

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 23-0313.01 Josh Schultz x5486

SENATE BILL 23-159

SENATE SPONSORSHIP

Hinrichsen and Pelton B., Pelton R., Priola, Simpson, Buckner, Cutter, Exum, Ginal, Gonzales, Hansen, Marchman, Winter F.

HOUSE SPONSORSHIP

Boesenecker and Lindsay,

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

Agriculture, Water & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS**
102 **ADVISORY COUNCIL, AND, IN CONNECTION THEREWITH,**
103 **EXTENDING THE SUNSET DATE BY THREE YEARS AND MAKING AN**
104 **APPROPRIATION.**

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/>.)

Sunset Process - Senate Agriculture and Natural Resources Committee. The Colorado food systems advisory council established within Colorado state university is scheduled to repeal on September 1,

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

SENATE
3rd Reading Unamended
April 3, 2023

SENATE
Amended 2nd Reading
March 31, 2023

2023. The bill extends the sunset date until September 1, 2030.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-1203, **repeal**
3 (14)(a)(X); and **add** (17)(a)(VII) as follows:

4 **2-3-1203. Sunset review of advisory committees - legislative**
5 **declaration - definition - repeal.** (14) (a) The following statutory
6 authorizations for the designated advisory committees are scheduled for
7 repeal on September 1, 2023:

8 (X) ~~The Colorado food systems advisory council created in part~~
9 ~~of article 31 of title 23;~~

10 (17) (a) The following statutory authorizations for the designated
11 advisory committees will repeal on September 1, 2026:

12 (VII) THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL
13 CREATED IN SECTION 23-31-1102.

14 ■ ■
15 **SECTION 2.** In Colorado Revised Statutes, 23-31-1103, **amend**
16 (1)(a), (1)(a)(III), and (1)(b); and **add** (1)(b.5) and (3) as follows:

17 **23-31-1103. Council - purpose and duties.** (1) The purposes
18 PURPOSE of the council ~~include~~ IS TO GROW LOCAL, REGIONAL, AND
19 STATEWIDE FOOD ECONOMIES WITHIN WHICH PRODUCERS HAVE ACCESS TO
20 NEW MARKETS AND LOW-INCOME POPULATIONS HAVE ACCESS TO FRESH,
21 AFFORDABLE, AND HEALTHY FOODS. DUTIES OF THE COUNCIL INCLUDE:

22 (a) Growing local, regional, and statewide food economies within
23 which producers have access to new markets and low-income populations
24 have access to fresh, affordable, and healthy foods. The council will
25 collaborate and coordinate COLLABORATING AND COORDINATING with

1 agricultural producers, relevant state and federal educational institutions,
2 nongovernmental organizations, and consumers to connect state and
3 federal agencies and to provide Colorado agricultural producers,
4 including fruit and vegetable producers, with viable market opportunities.

5 Areas of focus include:

6 (III) Supporting the implementation of the recommendations in
7 the Colorado blueprint of food and agriculture project, ensuring that the
8 recommendations in the blueprint, or its successor project, are updated as
9 needed, and ensuring alignment with other state or local food plans if
10 relevant. EXAMINING BEST PRACTICES TO ADVANCE OR IMPROVE
11 DISTRIBUTION SYSTEMS AND DEVELOP NEW MARKETS FOR COLORADO
12 AGRICULTURAL PRODUCERS.

13 (b) Conducting research regarding national best practices
14 regarding food and nutrition assistance, direct and intermediated market
15 development, institutional procurement, and farm-to-school programs; as
16 well as other priorities determined by the council;

17 (b.5) SERVING AS A RESOURCE FOR RESEARCH AND SUPPORT AT
18 THE REQUEST OF THE GOVERNOR, MEMBERS OF THE GENERAL ASSEMBLY,
19 OR ANY STATE AGENCY IN CONNECTION WITH THE COUNCIL'S PURPOSE AND
20 DUTIES IN SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION;

21 (3) THE COUNCIL SHALL ACCEPT AND CONSIDER PUBLIC COMMENT
22 REGARDING ANY RESEARCH OR REPORTS CREATED BY THE COUNCIL
23 PURSUANT TO SUBSECTIONS (1)(b) AND (1)(b.5) OF THIS SECTION. THE
24 COUNCIL SHALL RECEIVE PUBLIC COMMENT FOR A MINIMUM OF SIXTY
25 DAYS.

26 **SECTION 3.** In Colorado Revised Statutes, 23-31-1104, **repeal**
27 (2) as follows:

1 23-31-1104. Subcommittees of the council. (2) The council may
2 engage in any other activity the council determines is necessary to
3 accomplish the purposes outlined in this part 11.

4 SECTION 4. In Colorado Revised Statutes, **amend** 23-31-1106
5 as follows:

6 23-31-1106. Reports - recommendations. Notwithstanding
7 section 24-1-136 (11)(a)(I), no later than January 31, 2021, and January
8 31 every other year thereafter, the council shall report the information
9 specified in section 23-31-1103 (1)(d) AND PROVIDE A SUMMARY OF THE
10 COUNCIL'S ACTIVITIES FROM THE PRIOR YEAR AND A SUMMARY OF THE
11 COUNCIL'S PLANNED ACTIVITIES FOR THE UPCOMING YEAR to the house
12 rural affairs and agriculture AGRICULTURE, WATER, AND NATURAL
13 RESOURCES committee and the senate agriculture and natural resources
14 committee, or their successor committees.

15 SECTION 5. In Colorado Revised Statutes, **amend** 23-31-1107
16 as follows:

17 **23-31-1107. Repeal of part.** This part 11 is repealed, effective
18 ~~September 1, 2023~~ SEPTEMBER 1, 2026. Before the repeal, this part 11 is
19 scheduled for review in accordance with section 2-3-1203.

20 SECTION 6. In Colorado Revised Statutes, **23-3.3-103, add** (12)
21 as follows:

22 23-3.3-103. Annual appropriations - repeal. (12) (a) THE
23 PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING
24 APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS
25 ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE FOR THE PURPOSE
26 OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL PURSUANT TO PART
27 11 OF ARTICLE 31 OF THIS TITLE 23.

1 (b) THIS SUBSECTION (12) IS REPEALED, EFFECTIVE SEPTEMBER 1,
2 2026.

3 **SECTION 7. Appropriation.** (1) For the 2023-24 state fiscal
4 year, \$151,068 is appropriated to the department of higher education. This
5 appropriation is from the general fund. To implement this act, the
6 department may use this appropriation for the college opportunity fund
7 program to be used for limited purpose fee-for-service contracts with
8 state institutions.

9 (2) For the 2023-24 state fiscal year, \$151,068 is appropriated to
10 the department of higher education. This appropriation is from
11 reappropriated funds received from the limited purpose fee-for-service
12 contracts with state institutions under subsection (1) of this section. To
13 implement this act, the department may use this appropriation for the
14 board of governors of the Colorado state university system for the food
15 systems advisory council, which amount is based on an assumption that
16 the board of governors will require an additional 1.0 FTE.

17 **SECTION 8. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2024 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.