

**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. 23-0788.01 Shelby Ross x4510

HOUSE BILL 23-1158

HOUSE SPONSORSHIP

Willford and Taggart,

SENATE SPONSORSHIP

Mullica,

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO COMMODITY**
102 **SUPPLEMENTAL FOOD GRANT PROGRAM.**

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>.)

The bill creates the Colorado commodity supplemental food grant program to provide grants of money to aid county departments of human or social services, food banks, and food pantries in purchasing and distributing food packages to qualifying low-income older Colorado adults.

For the 2023-24 state fiscal year and each state fiscal year

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.

thereafter, the bill annually appropriates \$1 million from the general fund to the department of human services for the grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The commodity supplemental food program (CSFP) is a
5 federal food support program that is administered by the Colorado
6 department of human services that provides low-income older Colorado
7 adults with a monthly food package containing a \$50 value in nutritional
8 food staples such as cereals, grains, canned goods, and peanut butter;

9 (b) In Colorado, food packages are distributed by trusted
10 community partners, such as food banks and county departments of
11 human or social services (county department), that often include
12 additional food in the packages including fresh produce, meat, and dairy;

13 (c) Currently, Colorado's caseload for CSFP is around 14,000
14 adults who are 60 years of age or older, but the need is much higher.
15 According to the federal census, there are roughly five times that many
16 older Coloradans living in poverty who may be eligible for CSFP.

17 (d) CSFP is a critical program that helps Colorado's older adults
18 but the program can be difficult and costly for food banks and county
19 departments to operate due to a lack of funding to distribute the food and
20 promote the program to eligible Coloradans;

21 (e) Food banks and county departments receive about \$6 in federal
22 reimbursement per food package but it costs about \$9 to distribute each
23 package, meaning food banks and county departments operate the
24 program at a net loss; and

25 (f) Feeding Colorado reports that the annual program deficit is

1 over \$360,000 for the five Feeding American food banks that serve every
2 county in Colorado and distribute approximately 84% of the CSFP
3 caseload for the state.


4 (2) Therefore, the general assembly declares it is necessary to
5 create a state-funded commodity supplemental food program to provide
6 state money in addition to the federal money received for the distribution
7 of food packages for low-income older Coloradans.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 26-2-143 as
9 follows:

10 **26-2-143. Colorado commodity supplemental food grant**
11 **program - creation - appropriation - rules - definitions.** (1) AS USED
12 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

13 (a) "ELIGIBLE ENTITY" MEANS A COUNTY DEPARTMENT OF HUMAN
14 OR SOCIAL SERVICES OR A FOOD BANK THAT HAS A CONTRACT WITH THE
15 STATE DEPARTMENT, BUT DOES NOT INCLUDE A HUNGER-RELIEF
16 CHARITABLE ORGANIZATION, AS DEFINED IN SECTION 39-22-536 (1).

17 (b) "FOOD BANK" MEANS A CHARITABLE ORGANIZATION, EXEMPT
18 FROM FEDERAL INCOME TAXATION UNDER THE FEDERAL "INTERNAL
19 REVENUE CODE OF 1986", AS AMENDED, THAT ACQUIRES AND
20 DISTRIBUTES FOOD AND NONFOOD ESSENTIALS TO OTHER HUNGER-RELIEF
21 PROGRAMS.

22 
23 (c) "GRANT PROGRAM" MEANS THE COLORADO COMMODITY
24 SUPPLEMENTAL FOOD GRANT PROGRAM CREATED IN SUBSECTION (2) OF
25 THIS SECTION.

26 (2) THERE IS CREATED IN THE STATE DEPARTMENT THE COLORADO
27 COMMODITY SUPPLEMENTAL FOOD GRANT PROGRAM. THE PURPOSE OF THE

1 GRANT PROGRAM IS TO PROVIDE MONEY TO ELIGIBLE ENTITIES FOR THE
2 COST OF ADDING ADDITIONAL FOOD TO THE FOOD PACKAGES AND THE
3 COST OF STORING, TRANSPORTING, AND DISTRIBUTING FOOD PACKAGES TO
4 QUALIFYING LOW-INCOME OLDER COLORADO ADULTS.

5 (3) THE STATE DEPARTMENT SHALL ADMINISTER THE GRANT
6 PROGRAM. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
7 DEPARTMENT SHALL PAY GRANTS OUT OF MONEY ANNUALLY
8 APPROPRIATED TO THE STATE DEPARTMENT FOR THE GRANT PROGRAM
9 PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE STATE BOARD SHALL
10 ADOPT RULES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM,
11 INCLUDING:

12 (a) TIMELINES FOR APPLICATION FOR, CONSIDERATION OF, AND
13 AWARDING GRANTS;

14 (b) CRITERIA FOR AWARDING GRANTS; AND

15 (c) ANY OTHER MATTERS NECESSARY FOR SUCCESSFUL OPERATION
16 OF THE GRANT PROGRAM.

17 (4) FOR THE 2023-24 STATE FISCAL YEAR, THE GENERAL
18 ASSEMBLY SHALL APPROPRIATE ONE MILLION DOLLARS FROM THE
19 GENERAL FUND TO THE STATE DEPARTMENT FOR THE GRANT PROGRAM.
20 ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT
21 TO THIS SUBSECTION (4) REMAINS AVAILABLE FOR EXPENDITURE FOR THE
22 SAME PURPOSE IN THE 2024-25 STATE FISCAL YEAR WITHOUT FURTHER
23 APPROPRIATION.

24 **SECTION 3. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety.