

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REENGROSSED

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

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

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 **SECTION 2.** In Colorado Revised Statutes, 23-31-1102, **amend**
15 **(2)(b) introductory portion; and add (2)(b)(XII) and (2.1) as follows:**

16 **23-31-1102. Colorado food systems advisory council - created**
17 **- membership - terms - vacancies.** (2) The council consists of:

18 (b) ~~Sixteen~~ SEVENTEEN members appointed ON A ROTATING BASIS
19 IN THE ORDER LISTED IN THIS SUBSECTION (2)(b), AS NEW POSITIONS OR
20 VACANCIES ARISE, by ~~the governor or the governor's designee~~ THE
21 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF
22 THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND
23 THE MINORITY LEADER OF THE SENATE, as follows:

24 (XII) ONE MEMBER WHO IS A REPRESENTATIVE OF A FOOD BANK.

25 (2.1) IF TWO NEW POSITIONS OR VACANCIES LISTED IN SUBSECTION

1 (2)(b) OF THIS SECTION OPEN SIMULTANEOUSLY, THE INDIVIDUAL FIRST
2 SCHEDULED TO APPOINT PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION
3 SHALL CHOOSE WHICH POSITION TO APPOINT.

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

6 **23-31-1103. Council - purpose and duties. (1) The purposes**
7 **PURPOSE of the council include IS TO GROW LOCAL, REGIONAL, AND**
8 **STATEWIDE FOODECONOMIES WITHIN WHICH PRODUCERS HAVE ACCESS TO**
9 **NEW MARKETS AND LOW-INCOME POPULATIONS HAVE ACCESS TO FRESH,**
10 **AFFORDABLE, AND HEALTHY FOODS. DUTIES OF THE COUNCIL INCLUDE:**

11 **(a) Growing local, regional, and statewide food economies within**
12 **which producers have access to new markets and low-income populations**
13 **have access to fresh, affordable, and healthy foods. The council will**
14 **collaborate and coordinate COLLABORATING AND COORDINATING with**
15 **agricultural producers, relevant state and federal educational institutions,**
16 **nongovernmental organizations, and consumers to connect state and**
17 **federal agencies and to provide Colorado agricultural producers,**
18 **including fruit and vegetable producers, with viable market opportunities.**
19 **Areas of focus include:**

20 **(III) Supporting the implementation of the recommendations in**
21 **the Colorado blueprint of food and agriculture project, ensuring that the**
22 **recommendations in the blueprint, or its successor project, are updated as**
23 **needed, and ensuring alignment with other state or local food plans if**
24 **relevant. EXAMINING BEST PRACTICES TO ADVANCE OR IMPROVE**
25 **DISTRIBUTION SYSTEMS AND DEVELOP NEW MARKETS FOR COLORADO**
26 **AGRICULTURAL PRODUCERS.**

27 **(b) Conducting research regarding national best practices**

1 regarding food and nutrition assistance, direct and intermediated market
2 development, institutional procurement, and farm-to-school programs; as
3 well as other priorities determined by the council;

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

8 (3) THE COUNCIL SHALL ACCEPT AND CONSIDER PUBLIC COMMENT
9 REGARDING ANY RESEARCH OR REPORTS CREATED BY THE COUNCIL
10 PURSUANT TO SUBSECTIONS (1)(b) AND (1)(b.5) OF THIS SECTION. THE
11 COUNCIL SHALL RECEIVE PUBLIC COMMENT FOR A MINIMUM OF SIXTY
12 DAYS.

13 **SECTION 4. In Colorado Revised Statutes, 23-31-1104, repeal**
14 **(2) as follows:**

15 **23-31-1104. Subcommittees of the council. (2) The council may**
16 **engage in any other activity the council determines is necessary to**
17 **accomplish the purposes outlined in this part 11.**

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

20 **23-31-1106. Reports - recommendations. Notwithstanding**
21 **section 24-1-136 (11)(a)(I), no later than January 31, 2021, and January**
22 **31 every other year thereafter, the council shall report the information**
23 **specified in section 23-31-1103 (1)(d) AND PROVIDE A SUMMARY OF THE**
24 **COUNCIL'S ACTIVITIES FROM THE PRIOR YEAR AND A SUMMARY OF THE**
25 **COUNCIL'S PLANNED ACTIVITIES FOR THE UPCOMING YEAR to the house**
26 **rural affairs and agriculture AGRICULTURE, WATER, AND NATURAL**
27 **RESOURCES committee and the senate agriculture and natural resources**

1 committee, or their successor committees.

2 **SECTION 6.** In Colorado Revised Statutes, **amend** 23-31-1107
3 as follows:

4 **23-31-1107. Repeal of part.** This part 11 is repealed, effective
5 ~~September 1, 2023~~ SEPTEMBER 1, 2026. Before the repeal, this part 11 is
6 scheduled for review in accordance with section 2-3-1203.

7 **SECTION 7.** In Colorado Revised Statutes, **23-3.3-103, add** (12)
8 as follows:

9 **23-3.3-103. Annual appropriations - repeal.** (12) (a) THE
10 PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING
11 APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS
12 ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE FOR THE PURPOSE
13 OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL PURSUANT TO PART
14 11 OF ARTICLE 31 OF THIS TITLE 23.

15 (b) THIS SUBSECTION (12) IS REPEALED, EFFECTIVE SEPTEMBER 1,
16 2026.

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

23 (2) For the 2023-24 state fiscal year, \$151,068 is appropriated to
24 the department of higher education. This appropriation is from
25 reappropriated funds received from the limited purpose fee-for-service
26 contracts with state institutions under subsection (1) of this section. To
27 implement this act, the department may use this appropriation for the

1 board of governors of the Colorado state university system for the food
2 systems advisory council, which amount is based on an assumption that
3 the board of governors will require an additional 1.0 FTE.

4 **SECTION 9. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2024 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.