

## CHAPTER 18

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**EDUCATION - PUBLIC SCHOOLS**


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**HOUSE BILL 24-1206**

BY REPRESENTATIVE(S) Bird and Sirota, Taggart, Amabile, Brown, Clifford, Duran, English, Epps, Froelich, Garcia, Hamrick, Hernandez, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Mauro, McLachlan, Ricks, Rutinel, Snyder, Story, Titone, Velasco, Vigil, Weissman, Willford, Young, McCluskie;  
also SENATOR(S) Kirkmeyer and Zenzinger, Rodriguez, Cutter, Exum, Hinrichsen, Michaelson Jenet, Priola.

**AN ACT**

**CONCERNING INCLUDING CERTAIN SCHOOLS AS TYPES OF SCHOOL FOOD AUTHORITIES, 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, 22-2-407, **add** (3.5) as follows:

**22-2-407. List of approved facility schools - application - criteria - rules.**

(3.5) AN APPROVED FACILITY SCHOOL OR FACILITY MAY ACT AS A SCHOOL FOOD AUTHORITY PURSUANT TO THE PROVISIONS OF THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., OR THE FEDERAL "CHILD NUTRITION ACT OF 1966", 42 U.S.C. SEC. 1771 ET SEQ.

**SECTION 2.** In Colorado Revised Statutes, 22-32-120, **add** (8)(a.2) and (8)(a.4) as follows:

**22-32-120. Food services - facilities - school food authorities - rules.** (8) As used in this section, "school food authority" means:

(a.2) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND AUTHORIZED PURSUANT TO SECTION 22-80-102;

(a.4) AN APPROVED FACILITY SCHOOL OR FACILITY, AS DEFINED IN SECTION 22-2-402;

**SECTION 3.** In Colorado Revised Statutes, 22-54-123, **add** (2)(a.2) and (2)(a.4) as follows:

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*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.*

**22-54-123. Richard B. Russell national school lunch act - appropriation of state matching funds - definition.** (2) As used in this section, unless the context otherwise requires, "school food authority" means:

(a.2) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND AUTHORIZED PURSUANT TO SECTION 22-80-102;

(a.4) AN APPROVED FACILITY SCHOOL OR FACILITY, AS DEFINED IN SECTION 22-2-402;

**SECTION 4.** In Colorado Revised Statutes, 22-54-123.5, **add** (2)(b)(I.2) and (2)(b)(I.4) as follows:

**22-54-123.5. School breakfast program - appropriation - low-performing schools - definition.** (2) As used in this section:

(b) "School food authority" means:

(I.2) THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND AUTHORIZED PURSUANT TO SECTION 22-80-102;

(I.4) AN APPROVED FACILITY SCHOOL OR FACILITY, AS DEFINED IN SECTION 22-2-402;

**SECTION 5.** In Colorado Revised Statutes, 22-80-102, **add** (3)(c) as follows:

**22-80-102. Educational institution.** (3) (c) NOTWITHSTANDING SUBSECTION (3)(b) OF THIS SECTION, THE SCHOOL IS A RESIDENTIAL CHILD CARE FACILITY PURSUANT TO SECTION 26-6-905 AND MAY ACT AS A SCHOOL FOOD AUTHORITY FOR THE PURPOSES OF THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., OR THE FEDERAL "CHILD NUTRITION ACT OF 1966", 42 U.S.C. SEC. 1771 ET SEQ.

**SECTION 6. Appropriation.** For the 2023-24 state fiscal year, \$17,752 is appropriated to the department of education. This appropriation is from the healthy school meals for all program general fund exempt account. To implement this act, the department may use this appropriation for school meal reimbursements.

**SECTION 7. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: March 8, 2024