

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0223.01 Chelsea Princell x4335

HOUSE BILL 24-1301

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HOUSE SPONSORSHIP

Willford,

SENATE SPONSORSHIP

Marchman and Cutter,

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House Committees  
Education

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING PROGRAMS RELATING TO NONCURRICULAR TIME DURING  
102 THE SCHOOL DAY.

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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>.)*

The bill creates the time-to-eat task force (task force) in the department of education (department) to evaluate Colorado school districts' and other states' policies regarding scheduled lunch time (time-to-eat policies) and repeals the task force, effective January 1, 2025.

The bill creates the safe and healthy play grant program in the department to assist schools in implementing programs that support social

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.

and emotional learning through play.

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

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

4 (a) Research shows that it is important for students in kindergarten  
5 through twelfth grade to have access to healthy school meals to promote  
6 learning;

7 (b) Colorado invested in students by establishing the healthy  
8 school meals for all program in 2022, which ensures all students have  
9 access to healthy school lunches. School lunches provide students with  
10 essential daily nutrients and, for many students, help reduce the impact of  
11 food insecurity.

12 (c) Eating high-quality meals with fresh and whole produce and  
13 using eating utensils require more time than grab-and-go food items;

14 (d) The American Academy of Pediatrics and the Center for  
15 Disease Control and Prevention recommend that students have at least  
16 twenty minutes of seated lunch time;

17 (e) If students do not have adequate time to eat meals, their  
18 concentration is impeded, their behavior is often negatively impacted, and  
19 the meal they were not given adequate time to finish will likely be thrown  
20 away;

21 (f) Colorado schools, and the people who work in schools, play a  
22 vital role in a student's well-being and should be included in any decision  
23 made regarding school meal time;

24 (g) Schools report that play time, when scheduled before lunch,  
25 results in less food waste and higher consumption of milk, fruits, and

1 vegetables, and may result in fewer behavioral problems; and

2 (h) Children today play 50% less than their parents did as  
3 children. However, play is a critical element in healthy brain development  
4 and emotional regulation as it is through play that children learn how to  
5 interact with the world around them.

6 (2) Therefore, the general assembly finds and declares that  
7 Colorado must evaluate and improve its schools' meal time policies and  
8 prioritize school programs that support students' social and emotional  
9 learning through play.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-150 as  
11 follows:

12 **22-2-150. Time-to-eat task force - purpose - membership -**  
13 **report - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE  
14 CONTEXT OTHERWISE REQUIRES:

15 (a) "TASK FORCE" MEANS THE TIME-TO-EAT TASK FORCE CREATED  
16 IN SUBSECTION (2) OF THIS SECTION.

17 (b) "TIME-TO-EAT POLICY" MEANS A POLICY FOCUSED ON ENSURING  
18 STUDENTS HAVE ADEQUATE TIME TO EAT LUNCH DURING THE ALLOTTED  
19 SCHOOL LUNCH TIME.

20 (2) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION THE  
21 TIME-TO-EAT TASK FORCE.

22 (3) (a) THE PURPOSE OF THE TASK FORCE IS TO EVALUATE  
23 COLORADO SCHOOL DISTRICTS' TIME-TO-EAT POLICIES USING A SAMPLE OF  
24 POLICIES THAT ARE REPRESENTATIVE OF ALL SCHOOL DISTRICTS AND ARE  
25 DIVERSE WITH RESPECT TO SCHOOL DISTRICT SIZE, DEMOGRAPHICS, AND  
26 THE NUMBER OF STUDENTS ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH  
27 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH

1 ACT", 42 U.S.C. SEC. 1751 ET SEQ. IN EVALUATING THE TIME-TO-EAT  
2 POLICIES, THE TASK FORCE SHALL CONSIDER SCHOOL DISTRICTS THAT:

3 (I) HAVE INCREASED SEATED LUNCH TIME AND THE ASSOCIATED  
4 OUTCOMES;

5 (II) SCHEDULE RECESS BEFORE SEATED LUNCHTIME AND THE  
6 ASSOCIATED OUTCOMES;

7 (III) HAVE NOT CHANGED OR INCREASED THE SCHOOL DISTRICTS'  
8 TIME-TO-EAT POLICIES AND THE ASSOCIATED OUTCOMES; AND

9 (IV) HAVE UTILIZED VARIOUS TYPES OF FOOD SERVICE MODELS,  
10 INCLUDING MULTIPLE FOOD SERVICE LINES AND GRAB-AND-GO STATIONS,  
11 AND THE ASSOCIATED COSTS AND OUTCOMES.

12 (b) TO DETERMINE THE ASSOCIATED OUTCOMES OF THE  
13 EVALUATION TOPICS SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION, THE  
14 TASK FORCE SHALL CONSIDER THE SCHOOL DISTRICTS':

15 (I) FOOD WASTE;

16 (II) ACADEMIC PERFORMANCE AND BEHAVIORAL OUTCOMES;

17 (III) MEAL QUALITY AND FOOD CHOICES OFFERED;

18 (IV) NUMBER OF STUDENTS EATING SCHOOL MEALS AND STUDENT  
19 SATISFACTION WITH THE MEALS SERVED; AND

20 (V) CHALLENGES AND BARRIERS IN IMPLEMENTING LONGER LUNCH  
21 TIME PERIODS, INCLUDING SYSTEMIC DISPARITIES.

22 (c) THE TASK FORCE SHALL ALSO EVALUATE EXISTING RESEARCH  
23 AND STUDIES ON TIME-TO-EAT POLICIES FOCUSED ON COLORADO AND  
24 OTHER STATES, ASSESS UNIQUE MODELS FOR INCLUDING LUNCH TIME AS  
25 INSTRUCTIONAL TIME, AND ASSESS STATE POLICIES WITH MANDATED  
26 SEATED LUNCH TIME.

27 (d) THE DEPARTMENT OF EDUCATION SHALL PROVIDE THE TASK

1 FORCE WITH DATA COLLECTED ON THE AMOUNT OF TIME SCHOOL  
2 DISTRICTS PROVIDE FOR MEAL TIME AND RECESS, IF AVAILABLE.

3 (4) THE TASK FORCE CONSISTS OF:

4 (a) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER OF  
5 EDUCATION'S DESIGNEE;

6 (b) THE FOLLOWING MEMBERS, APPOINTED BY THE COMMISSIONER  
7 OF EDUCATION:

8 (I) A DEPARTMENT OF EDUCATION STAFF MEMBER;

9 (II) TWO FOOD SERVICE DIRECTORS, ONE OF WHOM IS A  
10 REGISTERED DIETITIAN AND AT LEAST ONE OF WHOM IS A MEMBER OF A  
11 STATEWIDE SCHOOL NUTRITION ASSOCIATION;

12 (III) TWO SCHOOL NUTRITION STAFF MEMBERS WHO SERVE AND  
13 PREPARE SCHOOL MEALS, ONE OF WHOM MUST BE EMPLOYED BY AN  
14 ELEMENTARY SCHOOL;

15 (IV) EITHER A SCHOOL SUPERINTENDENT OR A REPRESENTATIVE  
16 OF CENTRAL ADMINISTRATION;

17 (V) TWO SCHOOL ADMINISTRATORS WITH EXPERTISE IN  
18 SCHEDULING, ONE OF WHOM MUST BE EMPLOYED BY AN ELEMENTARY  
19 SCHOOL AND HAVE KNOWLEDGE ON SCHOOL OPERATIONS; AND

20 (VI) A SCHOOL-BASED MENTAL HEALTH PROFESSIONAL WITH  
21 EXPERIENCE WORKING WITH STUDENTS WITH DISABILITIES;

22 (c) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

23 (I) A REPRESENTATIVE FROM THE STATE BOARD OF EDUCATION;

24 AND

25 (II) AN INDIVIDUAL FROM A UNIVERSITY OR RESEARCH  
26 ORGANIZATION WITH EXPERTISE IN TIME-TO-EAT RESEARCH;

27 (d) THE FOLLOWING MEMBERS, APPOINTED BY THE PRESIDENT OF

1 THE SENATE:

2 (I) AN ELEMENTARY SCHOOLTEACHER; AND

3 (II) TWO SCHOOL BOARD MEMBERS;

4 (e) THE FOLLOWING MEMBERS, APPOINTED BY THE SPEAKER OF THE  
5 HOUSE OF REPRESENTATIVES:

