriculture~~  
13 APPOINTED BY THE COMMISSIONER;

14 ~~(H)~~ (IV) ONE REPRESENTATIVE OF the department of human  
15 services, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT  
16 OF HUMAN SERVICES;

17 ~~(IV)~~ (V) ~~The department~~ ONE REPRESENTATIVE of ~~education~~ THE  
18 COLORADO STATE UNIVERSITY EXTENSION SERVICES PROGRAM,  
19 APPOINTED BY THE DIRECTOR OF THE COLORADO STATE UNIVERSITY  
20 EXTENSION SERVICES PROGRAM; AND

21 (VI) ONE REPRESENTATIVE OF THE COLORADO OFFICE OF  
22 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, APPOINTED BY THE  
23 EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND  
24 INTERNATIONAL TRADE;

25 (b) ~~Eleven~~ Members appointed by the governor ~~who represent and~~  
26 ~~have expertise in one of seven functional areas of food systems,~~ OR HIS OR  
27 HER DESIGNEE as follows:

1 (I) Two members who ~~represent nutrition and health~~ ARE  
2 RECIPIENTS OF A FEDERAL FOOD ASSISTANCE PROGRAM, AT LEAST ONE OF  
3 WHOM IS A RECIPIENT OF THE SUPPLEMENTAL NUTRITION ASSISTANCE  
4 PROGRAM;

5 (II) Three members who represent DIFFERENT SECTORS OF  
6 agricultural production, at least one of whom ~~represents a large producer~~  
7 ~~and one a small producer~~ SELLS AGRICULTURAL PRODUCTS TO A PUBLIC  
8 SCHOOL OR SCHOOL DISTRICT;

9 (III) One member who represents small food wholesalers or food  
10 retailers and one member who represents large food wholesalers or food  
11 retailers, of which one ~~of the two members~~ may represent both small and  
12 large food wholesalers or food retailers;

13 (IV) One member who represents A STATEWIDE anti-hunger ~~and~~  
14 ~~food assistance programs~~ ASSOCIATION;

15 (V) ~~One member~~ TWO MEMBERS who ~~is~~ ARE knowledgeable about  
16 a ~~local, state, or federal agency, and who has~~ ONE OF WHOM HAS  
17 EXPERTISE IN FEDERAL FOOD AND NUTRITION SERVICE PROGRAMS AND ONE  
18 OF WHOM HAS expertise in rural community and regional development  
19 programs or community and economic development programs;

20 (VI) One member from an academic institution who specializes  
21 in economic systems, agriculture, or health care;

22 (VII) ~~The director of the Colorado state university extension~~  
23 ~~services program or his or her designee.~~ TWO MEMBERS WHO ARE SCHOOL  
24 FOOD SERVICE DIRECTORS, ONE OF WHOM REPRESENTS KINDERGARTEN  
25 THROUGH TWELFTH GRADE EDUCATION AND ONE OF WHOM REPRESENTS  
26 HIGHER EDUCATION;

27 (VIII) ONE MEMBER WHO REPRESENTS A LOCAL, NONPROFIT,

1 COMMUNITY ORGANIZATION ENGAGED IN FARM-TO-SCHOOL OR LOCAL  
2 FOOD SYSTEMS;

3 (IX) ONE MEMBER WHO REPRESENTS A FOOD DISTRIBUTOR OF A  
4 FOOD HUB;

5 (X) ONE MEMBER WHO IS KNOWLEDGEABLE ABOUT NUTRITION,  
6 PREFERABLY A PHYSICIAN LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12  
7 OR A REGISTERED DIETICIAN;

8 (XI) ONE STATEWIDE FOOD ACCESS ASSOCIATION  
9 REPRESENTATIVE; AND

10 (XII) ANY NUMBER OF EX OFFICIO, NONVOTING MEMBERS.

11 (3) In making appointments to the council, the ~~governor~~  
12 APPOINTING AUTHORITIES shall ensure, TO THE EXTENT POSSIBLE, that the  
13 membership of the council includes geographic representation ~~from all~~  
14 ~~areas of the state. The governor shall also consider appointing persons~~  
15 ~~who have expertise in more than one functional area. No more than five~~  
16 ~~members of the council appointed by the governor shall be members of~~  
17 ~~the same political party~~ OF URBAN AND RURAL AREAS OF THE STATE AND  
18 A BALANCE OF EXPERTISE, BOTH GOVERNMENTAL AND  
19 NONGOVERNMENTAL, IN ISSUES RELATING TO COLORADO'S FOOD SYSTEMS,  
20 WITH AN EMPHASIS ON PROMOTING HEALTHY FOOD ACCESS.

21 (4) Each member of the council who is appointed pursuant to  
22 subsection (2) of this section shall serve at the pleasure of the appointing  
23 authority who appointed the member. Each member of the council shall  
24 serve a three-year term; except that the governor shall appoint four  
25 members to serve two-year terms. THE APPOINTING AUTHORITY MAY  
26 REAPPOINT THE MEMBER FOR ONE ADDITIONAL THREE-YEAR TERM.

27 (5) THE TERMS OF THE COUNCIL MEMBERS APPOINTED PRIOR TO

1 THE EFFECTIVE DATE OF THIS SECTION EXPIRE ON AUGUST 30, 2017. The  
2 appointing authorities shall make their ~~initial~~ appointments to the council  
3 AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION no later than ~~October 1,~~  
4 ~~2010~~ AUGUST 31, 2017.

5 (6) Any vacancy on the council shall be filled in the same manner  
6 in which the original appointment was made, and the term ~~shall be~~ IS for  
7 the balance of the unexpired term of the member whose ~~term~~ POSITION ON  
8 THE COUNCIL is vacant.

9 (7) A majority of the members of the council shall elect a chair  
10 and a vice-chair, who shall serve for two-year terms. A member of the  
11 council who is an executive director of a state department or his or her  
12 designee may be elected to be a chair or a vice-chair of the council, but  
13 both positions shall not be held at the same time by members who are  
14 executive directors of state departments or their designees.

15 (8) Each member of the council shall serve without compensation  
16 but may be reimbursed BY THE GENERAL ASSEMBLY AND from the food  
17 systems advisory council fund created in section ~~24-37.3-105~~ 35-1-206  
18 for actual and necessary subsistence and travel expenses incurred in the  
19 performance of his or her duties as a member of the council.

20 (9) ~~The chair shall call the meetings and notify the members of~~  
21 ~~each meeting being called at least seven days in advance.~~ Meetings shall  
22 MUST be held as often as the chair deems necessary but not less than four  
23 times each calendar year. ~~A quorum for the transaction of business~~  
24 ~~consists of seven members of the council~~ THE COUNCIL SHALL ADOPT  
25 POLICIES AND PROCEDURES NECESSARY TO CARRY OUT ITS DUTIES.

26 **35-1-204. [Formerly 24-37.3-103] Council - purpose and**  
27 **duties.** (1) The ~~purpose~~ PURPOSES of the council ~~is~~ INCLUDE, BUT ARE



1 NOT LIMITED to:

2 (a) ~~Identify and use existing studies of the food system and~~  
3 ~~examples of best practices, whenever possible;~~ COLLABORATING AND  
4 COORDINATING WITH PRODUCERS, RELEVANT STATE AND FEDERAL  
5 AGENCIES, AND CONSUMERS REGARDING LINKING COLORADO PRODUCERS,  
6 PARTICULARLY SPECIALTY CROP PRODUCERS, WITH FOOD AND NUTRITION  
7 ASSISTANCE PROGRAMS, INCLUDING:

8 (I) FUNCTIONING AS AN INTERAGENCY LIAISON BETWEEN  
9 RELEVANT STATE AGENCIES AND PRODUCERS REGARDING POINT-OF-SALE  
10 TECHNOLOGY TO ENSURE USER-FRIENDLY TRANSACTIONS AND EXAMINING  
11 AND SUPPORTING CHANGES IN INSTITUTIONAL PROCUREMENT PRACTICES;  
12 AND

13 (II) COLLABORATING WITH RELEVANT STATE AGENCIES IN  
14 CONDUCTING OUTREACH TO PRODUCERS, DIRECT MARKETS, AND  
15 CONSUMERS;

16 (b) ~~Work with other task forces, committees, or organizations that~~  
17 ~~are pursuing initiatives or studies similar to the purposes and duties~~  
18 ~~outlined in this article and develop relationships with other task forces,~~  
19 ~~committees, or organizations to collaborate on similar efforts;~~  
20 COLLABORATING WITH RELEVANT STATE AND FEDERAL AGENCIES AND  
21 OTHER ENTITIES REGARDING THE STUDY, DEVELOPMENT, AND  
22 RECOMMENDATION OF POLICIES AND METHODS TO BEST IMPLEMENT THE  
23 FARM-TO-SCHOOL PROGRAM, INCLUDING:

