

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0224.01 Chelsea Princell x4335

**HOUSE BILL 22-1364**

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**HOUSE SPONSORSHIP**

**Cutter and Soper**, Kipp, Lontine, Titone

**SENATE SPONSORSHIP**

**Story**,

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**House Committees**

Agriculture, Livestock, & Water  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING EXTENSION OF THE FOOD PANTRY ASSISTANCE GRANT**  
102 **PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **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 food pantry assistance grant program is set to repeal on June 30, 2023. The bill extends the food pantry assistance grant program through July 1, 2028.

For the 2022-23 state fiscal year, the bill appropriates \$5 million from the general fund. For the 2023-24 state fiscal year, the bill

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

appropriates \$3.5 million from the general fund. For the 2024-25 state fiscal year through the 2026-27 state fiscal year, the bill appropriates \$2 million annually from the general fund to be used only for the purchase of Colorado agricultural products; agricultural products that hold cultural significance for indigenous first nations people, or for other cultures or subcultural groups, including the ways in which those agricultural products are produced; agricultural products sold by agricultural producers located within 400 miles of the grant recipient; agricultural products sold by indigenous first nations producers located within Colorado and in neighboring states; and technical assistance.

The bill allows up to \$100,000 annually of the appropriation to be used to hire a nonprofit entity to provide technical assistance to a grant recipient to train food pantries and assist in the location and purchase of Colorado agricultural products. The bill also allows a grant recipient to pre-purchase Colorado agricultural products.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-139, **amend**  
3 (1)(b)(I), (2), and (4)(c)(I); **repeal** (5); and **add** (4)(c)(IV), (4)(d), and (6)  
4 as follows:

5 **26-2-139. Food pantry assistance grant program - created -**  
6 **timeline and criteria - grants - definitions - repeal.** (1) As used in this  
7 section, unless the context otherwise requires:

8 (b) (I) "Eligible entity" means, for the purposes of a food pantry  
9 assistance grant, either a food bank or food pantry. ~~as defined in this~~  
10 ~~subsection (1). Hunger-relief charitable organizations, as defined in~~  
11 ~~section 39-22-536(1), are not eligible entities for purposes of this section.~~

12 (2) There is created in the state department the food pantry  
13 assistance grant program. The purpose of the grant program is to aid  
14 Colorado food pantries and food banks in the purchase of foods that  
15 better meet the needs of their clientele, which has expanded significantly  
16 as a result of the COVID-19 public health emergency. ~~It is the intent of~~  
17 ~~the general assembly that all money awarded by the grant program is~~

1 ~~expended by July 1, 2022.~~

2 (4) (c) (I) To the extent practicable, food purchased by a grant  
3 recipient using grant money MUST be designated as ONE OF THE  
4 FOLLOWING:

5 (A) A Colorado agricultural product;

6 (B) AN AGRICULTURAL PRODUCT THAT HOLDS CULTURAL  
7 SIGNIFICANCE FOR INDIGENOUS FIRST NATIONS PEOPLE, OR FOR OTHER  
8 CULTURES OR SUBCULTURAL GROUPS, INCLUDING THE WAYS IN WHICH  
9 THOSE AGRICULTURAL PRODUCTS ARE PRODUCED;

10 (C) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL  
11 PRODUCTS THAT ARE GROWN, RAISED, OR PROCESSED LESS THAN FOUR  
12 HUNDRED MILES AWAY FROM WHERE THE GRANT RECIPIENT IS LOCATED;

13 OR

14 (D) A PRODUCT SOLD BY INDIGENOUS FIRST NATIONS PEOPLE  
15 LOCATED IN COLORADO AND NEIGHBORING STATES.

16 (IV) A GRANT RECIPIENT MAY CONTRACT WITH PRODUCERS OF  
17 AGRICULTURAL PRODUCTS TO PRE-PURCHASE COLORADO AGRICULTURAL  
18 PRODUCTS.

19 (d) THE STATE DEPARTMENT MAY AWARD UP TO ONE HUNDRED  
20 THOUSAND DOLLARS ANNUALLY FROM THE MONEY APPROPRIATED  
21 PURSUANT TO SUBSECTION (6) OF THIS SECTION TO A NONPROFIT ENTITY  
22 TO PROVIDE TECHNICAL ASSISTANCE TO A GRANT RECIPIENT FOR TRAINING  
23 FOOD PANTRIES AND PROVIDING INFORMATION AND ASSISTANCE IN  
24 PURCHASING AND LOCATING COLORADO AGRICULTURAL PRODUCTS. THE  
25 STATE DEPARTMENT OR A THIRD-PARTY ADMINISTRATOR SHALL SELECT  
26 THE NONPROFIT ENTITY. THE NONPROFIT ENTITY MUST HAVE EXPERIENCE  
27 WORKING WITH FOOD PANTRIES AND PRODUCERS OF COLORADO

1 AGRICULTURAL PRODUCTS.

2 (5) ~~This section is repealed, effective June 30, 2023.~~

3 (6) FOR STATE FISCAL YEARS 2022-23 THROUGH 2026-27, THE  
4 GENERAL ASSEMBLY SHALL APPROPRIATE A TOTAL OF FOURTEEN MILLION  
5 FIVE HUNDRED THOUSAND DOLLARS TO THE STATE DEPARTMENT FOR THE  
6 GRANT PROGRAM AS FOLLOWS:

7 (a) (I) FOR STATE FISCAL YEAR 2022-23, FIVE MILLION DOLLARS  
8 FROM THE GENERAL FUND.

9 (II) THIS SUBSECTION (6)(a) IS REPEALED, EFFECTIVE JULY 1, 2024.

10 (b) (I) FOR STATE FISCAL YEAR 2023-24, THREE MILLION FIVE  
11 HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND.

12 (II) THIS SUBSECTION (6)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

13 (c) (I) FOR STATE FISCAL YEARS 2024-25 THROUGH 2026-27,  
14 SUBJECT TO AVAILABLE APPROPRIATIONS, TWO MILLION DOLLARS  
15 ANNUALLY FROM THE GENERAL FUND, WHICH MUST ONLY BE USED FOR  
16 THE PURCHASE OF AGRICULTURAL PRODUCTS DETAILED IN SUBSECTION  
17 (4)(c)(I) OF THIS SECTION AND TECHNICAL ASSISTANCE.

18 (II) THIS SUBSECTION (6)(c) IS REPEALED, EFFECTIVE JULY 1, 2028.

19 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2028.

20 **SECTION 2. Appropriation.** For the 2022-23 state fiscal year,  
21 \$5,000,000 is appropriated to the department of human services for use  
22 by the office of economic security. This appropriation is from the general  
23 fund. To implement this act, the office may use this appropriation for the  
24 food pantry assistance grant program.

25 **SECTION 3. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, or safety.