6 (I) AN INDIVIDUAL FROM A LABOR ORGANIZATION REPRESENTING  
7 TEACHERS; AND

8 (II) A REPRESENTATIVE OF A STATEWIDE NONPROFIT  
9 ORGANIZATION THAT DIRECTLY PROVIDES TECHNICAL ASSISTANCE TO  
10 SCHOOL MEAL PROGRAMS ACROSS THE STATE;

11 (f) TWO PARENTS OF SCHOOL-AGED CHILDREN, ONE OF WHOM  
12 MUST BE THE PARENT OF AN ELEMENTARY SCHOOL STUDENT, ONE  
13 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE  
14 APPOINTED BY THE PRESIDENT OF THE SENATE;

15 (g) TWO PUBLIC SCHOOL STUDENTS, ONE APPOINTED BY THE  
16 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE  
17 PRESIDENT OF THE SENATE. IN MAKING THE APPOINTMENTS, THE SPEAKER  
18 OF THE HOUSE OF REPRESENTATIVES AND PRESIDENT OF THE SENATE MUST  
19 CONSIDER STUDENTS INVOLVED IN STUDENT ADVOCACY PROGRAMS.

20 (h) TWO INDIVIDUALS FROM COMMUNITY-BASED ORGANIZATIONS  
21 FOCUSED ON K-12 POLICIES OR K-12 EDUCATION, ONE APPOINTED BY THE  
22 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE  
23 PRESIDENT OF THE SENATE.

24 (5) ON OR BEFORE JUNE 30, 2024, THE APPOINTING AUTHORITIES  
25 SHALL MAKE TASK FORCE APPOINTMENTS. THE APPOINTMENTS MUST BE  
26 REPRESENTATIVE OF DIFFERENT GRADE LEVELS, GEOGRAPHIC REGIONS,  
27 DEMOGRAPHICS, AND SCHOOLS WITH VARIOUS FREE AND REDUCED-PRICE

1 LUNCH ELIGIBILITY.

2 (6) A VACANCY MUST BE FILLED BY THE APPOINTING AUTHORITY  
3 AS SOON AS POSSIBLE BUT WITHIN FOURTEEN DAYS AFTER THE VACANCY.

4 (7) THE TASK FORCE SHALL MEET AT LEAST FOUR BUT NO MORE  
5 THAN FIVE TIMES FROM JULY 2024 THROUGH NOVEMBER 2024. MEETINGS  
6 MUST BE OPEN TO THE PUBLIC AND ALLOW TIME FOR PUBLIC COMMENT.

7 (8) TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION;  
8 EXCEPT THAT TASK FORCE MEMBERS SPECIFIED IN SUBSECTIONS (4)(f) AND  
9 (4)(g) OF THIS SECTION MUST RECEIVE PER DIEM COMPENSATION. ALL  
10 TASK FORCE MEMBERS MAY BE REIMBURSED FOR EXPENSES INCURRED  
11 WHILE PERFORMING THE TASK FORCE MEMBERS' DUTIES.

12 (9) UPON THE REQUEST OF THE CHAIR OF THE TASK FORCE, THE  
13 DEPARTMENT OF EDUCATION MUST PROVIDE STAFF ASSISTANCE, MEETING  
14 SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY TO THE TASK  
15 FORCE AS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES.

16 (10) THE DEPARTMENT OF EDUCATION SHALL CONTRACT WITH A  
17 THIRD-PARTY ENTITY WITH EXPERTISE IN TASK FORCE FACILITATION AND  
18 STAKEHOLDER INPUT TO ASSIST WITH THE ADMINISTRATION OF THE TASK  
19 FORCE AND DRAFTING THE REPORT PURSUANT TO SUBSECTION (11) OF THIS  
20 SECTION.

21 (11) ON OR BEFORE DECEMBER 1, 2024, THE TASK FORCE SHALL  
22 SUBMIT A REPORT TO THE STATE BOARD OF EDUCATION AND THE  
23 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE  
24 EDUCATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES,  
25 DETAILING ITS FINDINGS REGARDING THE TOPICS DETAILED IN SUBSECTION  
26 (1) OF THIS SECTION. AT A MINIMUM, THE REPORT MUST CONTAIN:

27 (a) FINDINGS FROM THE EVALUATION AND OUTCOMES;

1 (b) FINDINGS FROM STUDIES ON COLORADO AND ON OTHER  
2 STATES; AND

3 (c) RECOMMENDATIONS FOR SCHOOL DISTRICTS TO IMPLEMENT  
4 TIME-TO-EAT POLICIES THAT ALLOW FOR INCREASED TIME TO EAT. THESE  
5 RECOMMENDATIONS MUST ENSURE:

6 (I) INCREASED POSITIVE OUTCOMES FOR STUDENTS, INCLUDING  
7 NUTRITIONAL OUTCOMES; AND

8 (II) COMPLIANCE WITH FEDERAL INSTRUCTION TIME AND OTHER  
9 RELEVANT POLICIES.

