

CHAPTER 373

AGRICULTURE

HOUSE BILL 21-1262

BY REPRESENTATIVE(S) Lontine and Lynch, Esgar, Amabile, Benavidez, Bennett, Bird, Bockenfeld, Boesenecker, Caraveo, Catlin, Cutter, Daugherty, Duran, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Kennedy, Kipp, McCluskie, McCormick, McKean, McLachlan, Michaelson Jenet, Mullica, Ricks, Roberts, Snyder, Titone, Valdez D., Will, Young, Garnett, Jodeh, Ortiz, Pelton, Soper, Sullivan, Valdez A.;
also SENATOR(S) Garcia and Sonnenberg, Bridges, Cooke, Coram, Fenberg, Gardner, Ginal, Hisey, Jaquez Lewis, Kirkmeyer, Priola, Rankin, Scott, Simpson, Smallwood, Woodward.

AN ACT

CONCERNING MONETARY SUPPORT FOR AGRICULTURAL EVENTS IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add 35-1-107.5 and 35-1-107.7** as follows:

35-1-107.5. Relief program for agricultural events organizations - created - definitions - report - repeal. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGRICULTURALEVENTS ORGANIZATION" MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION THAT CONDUCTS ONE OR MORE AGRICULTURAL EVENTS IN THE STATE.

(b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO KNOWN AS SARS-CoV-2.

(c) "PROGRAM" MEANS THE AGRICULTURAL EVENTS RELIEF PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) **Agricultural events relief program.** THE AGRICULTURAL EVENTS RELIEF PROGRAM IS HEREBY CREATED WITHIN THE DEPARTMENT. THE COMMISSIONER SHALL ADMINISTER OR CONTRACT WITH A THIRD PARTY TO ADMINISTER A RELIEF PROGRAM

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

TO PROVIDE RELIEF PAYMENTS TO AGRICULTURAL EVENTS ORGANIZATIONS THAT MEET ELIGIBILITY CRITERIA DEVELOPED BY THE COMMISSIONER. WHEN DETERMINING ELIGIBILITY FOR AND THE SIZE OF A RELIEF PAYMENT, THE COMMISSIONER OR THIRD-PARTY CONTRACTOR SHALL CONSIDER THE TYPE OF AGRICULTURAL EVENTS ORGANIZATION THAT IS APPLYING FOR A RELIEF PAYMENT, THE IMPACT OF THE COVID-19 PANDEMIC ON THE AGRICULTURAL EVENTS ORGANIZATION'S AGRICULTURAL EVENTS OR BUSINESS MODEL, THE SIZE OF THE ORGANIZATION, AND THE AVAILABILITY OF AND THE ORGANIZATION'S ACCESS TO OTHER COVID-19 RELIEF OR GRANT FUNDING. THE COMMISSIONER OR THIRD-PARTY CONTRACTOR SHALL PRIORITIZE AWARDED GRANTS TO LOCAL COUNTY FAIRS BEFORE AWARDED GRANTS TO OTHER AGRICULTURAL EVENTS ORGANIZATIONS.

(3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE COMMISSIONER FOR THE PROGRAM. THE COMMISSIONER MAY USE THE MONEY, NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS, APPROPRIATED IN ACCORDANCE WITH THIS SECTION FOR THE COSTS OF ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO ADMINISTER THE PROGRAM.

(4) **Report.** (a) THE COMMISSIONER SHALL SUBMIT A REPORT:

(I) TO THE GOVERNOR; AND

(II) AT THE HEARING REQUIRED BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(b) THE REPORT REQUIRED BY THIS SUBSECTION (4) MUST DETAIL HOW THE MONEY WAS ALLOCATED THROUGH THE PROGRAM, INCLUDING:

(I) THE LIST OF RELIEF PAYMENT RECIPIENTS WITH THE AMOUNT ALLOCATED TO EACH RECIPIENT;

(II) THE TYPES OF AGRICULTURAL EVENTS ORGANIZATIONS THAT RECEIVED RELIEF PAYMENTS; AND

(III) ANY OTHER INFORMATION DEEMED PERTINENT BY THE COMMISSIONER.

(5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

35-1-107.7. Support for national western stock show - administration by commissioner - report - repeal. (1) (a) FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE COMMISSIONER FOR USE IN SUPPORTING OR AIDING THE NATIONAL WESTERN STOCK SHOW EVENT. AT THE END OF THE 2020-21 STATE FISCAL YEAR, ANY MONEY NOT EXPENDED OR ENCUMBERED FROM THE APPROPRIATION REMAINS AVAILABLE FOR EXPENDITURE IN THE 2021-22 FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

(b) FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL

APPROPRIATE TWENTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE COMMISSIONER FOR AIDING THE NATIONAL WESTERN STOCK SHOW EVENT IN CONSTRUCTING THE NATIONAL WESTERN STOCK SHOW'S CAMPUS. AT THE END OF THE 2020-21 STATE FISCAL YEAR, ANY MONEY NOT EXPENDED OR ENCUMBERED FROM THE APPROPRIATION REMAINS AVAILABLE FOR EXPENDITURE IN THE 2021-22 FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

(2) (a) THE COMMISSIONER SHALL SUBMIT A REPORT:

(I) TO THE GOVERNOR; AND

(II) AT THE HEARING REQUIRED BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(b) THE REPORT REQUIRED BY THIS SUBSECTION (2) MUST DETAIL HOW THE MONEY WAS ALLOCATED TO PROVIDE SUPPORT FOR AND CONSTRUCTION AID FOR THE NATIONAL WESTERN STOCK SHOW.

(3) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

SECTION 2. In Colorado Revised Statutes, 35-65-107, **add** (3)(a)(I.5) as follows:

35-65-107. Colorado state fair authority cash fund - lease and use of facilities - repeal. (3) (a) The Colorado state fair authority cash fund shall consist of:

(I.5)(A) FIVE MILLION DOLLARS, WHICH THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3)(a)(I.5).

(B) THIS SUBSECTION (3)(a)(I.5) IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

SECTION 3. Appropriation. (1) For the 2020-21 state fiscal year, \$2,000,000 is appropriated to the department of agriculture for use by the commissioner's office and administrative services. This appropriation is from the general fund. The department may use this appropriation for the agriculture events relief program in accordance with section 35-1-107.5, C.R.S.

(2) For the 2020-21 state fiscal year, \$3,500,000 is appropriated to the department of agriculture for use by the commissioner's office and administrative services. This appropriation is from the general fund. The department may use this appropriation to provide support for the national western stock show pursuant to section 35-1-107.7 (1)(a), C.R.S.

(3) For the 2020-21 state fiscal year, \$25,000,000 is appropriated to the department of agriculture for use by the commissioner's office and administrative services. This appropriation is from the general fund. The department may use this appropriation to provide support for the construction of the national western stock show's campus pursuant to section 35-1-107.7 (1)(b), C.R.S.

(4) For the 2020-21 state fiscal year, \$5,000,000 is appropriated to the department of agriculture for use by the Colorado state fair. This appropriation is from the Colorado state fair authority cash fund created in section 35-65-107, C.R.S. The Colorado state fair may use this appropriation to implement this act.

(5) Any money appropriated in this section but not expended prior to July 1, 2021, is further appropriated to the department of agriculture for the 2021-22 fiscal year for the same purpose.

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

Approved: June 29, 2021