

CHAPTER 267

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 18-013

BY SENATOR(S) Fields and Gardner, Martinez Humenik, Moreno, Priola, Aguilar, Court, Crowder, Donovan, Fenberg, Garcia, Guzman, Jones, Kefalas, Kerr, Merrifield, Todd, Williams A., Zenzinger;
 also REPRESENTATIVE(S) Michaelson Jenet, Benavidez, Bridges, Buckner, Coleman, Danielson, Esgar, Exum, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Lee, Lontine, McLachlan, Melton, Pettersen, Roberts, Rosenthal, Salazar, Singer, Valdez, Weissman, Winter, Young, Duran.

AN ACT

CONCERNING EXPANDING THE GRADES ELIGIBLE FOR THE CHILD NUTRITION SCHOOL LUNCH PROTECTION PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 22-82.9-104, **amend** (4)(a) as follows:

22-82.9-104. Child nutrition school lunch protection program - creation - administration - objectives. (4) The objectives of the program are to:

(a) Eliminate the reduced price paid by Colorado students who are enrolled in state-subsidized early childhood education programs administered by public schools or in kindergarten through ~~first~~ EIGHTH grade and who are participating in the school lunch program;

SECTION 2. In Colorado Revised Statutes, 22-82.9-105, **add** (1.5) as follows:

22-82.9-105. Program funding - appropriation. (1.5) COMMENCING IN FISCAL YEAR 2018-19 AND FOR EACH FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO THE SEPARATE LINE ITEM IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE PROGRAM AN AMOUNT OF NOT LESS THAN FIVE HUNDRED THOUSAND DOLLARS AND NOT MORE THAN SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO THE DEPARTMENT TO ALLOW SCHOOL FOOD AUTHORITIES TO PROVIDE LUNCHESES AT NO CHARGE FOR CHILDREN IN SIXTH GRADE THROUGH EIGHTH GRADE WHO ARE PARTICIPATING IN THE SCHOOL LUNCH PROGRAM AND WHO

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

WOULD OTHERWISE BE REQUIRED TO PAY A REDUCED PRICE FOR LUNCH. THIS SUBSECTION (1.5) ONLY APPLIES TO SCHOOL FOOD AUTHORITIES THAT ELECT TO ELIMINATE THE REDUCED PRICE PAID BY COLORADO STUDENTS IN SIXTH GRADE THROUGH EIGHTH GRADE. THE APPROPRIATION TO THE DEPARTMENT FOR THIS SUBSECTION (1.5) SHALL BE IN ADDITION TO ANY APPROPRIATION MADE BY THE GENERAL ASSEMBLY PURSUANT TO SECTION 22-54-123 OR 22-54-123.5 (1) AND PURSUANT TO SUBSECTION (1) OF THIS SECTION. IN ADDITION TO THE AUTHORITY GRANTED THE DEPARTMENT TO EXPEND MONEY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO OFFSET THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING THE PROGRAM, THE GENERAL ASSEMBLY MAY AUTHORIZE THE DEPARTMENT TO EXPEND A PORTION OF THE MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (1.5) TO OFFSET ANY INCREASE IN THE DEPARTMENT'S DIRECT AND INDIRECT COSTS INCURRED BY THE EXPANSION OF THE PROGRAM PURSUANT TO THIS SUBSECTION (1.5).

SECTION 3. Appropriation. For the 2018-19 state fiscal year, \$564,279 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the child nutrition school lunch protection program.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 2018