10 (12) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.

11 **SECTION 3.** In Colorado Revised Statutes, **add 22-2-151** as  
12 follows:

13 **22-2-151. Safe and healthy play grant program - fund -**  
14 **creation - report - definitions.** (1) AS USED IN THIS SECTION, UNLESS  
15 THE CONTEXT OTHERWISE REQUIRES:

16 (a) "FUND" MEANS THE SAFE AND HEALTHY PLAY GRANT PROGRAM  
17 FUND CREATED IN SUBSECTION (8) OF THIS SECTION.

18 (b) "GRANT PROGRAM" MEANS THE SAFE AND HEALTHY PLAY  
19 GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

20 (2) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION THE  
21 SAFE AND HEALTHY PLAY GRANT PROGRAM TO PROVIDE MONEY TO  
22 UNDER-RESOURCED SCHOOL DISTRICTS AND SCHOOLS IN ORDER TO  
23 CONTRACT AND PARTNER WITH A COMMUNITY ORGANIZATION THAT  
24 PROVIDES SCHOOL PROGRAMMING THAT SUPPORTS SOCIAL OR EMOTIONAL  
25 LEARNING THROUGH PLAY.

26 (3) (a) SCHOOL DISTRICTS MAY APPLY FOR THE GRANT PROGRAM  
27 IF THE SCHOOL DISTRICT MEETS THE ELIGIBILITY REQUIREMENTS DETAILED



1 IN SUBSECTION (3)(b) OF THIS SECTION. SCHOOLS MAY APPLY FOR THE  
2 GRANT PROGRAM IF THE SCHOOL MEETS THE ELIGIBILITY REQUIREMENTS  
3 DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION.

4 (b) TO BE ELIGIBLE FOR A GRANT, A SCHOOL DISTRICT MUST  
5 CONSIST OF SCHOOLS THAT HAVE FIFTY PERCENT OR MORE STUDENTS WHO  
6 ARE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH UNDER THE "RICHARD  
7 B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.

8 (c) TO BE ELIGIBLE FOR A GRANT, A SCHOOL MUST HAVE FIFTY  
9 PERCENT OR MORE STUDENTS WHO ARE ELIGIBLE FOR FREE OR  
10 REDUCED-PRICE LUNCH UNDER THE "RICHARD B. RUSSELL NATIONAL  
11 SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.

12 (4) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM  
13 AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS  
14 PROVIDED IN SUBSECTION (6) OF THIS SECTION. GRANTS MUST BE PAID OUT  
15 OF THE SAFE AND HEALTHY PLAY GRANT PROGRAM FUND CREATED IN  
16 SUBSECTION (8) OF THIS SECTION. THE DEPARTMENT MAY PROMULGATE  
17 RULES NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

18 (5) AN ELIGIBLE SCHOOL DISTRICT OR SCHOOL SHALL APPLY FOR  
19 A GRANT IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. AT  
20 A MINIMUM, AN ELIGIBLE SCHOOL DISTRICT OR SCHOOL SHALL INCLUDE  
21 THE FOLLOWING INFORMATION WHEN APPLYING FOR A GRANT THROUGH  
22 THE GRANT PROGRAM:

23 (a) A DESCRIPTION OF THE ELIGIBLE SCHOOL DISTRICT'S OR  
24 SCHOOL'S NEED FOR THE GRANT;

25 (b) HOW THE ELIGIBLE SCHOOL DISTRICT OR SCHOOL INTENDS TO  
26 USE THE GRANT MONEY TO INCORPORATE SOCIAL OR EMOTIONAL  
27 LEARNING PLAY-TIME PROGRAMMING INTO THE SCHOOL DAY;