24 (I) ADVISING FARM-TO-SCHOOL PROGRAMS AND EXPANDING  
25 FOOD-FOCUSED EDUCATION PROGRAMS, INCLUDING OFFERING ASSISTANCE  
26 IN IDENTIFYING SOURCES FOR SUPPORTING INFRASTRUCTURE, MARKETING,  
27 EDUCATION, TRAINING, TECHNICAL ASSISTANCE, FUNDING, AND OTHER

1 RESOURCES;

2 (II) IDENTIFYING, DESIGNING, OR MAKING AVAILABLE TRAINING  
3 PROGRAMS TO LOCAL PRODUCERS AND SCHOOLS REGARDING THE  
4 MARKETING AND PROCUREMENT OF LOCAL FOODS BY SCHOOL DISTRICTS;

5 (III) ADVISING SCHOOL DISTRICTS ON METHODS BY WHICH A  
6 SCHOOL DISTRICT MAY IMPROVE FACILITIES TO ALLOW FOR THE PURCHASE  
7 AND USE OF MINIMALLY PROCESSED AND FRESH, LOCALLY PRODUCED  
8 FOODS IN SCHOOL MEALS; AND

9 (IV) ASSISTING SCHOOL FOOD SERVICES IN ESTABLISHING  
10 PROCEDURES, RECIPES, MENU ROTATION, AND OTHER INTERNAL PROCESSES  
11 THAT ACCOMMODATE THE USE OF LOCALLY GROWN FOODS IN PUBLIC  
12 SCHOOLS;

13 (c) ~~Develop local food recommendations that promote the~~  
14 ~~building of robust, resilient, and long-term local food economies~~  
15 COLLABORATING WITH PRODUCERS, RELEVANT GOVERNMENT AGENCIES,  
16 EDUCATIONAL INSTITUTIONS, NONGOVERNMENTAL ORGANIZATIONS, AND  
17 CONSUMERS REGARDING SUPPORT FOR THE RECOMMENDATIONS IN THE  
18 COLORADO BLUEPRINT FOR FOOD AND AGRICULTURE, AND ENSURING THAT  
19 THE BLUEPRINT, OR ITS SUCCESSOR, IS UPDATED AS NEEDED;

20 (d) ~~Develop recommendations regarding hunger and food access~~  
21 CONDUCTING RESEARCH REGARDING NATIONAL BEST PRACTICES  
22 REGARDING FOOD AND NUTRITION ASSISTANCE, DIRECT AND  
23 INTERMEDIATED MARKET DEVELOPMENT, AND FARM-TO-SCHOOL  
24 PROGRAMS AS WELL AS OTHER PRIORITIES DETERMINED BY THE COUNCIL;

25 (e) ~~Collaborate~~ COLLABORATING with, ~~serve~~ SERVING as a  
26 resource to, and ~~receive~~ RECEIVING input from local and regional food  
27 policy councils in the state;

1 (f) EXPLORING METHODS OF COLLECTING AND ASSESSING  
2 STATEWIDE DATA RELATING TO COUNCIL ACTIVITIES AND REPORTING THE  
3 RELEVANT INFORMATION AND DATA REGARDING COUNCIL ACTIVITIES AS  
4 REQUIRED BY SECTION 35-1-207; AND

5 (f) (g) ~~Collaborate~~ COLLABORATING with the department of  
6 ~~agriculture in promoting the~~ LEVERAGING EXISTING DOMESTIC marketing  
7 ~~program known as "Colorado Proud", which helps consumers,~~  
8 ~~restaurants, and retailers to identify and purchase~~ PROGRAMS THAT  
9 BENEFIT Colorado food and agricultural products; and AGRICULTURE.

10 (g) ~~Develop recommendations for actions that state and local~~  
11 ~~governments, businesses, agriculturists, and consumers can take to build~~  
12 ~~robust, resilient, and long-term local food economies.~~

13 (2) In developing its recommendations, the council shall consider,  
14 but not be limited to, the following areas of interest:

15 (a) (I) ~~An examination of foods made available to children,~~  
16 ~~including those in public schools, and consideration of ways to improve~~  
17 ~~the nutritional quality of those foods and increase children's access to~~  
18 ~~locally grown foods.~~

19 (II) ~~In designing recommendations to improve school nutrition~~  
20 ~~and increase access to locally grown foods, the council shall incorporate~~  
21 ~~input from, and coordinate with the work of, the Colorado campaign to~~  
22 ~~end childhood hunger by 2015, initiated by executive order of the~~  
23 ~~governor.~~

