

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0458.01 Yelana Love x2295

HOUSE BILL 18-1236

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HOUSE SPONSORSHIP

McLachlan and Becker J.,

SENATE SPONSORSHIP

Baumgardner,

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House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS  
102 ADVISORY COUNCIL, AND, IN CONNECTION THEREWITH,  
103 IMPLEMENTING THE RECOMMENDATIONS IN THE DEPARTMENT  
104 OF REGULATORY AGENCIES' SUNSET REPORT.

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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 - House Agriculture, Livestock, and Natural Resources Committee.** The bill implements the recommendations of the department of regulatory agencies in its sunset review and report on the

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.

Colorado food systems advisory council by extending the council indefinitely.

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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 (7)(a)(I) as follows:

4 **2-3-1203. Sunset review of advisory committees - legislative**  
5 **declaration - definition - repeal.** (7) (a) The following statutory  
6 authorizations for the designated advisory committees will repeal on  
7 September 1, 2018:

8 (I) ~~The Colorado food systems advisory council created in section~~  
9 ~~24-37.3-102, C.R.S.;~~

10 **SECTION 2.** In Colorado Revised Statutes, **repeal** 24-37.3-107  
11 as follows:

12 **24-37.3-107. Repeal of article.** ~~This article is repealed, effective~~  
13 ~~September 1, 2018. Prior to such repeal, the food systems advisory~~  
14 ~~council shall be reviewed as provided for in section 2-3-1203, C.R.S.~~

15 **SECTION 3.** In Colorado Revised Statutes, 24-37.3-105, **amend**  
16 (1) as follows:

17 **24-37.3-105. Fund - acceptance of gifts, grants, or donations.**

18 (1) For the purposes of carrying out the duties of the council, the council  
19 is authorized to seek and accept gifts, grants, or donations, including  
20 in-kind donations, from private or public sources for the purposes of this  
21 ~~article~~ ARTICLE 37.3; except that the council may not accept a gift, grant,  
22 or donation that is subject to conditions that are inconsistent with this  
23 ~~article~~ ARTICLE 37.3 or any other law of the state. The council may accept  
24 in-kind donations of staff services from the private sector to staff the  
25 council. The council is also authorized to accept and expend federal funds

1 available for food policy councils. All private and public moneys MONEY  
2 received through gifts, grants, or donations shall be transmitted to the  
3 state treasurer, who shall credit the same to the food systems advisory  
4 council fund, which fund is hereby created and referred to in this section  
5 as the "fund". The moneys MONEY in the fund must be continuously  
6 appropriated by the general assembly to the department of agriculture for  
7 allocation to the council for the direct and indirect costs associated with  
8 implementing this article ARTICLE 37.3. Any moneys MONEY in the fund  
9 not expended for the purpose of this article ARTICLE 37.3 may be invested  
10 by the state treasurer as provided by law. All interest and income derived  
11 from the investment and deposit of moneys MONEY in the fund shall be  
12 credited to the fund. Any unexpended and unencumbered moneys MONEY  
13 remaining in the fund at the end of a fiscal year shall remain in the fund  
14 and shall not revert or be credited or transferred to the general fund or  
15 another fund. ~~except that, if, at the time this article is repealed pursuant~~  
16 ~~to section 24-37.3-107, the fund contains a balance of unencumbered and~~  
17 ~~unexpended moneys, those moneys shall revert to the general fund.~~

18 **SECTION 4. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2018 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.