1           (c) THE COMMUNITY ORGANIZATION THE ELIGIBLE SCHOOL  
2 DISTRICT OR SCHOOL INTENDS TO CONTRACT OR PARTNER WITH TO  
3 IMPLEMENT THE PROGRAMMING;

4           (d) THE AMOUNT OF MONEY NEEDED IN ORDER TO FULLY  
5 IMPLEMENT SCHOOL PROGRAMMING THAT SUPPORTS SOCIAL OR  
6 EMOTIONAL LEARNING THROUGH PLAY. THE AMOUNT OF MONEY  
7 REQUESTED FOR EACH SCHOOL MUST NOT EXCEED TWENTY THOUSAND  
8 DOLLARS; AND

9           (e) IF THE GRANT APPLICANT IS A SCHOOL DISTRICT, WHICH  
10 SCHOOLS THE GRANT MONEY WILL BE USED FOR.

11           (6) (a) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS  
12 RECEIVED PURSUANT TO THIS SECTION AND AWARD GRANTS ON A FIRST  
13 COME, FIRST SERVED BASIS. GRANTS AWARDED MUST NOT EXCEED  
14 TWENTY THOUSAND DOLLARS PER SCHOOL.

15           (b) THE DEPARTMENT SHALL DISTRIBUTE THE GRANT MONEY  
16 WITHIN THIRTY DAYS AFTER THE DEPARTMENT AWARDS THE GRANTS.

17           (7) A SCHOOL DISTRICT OR SCHOOL AWARDED A GRANT THROUGH  
18 THE GRANT PROGRAM MUST USE THE GRANT MONEY FOR SOCIAL OR  
19 EMOTIONAL LEARNING PLAY-TIME PROGRAMMING.

20           (8) THERE IS CREATED IN THE STATE TREASURY THE SAFE AND  
21 HEALTHY PLAY GRANT PROGRAM FUND. THE FUND CONSISTS OF MONEY  
22 TRANSFERRED OR APPROPRIATED TO IT AND ANY OTHER MONEY THAT MAY  
23 BE MADE AVAILABLE BY THE GENERAL ASSEMBLY. THE MONEY IN THE  
24 FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE  
25 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THE  
26 GRANT PROGRAM. ANY AMOUNT REMAINING IN THE FUND AT THE END OF  
27 A FISCAL YEAR MUST REMAIN IN THE FUND AND NOT BE CREDITED OR

1 TRANSFERRED TO THE GENERAL FUND OR TO ANY OTHER FUND.

2 (9) BEGINNING JANUARY 2025, AND IN JANUARY OF EACH YEAR  
3 THEREAFTER, THE DEPARTMENT SHALL INCLUDE AS PART OF ITS "SMART  
4 ACT" HEARING, REQUIRED BY SECTION 2-7-203, INFORMATION  
5 CONCERNING THE SCHOOL DISTRICTS THAT RECEIVED GRANTS THROUGH  
6 THE GRANT PROGRAM IN THE PREVIOUS YEAR, INCLUDING:

7 (a) HOW THE SCHOOL DISTRICT USED THE GRANT MONEY TO  
8 IMPLEMENT PLAY-TIME PROGRAMMING DURING THE SCHOOL DAY THAT  
9 SUPPORTS SOCIAL OR EMOTIONAL LEARNING;

10 (b) THE AMOUNT OF MONEY AWARDED TO THE SCHOOL DISTRICT  
11 THROUGH THE GRANT PROGRAM; AND

12 (c) THE EFFECTS OF IMPLEMENTING THE PROGRAMMING ON:

13 (I) STUDENT ATTENDANCE;

14 (II) STUDENT SAFETY AND INCLUSIVENESS;

15 (III) STUDENT INTERACTIONS WITH TEACHERS AND OTHER SCHOOL  
16 FACULTY MEMBERS AND PEERS;

17 (IV) THE AMOUNT OF CLASSROOM INSTRUCTIONAL TIME;

18 (V) THE NUMBER OF BULLYING AND DISCIPLINARY INCIDENTS; AND

19 (VI) CHANGES IN PHYSICAL ACTIVITY LEVELS AMONG STUDENTS.

20 **SECTION 4. Safety clause.** The general assembly finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety or for appropriations for  
23 the support and maintenance of the departments of the state and state  
24 institutions.