

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 18-0294.01 Brita Darling x2241

**SENATE BILL 18-013**

**SENATE SPONSORSHIP**

**Fields and Gardner**, Martinez Humenik, Moreno, Priola

**HOUSE SPONSORSHIP**

**Michaelson Jenet**,

**Senate Committees**

Education  
Appropriations

**House Committees**

**A BILL FOR AN ACT**

101 **CONCERNING EXPANDING THE GRADES ELIGIBLE FOR THE CHILD**  
102 **NUTRITION SCHOOL LUNCH PROTECTION PROGRAM, AND, IN**  
103 **CONNECTION THEREWITH, MAKING AN 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>.)*

Current law creates an annual appropriation to provide lunches at no charge to children in state-subsidized early childhood education programs administered by public schools or in kindergarten through fifth grade who would otherwise have to pay for a reduced-price lunch.

The bill extends the grade of eligibility to eighth grade in schools

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.*

SENATE  
3rd Reading Unamended  
May 2, 2018

SENATE  
Amended 2nd Reading  
May 1, 2018

that elect to participate in the expanded program.

The bill authorizes an annual appropriation, including a cap on the amount of the annual appropriation, to cover the expanded grades of eligible children.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-82.9-104, **amend**  
3 (4)(a) as follows:

4 **22-82.9-104. Child nutrition school lunch protection program**  
5 **- creation - administration - objectives.** (4) The objectives of the  
6 program are to:

7 (a) Eliminate the reduced price paid by Colorado students who are  
8 enrolled in state-subsidized early childhood education programs  
9 administered by public schools or in kindergarten through ~~fifth~~ EIGHTH  
10 grade and who are participating in the school lunch program;

11 **SECTION 2.** In Colorado Revised Statutes, 22-82.9-105, **add**  
12 (1.5) as follows:

13 **22-82.9-105. Program funding - appropriation.**

14 (1.5) COMMENCING IN FISCAL YEAR 2018-19 AND FOR EACH FISCAL YEAR  
15 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO  
16 THE SEPARATE LINE ITEM IN THE ANNUAL GENERAL APPROPRIATION ACT  
17 FOR THE PROGRAM AN AMOUNT OF NOT LESS THAN FIVE HUNDRED  
18 THOUSAND DOLLARS AND NOT MORE THAN SEVEN HUNDRED FIFTY  
19 THOUSAND DOLLARS TO THE DEPARTMENT TO ALLOW SCHOOL FOOD  
20 AUTHORITIES TO PROVIDE LUNCHES AT NO CHARGE FOR CHILDREN IN SIXTH  
21 GRADE THROUGH EIGHTH GRADE WHO ARE PARTICIPATING IN THE SCHOOL  
22 LUNCH PROGRAM AND WHO WOULD OTHERWISE BE REQUIRED TO PAY A  
23 REDUCED PRICE FOR LUNCH. THIS SUBSECTION (1.5) ONLY APPLIES TO

1 SCHOOL FOOD AUTHORITIES THAT ELECT TO ELIMINATE THE REDUCED  
2 PRICE PAID BY COLORADO STUDENTS IN SIXTH GRADE THROUGH EIGHTH  
3 GRADE. THE APPROPRIATION TO THE DEPARTMENT FOR THIS SUBSECTION  
4 (1.5) SHALL BE IN ADDITION TO ANY APPROPRIATION MADE BY THE  
5 GENERAL ASSEMBLY PURSUANT TO SECTION 22-54-123 OR 22-54-123.5 (1)  
6 AND PURSUANT TO SUBSECTION (1) OF THIS SECTION. IN ADDITION TO THE  
7 AUTHORITY GRANTED THE DEPARTMENT TO EXPEND MONEY  
8 APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO OFFSET  
9 THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN  
10 IMPLEMENTING THE PROGRAM, THE GENERAL ASSEMBLY MAY AUTHORIZE  
11 THE DEPARTMENT TO EXPEND A PORTION OF THE MONEY APPROPRIATED  
12 PURSUANT TO THIS SUBSECTION (1.5) TO OFFSET ANY INCREASE IN THE  
13 DEPARTMENT'S DIRECT AND INDIRECT COSTS INCURRED BY THE EXPANSION  
14 OF THE PROGRAM PURSUANT TO THIS SUBSECTION (1.5).

15 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,  
16 \$564,279 is appropriated to the department of education. This  
17 appropriation is from the general fund. To implement this act, the  
18 department may use this appropriation for the child nutrition school lunch  
19 protection program.

20 **SECTION 4. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.