24 (b) ~~A study of efforts to make local, healthy, and safe foods~~  
25 ~~available under public assistance programs, including the possibility of~~  
26 ~~using electronic benefit cards for the supplemental nutrition assistance~~  
27 ~~program (SNAP) and federal farmers' market nutrition program (FMNP)~~

1 coupons at local farmers' markets;

2 ~~(c) An in-depth examination of local and regional efforts to~~  
3 ~~strengthen and develop robust, resilient, and long-term local food~~  
4 ~~economies by supporting and promoting urban, suburban, and rural~~  
5 ~~agricultural production; identifying and developing solutions to regulatory~~  
6 ~~and policy barriers; and strengthening local infrastructure and~~  
7 ~~entrepreneurial efforts;~~

8 ~~(d) The potential impacts that the production of local, healthy, and~~  
9 ~~safe foods would have on economic development in Colorado, including~~  
10 ~~both the direct impacts for the producers of local food and the actual and~~  
11 ~~potential indirect impacts, such as encouraging restaurants to feature~~  
12 ~~locally raised agricultural products and promoting food and wine tourism;~~  
13 ~~and~~

14 ~~(e) Any other issues the council, by consensus, considers~~  
15 ~~pertinent.~~

16 **35-1-205. [Formerly 24-37.3-104] Subcommittees of the**  
17 **council.** (1) (a) The council may create subcommittees, as the council  
18 deems necessary, to carry out the work of the council. ~~These~~  
19 ~~subcommittees may include but are not limited to:~~

20 ~~(I) Local and regional food councils;~~

21 ~~(II) Local government;~~

22 ~~(III) School districts, the members of which shall include persons~~  
23 ~~with expertise in nutrition and in school financing; and~~

24 ~~(IV) A coordination subcommittee to collaborate with other task~~  
25 ~~forces, committees, and organizations, including the interagency~~  
26 ~~farm-to-school coordination task force created in section 22-82.6-104,~~  
27 ~~C.R.S.~~

1 (b) The subcommittees shall include representatives of the council  
2 and may include persons appointed by the chair and the vice-chair of the  
3 council who are not members of the council.

4 (2) The council may engage in any other activity the council  
5 determines is necessary to accomplish the purposes outlined in this ~~article~~  
6 PART 2.

7 **35-1-206. [Formerly 24-37.3-105] Fund - acceptance of gifts,**  
8 **grants, or donations.** (1) For the purposes of carrying out the duties of  
9 the council, the council is authorized to seek and accept gifts, grants, or  
10 donations, including in-kind donations, from private or public sources for  
11 the purposes of this ~~article~~ PART 2; except that the council may not accept  
12 a gift, grant, or donation that is subject to conditions that are inconsistent  
13 with this ~~article~~ PART 2 or any other law of the state. The council may  
14 accept in-kind donations of staff services from the private sector to staff  
15 the council. The council is also authorized to accept and expend federal  
16 funds available for ~~food policy councils~~ ITS ACTIVITIES. All private and  
17 public ~~moneys~~ MONEY received through gifts, grants, or donations shall  
18 be transmitted to the state treasurer, who shall credit ~~the same~~ IT to the  
19 food systems advisory council fund, which fund is hereby created and  
20 referred to in this section as the "fund". **THE FUND CONSISTS OF ANY**  
21 **GIFTS, GRANTS, OR DONATIONS RECEIVED, AND ANY MONEY**  
22 **APPROPRIATED OR TRANSFERRED TO THE FUND BY THE GENERAL**  
23 **ASSEMBLY.** The ~~moneys~~ MONEY in the fund ~~must be~~ IS continuously  
24 appropriated by the general assembly to the department of agriculture for  
25 allocation to the council for the direct and indirect costs associated with  
26 implementing this ~~article~~ PART 2. Any ~~moneys~~ MONEY in the fund not  
27 expended for the purpose of this ~~article~~ PART 2 may be invested by the

1 state treasurer as provided by law. All interest and income derived from  
2 the investment and deposit of ~~moneys~~ MONEY in the fund ~~shall~~ MUST be  
3 credited to the fund. Any unexpended and unencumbered ~~moneys~~ MONEY  
4 remaining in the fund at the end of a fiscal year ~~shall~~ MUST remain in the  
5 fund and ~~shall~~ MUST not revert or be credited or transferred to the general  
6 fund or another fund; except that, if, at the time this ~~article~~ PART 2 is  
7 repealed pursuant to section ~~24-37.3-107~~ 35-1-208, the fund contains a  
8 balance of unencumbered and unexpended ~~moneys~~, ~~those moneys shall~~  
9 ~~revert~~ MONEY, THAT MONEY REVERTS to the general fund.

