

## CHAPTER 135

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**HEALTH AND ENVIRONMENT**

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**HOUSE BILL 24-1416**

BY REPRESENTATIVE(S) Sirota and Taggart, Bird, Amabile, Bacon, Duran, English, Froelich, Garcia, Hernandez, Herod, Joseph, Lieder, Lindsay, Lindstedt, Lukens, McCormick, Parenti, Ricks, Snyder, Story, Titone, Weissman, Woodrow, Young, McCluskie;  
also SENATOR(S) Bridges and Zenzinger, Kirkmeyer, Cutter, Exum, Ginal, Marchman, Michaelson Jenet, Priola.

**AN ACT**

**CONCERNING THE CREATION OF THE HEALTHY FOOD INCENTIVES PROGRAM, 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** part 22 to article 20.5 of title 25 as follows:

PART 22  
HEALTHY FOOD INCENTIVES PROGRAM

**25-20.5-2201. Legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) A RECENT SURVEY FOUND THAT ONE IN THREE COLORADANS ARE "FOOD INSECURE", THAT IS, LACKING RELIABLE ACCESS TO NUTRITIOUS FOOD;

(b) IN ADDITION, MORE THAN ONE IN THREE ADULTS LIVING WITH CHILDREN HAVE REPORTED REGULARLY CUTTING BACK OR SKIPPING MEALS TO ALLOW THEIR CHILDREN TO HAVE ENOUGH TO EAT;

(c) CHILDHOOD HUNGER CAN HAVE LIFELONG IMPACTS, SUCH AS INTERFERING WITH DEVELOPMENTAL AND EDUCATIONAL PROGRESS;

(d) CERTAIN COMMUNITIES, INCLUDING COMMUNITIES OF COLOR, SENIORS, AND LOWER-INCOME COLORADANS, ARE PRONE TO HIGHER-THAN-AVERAGE RATES OF FOOD INSECURITY;

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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.*

(e) FOOD SECURITY AND HOUSING SECURITY ARE CLOSELY RELATED ISSUES: BOTH ARE BASIC NEEDS THAT A FAMILY MUST ACCOUNT FOR, AND THE TWO CAN BECOME COMPETING PRIORITIES ON A LIMITED BUDGET. A FAMILY'S ABILITY TO PAY FOR FOOD IS DIRECTLY RELATED TO THE FAMILY'S ABILITY TO PAY FOR HOUSING, AND IMPROVING ONE WILL NECESSARILY IMPROVE THE OTHER.

(f) IMPROVING THE CAPACITY OF EXISTING SMALL, LOCAL RETAILERS TO STORE AND SELL NUTRITIOUS FOOD CAN IMPROVE ACCESS, LOWER PRICES, AND REDUCE FOOD INSECURITY, PARTICULARLY FOR COLORADO FAMILIES MOST AT RISK OF FOOD INSECURITY, WHILE KEEPING MORE OF THE PROCEEDS OF ECONOMIC ACTIVITY IN THE LOCAL COMMUNITY; AND

(g) EXPANDING THE NUMBER OF RETAILERS SELLING FRESH PRODUCE MAY ALSO CREATE NEW MARKET OPPORTUNITIES FOR COLORADO AGRICULTURAL PRODUCERS.

(2) THEREFORE, THE GENERAL ASSEMBLY DETERMINES THAT ENACTING LEGISLATION TO FURTHER SUPPORT EXISTING NUTRITION ACCESS EFFORTS WILL IMPROVE ACCESS TO NUTRITIOUS FOOD FOR COLORADANS, ASSIST SMALL BUSINESSES, AND FOSTER COLORADO'S AGRICULTURAL INDUSTRY.

**25-20.5-2202. Healthy food incentives program - creation - nonprofit organization.** (1) THERE IS CREATED THE HEALTHY FOOD INCENTIVES PROGRAM IN THE DEPARTMENT TO BE ADMINISTERED BY THE DIVISION.

(2) THE DIVISION SHALL PARTNER WITH A STATEWIDE NONPROFIT ORGANIZATION TO PROVIDE HEALTHY FOOD INCENTIVES THAT BENEFIT COLORADO'S LOW-INCOME POPULATIONS. THE INCENTIVES PROVIDED PURSUANT TO THE HEALTHY FOOD INCENTIVES PROGRAM MUST ATTEMPT TO IMPROVE ACCESS TO FRESH COLORADO-GROWN FRUITS AND VEGETABLES WITHIN COLORADO'S LOW-INCOME COMMUNITIES.

(3) THE STATEWIDE NONPROFIT ORGANIZATION SELECTED BY THE DIVISION FOR THE PARTNERSHIP DESCRIBED IN SUBSECTION (2) OF THIS SECTION MUST HAVE EXPERIENCE SUPPORTING PROGRAMS THAT PROVIDE HEALTHY FOOD INCENTIVES, SUCH AS PROGRAMS AT LOCAL FARMERS' MARKETS, AND EXPERIENCE WITH COORDINATING HEALTHY FOOD PROGRAMS AND COORDINATING FUNDING BETWEEN LOCAL, STATE, AND FEDERAL PROGRAMS.

(4) IN PROVIDING THE PROGRAM INCENTIVES, BOTH THE DIVISION AND THE NONPROFIT ORGANIZATION SHALL MINIMIZE ADMINISTRATIVE EXPENSES. THE DIVISION SHALL NOT USE MORE THAN TEN THOUSAND DOLLARS OF, AND THE NONPROFIT ORGANIZATION SHALL NOT USE MORE THAN FIVE PERCENT OF, THE AMOUNT APPROPRIATED FOR THE PROGRAM TO PAY FOR ADMINISTRATIVE EXPENSES.

**SECTION 2. Appropriation.** For the 2024-25 state fiscal year, \$500,000 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the general fund. To implement this act, the division may use this appropriation for the healthy food incentives program related to chronic disease prevention programs.

**SECTION 3. 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: April 29, 2024