

**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

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.**

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

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.*

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 ~~11 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
26 (2)(b) OF THIS SECTION OPEN SIMULTANEOUSLY, THE INDIVIDUAL FIRST

1 SCHEDULED TO APPOINT PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION
2 SHALL CHOOSE WHICH POSITION TO APPOINT.

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

5 **23-31-1103. Council - purpose and duties.** (1) The purposes
6 PURPOSE of the council include IS TO GROW LOCAL, REGIONAL, AND
7 STATEWIDE FOODECONOMIES WITHIN WHICH PRODUCERS HAVE ACCESS TO
8 NEW MARKETS AND LOW-INCOME POPULATIONS HAVE ACCESS TO FRESH,
9 AFFORDABLE, AND HEALTHY FOODS. DUTIES OF THE COUNCIL INCLUDE:

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

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

26 (b) Conducting research regarding national best practices
27 regarding food and nutrition assistance, direct and intermediated market

1 development, institutional procurement, and farm-to-school programs; as
2 well as other priorities determined by the council;

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

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

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

14 **23-31-1104. Subcommittees of the council. (2) The council may**
15 **engage in any other activity the council determines is necessary to**
16 **accomplish the purposes outlined in this part 11.**

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

19 **23-31-1106. Reports - recommendations. Notwithstanding**
20 **section 24-1-136 (11)(a)(I), no later than January 31, 2021, and January**
21 **31 every other year thereafter, the council shall report the information**
22 **specified in section 23-31-1103 (1)(d) AND PROVIDE A SUMMARY OF THE**
23 **COUNCIL'S ACTIVITIES FROM THE PRIOR YEAR AND A SUMMARY OF THE**
24 **COUNCIL'S PLANNED ACTIVITIES FOR THE UPCOMING YEAR to the house**
25 **rural affairs and agriculture AGRICULTURE, WATER, AND NATURAL**
26 **RESOURCES committee and the senate agriculture and natural resources**
27 **committee, or their successor committees.**

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

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

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