

HOUSE COMMITTEE OF REFERENCE REPORT

June 3, 2021

Chair of Committee

Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB21-027 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, after line 8 insert:

2 "(3) (a) In addition, the general assembly further finds and
3 declares that:

4 (I) The federal government enacted the "American Rescue Plan
5 Act of 2021" to provide support to state, local, and tribal governments in
6 responding to the impact of COVID-19 and to assist their efforts to
7 contain the effects of COVID-19 on their communities, residents, and
8 businesses. Under the federal act, the state of Colorado received over
9 three billion dollars to be used for the purposes identified in the federal
10 act;

11 (II) Regulations construing the federal act promulgated by the
12 United States treasury identify a nonexclusive list of uses that address a
13 broad range of public health needs exacerbated by the pandemic. Under
14 these regulations, funds may be used for addressing the negative
15 economic impacts caused by the public health emergency, including food
16 assistance for households facing food insecurity; and

17 (III) The COVID-19 public health emergency has created an
18 exponential need for emergency food resources for all emergency food
19 providers and has upended many Colorado families' economic security
20 and resulted in hunger insecurity.

21 (b) Therefore, the general assembly declares that the food pantry
22 assistance program funded by transfers in this bill are appropriate uses of
23 the money transferred to Colorado under the federal act. This money will

1 be put to expeditious and efficient use in expanding access to food
2 assistance across the state."

3 Page 5, after line 16 insert:

4 "SECTION 3. In Colorado Revised Statutes, 26-2-139, **amend**
5 (2), (3)(a), (3)(b), and (4)(a) introductory portion; and **add** (4.5) as
6 follows:

7 **26-2-139. Food pantry assistance grant program - created -**
8 **timeline and criteria - grants - definitions - repeal.** (2) There is created
9 in the state department the food pantry assistance grant program. The
10 purpose of the grant program is to aid Colorado food pantries and food
11 banks in the purchase of foods that better meet the needs of their
12 clientele, which has expanded significantly as a result of the COVID-19
13 public health emergency. It is the intent of the general assembly that all
14 money awarded by the grant program is expended by ~~July 31, 2021~~ JULY
15 1, 2022.

16 (3) (a) The state department may ~~create a process for soliciting,~~
17 ~~vetting, awarding, and monitoring grants, pursuant to the sole source~~
18 ~~procurement authority specified in section 24-103-205~~ CONTRACT WITH
19 A THIRD PARTY VENDOR TO SOLICIT, VET, AWARD, AND MONITOR GRANTS.
20 THE SELECTION OF ANY VENDOR PURSUANT TO THIS SUBSECTION (3)(a) IS
21 EXEMPT FROM THE REQUIREMENTS OF THE "PROCUREMENT CODE",
22 ARTICLES 101 TO 112 OF TITLE 24.

23 (b) The state department is authorized to use ~~seventy thousand~~
24 ~~dollars~~ UP TO FIVE PERCENT of the total funds appropriated to the grant
25 program for the direct and indirect costs of administering and monitoring
26 the grant program.

27 (4) (a) ~~On or before December 30, 2020, but as soon as~~
28 ~~practicable after June 22, 2020,~~ The state department OR THIRD PARTY
29 VENDOR shall award one or more grants ~~out of the federal CARES Act~~ to
30 eligible entities ~~On or before March 31, 2021, but as soon as practicable~~
31 ~~after the effective date of this section the state department shall award one~~
32 ~~or more grants to eligible entities~~ using state money appropriated to the
33 grant program. In awarding grants, the state department shall, at a
34 minimum, consider:

35 (4.5) (a) FOR STATE FISCAL YEAR 2021-22, THE GENERAL
36 ASSEMBLY SHALL APPROPRIATE FIVE MILLION DOLLARS FROM THE
37 ECONOMIC RECOVERY AND RELIEF CASH FUND, CREATED IN SECTION
38 24-75-228, AS ENACTED BY SENATE BILL 21-291, ENACTED IN 2021, TO
39 THE STATE DEPARTMENT FOR THE GRANT PROGRAM THAT CONFORMS WITH



1 THE ALLOWABLE PURPOSES SET FORTH IN THE FEDERAL "AMERICAN
2 RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY BE
3 SUBSEQUENTLY AMENDED.

4 (b) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2023."

5 Renumber succeeding sections accordingly.

6 Page 5, line 18, strike "For" and substitute "(1) For".

7 Page 5, after line 23 insert:

8 "(2) For the 2021-22 state fiscal year, \$5,000,000 is appropriated
9 to the department of human services for use by the office self sufficiency.
10 This appropriation is from the economic recovery and relief cash fund
11 created in section 24-75-228, C.R.S., and of money the state receives
12 from the federal coronavirus state fiscal recovery fund. To implement this
13 act, the office may use this appropriation for the food pantry assistance
14 grant program created in section 26-2-139 (2), C.R.S.

15 **SECTION 5. Effective date.** Section 3 of this act takes effect
16 only if Senate Bill 21-288 becomes law, and, in which case, section 3 of
17 this act takes effect either upon the effective date of this act or one day
18 after the effective date of Senate Bill 21-288, whichever is later."

19 Renumber succeeding section accordingly.

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