10 (2) ~~Moneys~~ MONEY in the fund may be used for the following  
11 purposes:

12 (a) The actual and necessary expenses incurred by members of the  
13 council for serving on the council;

14 (b) The costs of staffing the council; and

15 (c) The costs of ~~preparing and submitting the annual report~~  
16 ~~required by section 24-37.3-106~~ FUNDING PROGRAMS INITIATED BY THE  
17 COUNCIL OR COUNCIL STAFF.

18 (3) ~~It is the intent of the general assembly that no moneys from the~~  
19 ~~general fund be appropriated for the council. It is also the intent of the~~  
20 ~~general assembly that no state employees be hired to implement this~~  
21 ~~article and that the administrative costs of providing fiscal support to the~~  
22 ~~council be absorbed by the department of agriculture.~~

23 (4) ~~If the council does not receive sufficient moneys through gifts,~~  
24 ~~grants, and donations pursuant to subsection (1) of this section to carry~~  
25 ~~out the duties of the council, the council shall not meet and shall not~~  
26 ~~prepare an annual report pursuant to section 24-37.3-106 until such time~~  
27 ~~as sufficient moneys become available.~~

1           **35-1-207. [Formerly 24-37.3-106] Reports - recommendations.**  
2           ~~Commencing October 1, 2011, and on or before October 1 of each year~~  
3           ~~thereafter, the council shall report its findings and recommendations,~~  
4           ~~including any legislative proposals or proposals for administrative action,~~  
5           ~~to the general assembly, the governor, and the commissioner of~~  
6           ~~agriculture pursuant to section 24-1-136(9).~~ NOTWITHSTANDING SECTION  
7           24-1-136 (11)(a)(I), no later than January 31, ~~2012~~ 2019, and every  
8           January 31 EVERY OTHER YEAR thereafter, the council shall also report its  
9           ~~findings and recommendations, including any legislative proposals,~~ THE  
10          INFORMATION SPECIFIED IN SECTION 35-1-204 (1)(f) to the house ~~health~~  
11          ~~and human services~~ EDUCATION committee; the senate ~~health and human~~  
12          ~~services~~ EDUCATION committee; the house agriculture, livestock, and  
13          natural resources committee; and the senate agriculture, ~~and~~ natural  
14          resources, AND ENERGY committee or their successor committees.

15          **35-1-208. [Formerly 24-37.3-107] Repeal of part.** This article  
16          PART 2 is repealed, effective September 1, 2018. ~~Prior to such 2022.~~  
17          ~~BEFORE ITS repeal, the food systems advisory council shall be reviewed~~  
18          IS SCHEDULED FOR REVIEW as provided for in section 2-3-1203. ~~C.R.S.~~

19          **SECTION 2. Repeal of relocated provisions in this act.** In  
20          Colorado Revised Statutes, **repeal** article 37.3 of title 24.

21          **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **amend**  
22          (13)(a) introductory portion; **repeal** (7)(a)(I); and **add** (13)(a)(IV) as  
23          follows:

24          **2-3-1203. Sunset review of advisory committees - legislative**  
25          **declaration - definition - repeal.** (7) (a) The following statutory  
26          authorizations for the designated advisory committees will repeal on  
27          September 1, 2018:

1 (I) ~~The Colorado food systems advisory council created in section~~  
2 ~~24-37.3-102, C.R.S.;~~

3 (13) (a) The following ~~dates are the dates on which the~~ statutory  
4 ~~authorization~~ AUTHORIZATIONS for the designated advisory committees  
5 ~~is~~ ARE scheduled for repeal ON September 1, 2022:

6 (IV) THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL CREATED  
7 IN SECTION 35-1-203.

8 **SECTION 4.** In Colorado Revised Statutes, **repeal** article 82.6  
9 of title 22.

10 **SECTION 5.** In Colorado Revised Statutes, **amend** 35-1-101 as  
11 follows:

12 **35-1-101. Short title.** ~~This article shall be known and may be~~  
13 ~~cited as~~ THE SHORT TITLE OF THIS PART 1 IS the "State Department of  
14 Agriculture Act of 1949".

15 **SECTION 6. Appropriation.** For the 2017-18 state fiscal year,  
16 \$88,510 is appropriated to the department of agriculture. This  
17 appropriation is from the general fund and is based on an assumption that  
18 the department will require an additional 0.8 FTE. To implement this act,  
19 the department may use this appropriation for the Colorado food systems  
20 advisory council.

21 **SECTION 7. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect



1 unless approved by the people at the general election to be held in  
2 November 2018 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.