

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0753.02 Pierce Lively x2059

HOUSE BILL 26-1351

HOUSE SPONSORSHIP

Brown and Sirota, Taggart

SENATE SPONSORSHIP

Amabile and Bridges, Kirkmeyer

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE USE OF STATE EDUCATION FUND MONEY TO FUND
102 THE HEALTHY SCHOOL MEALS FOR ALL 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/>.)

Joint Budget Committee. During the 2023-24 and 2024-25 state fiscal years, the general assembly appropriated money from the state education fund for expenditures related to the healthy school meals for all program. The bill directs the state treasurer to transfer \$31,066,831 from the healthy school meals for all program fund to the state education fund on July 1, 2026.

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.

Under current law, beginning on July 1, 2026, and on each July 1 thereafter, the state treasurer is required to transfer money from the state education fund to the healthy school meals for all program fund account (account) within the fund. The bill delays that requirement so that the treasurer is required to transfer money from the state education fund to the account beginning on July 1, 2028. In addition, the bill repeals reporting requirements related to money in the healthy school meals for all program cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-82.9-209, **add** (3)
3 as follows:

4 **22-82.9-209. Program - funding - repeal.**

5 (3) (a) ON JULY 1, 2026, THE STATE TREASURER SHALL TRANSFER
6 THIRTY-ONE MILLION SIXTY-SIX THOUSAND EIGHT HUNDRED THIRTY-ONE
7 DOLLARS FROM THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM CASH
8 FUND TO THE STATE EDUCATION FUND.

9 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2027.

10 **SECTION 2.** In Colorado Revised Statutes, 22-82.9-211, **amend**
11 (4.5)(a), (4.5)(b), and (4.5)(c); and **repeal** (8) as follows:

12 **22-82.9-211. Healthy school meals for all program cash fund**
13 **- creation - uses - reporting requirements - legislative declaration -**
14 **definitions - repeal.**

15 (4.5) (a) On ~~July 1, 2026~~ JULY 1, 2028, and each July 1 thereafter,
16 the state treasurer shall transfer an amount from the state education fund
17 to the account equal to the amount reported by the office of state planning
18 and budgeting pursuant to subsection (4.5)(b) of this section.

19 (b) Before ~~July 1, 2026~~ JULY 1, 2028, and before each July 1
20 thereafter, the office of state planning and budgeting shall, in
21 collaboration with the department of revenue, prepare an estimate of the

1 amount of state education fund healthy school meals for all revenue for
2 the following fiscal year and report that estimate to the state treasurer.

3 (c) (I) ~~On July 1, 2026~~ JULY 1, 2028, in addition to the amount
4 described in subsection (4.5)(a) of this section, the state treasurer shall
5 transfer an amount from the state education fund to the fund equal to the
6 amount reported by the office of state planning and budgeting pursuant
7 to subsection (4.5)(c)(II) of this section.

8 (II) ~~Before July 1, 2026~~ JULY 1, 2028, the office of state planning
9 and budgeting shall, in collaboration with the department of revenue,
10 prepare an estimate of the amount of state education fund healthy school
11 meals for all revenue for the immediately preceding fiscal year and report
12 that estimate to the state treasurer.

13 (8) (a) ~~On or before January 15, 2027, the department, in~~
14 ~~consultation with the office of state planning and budgeting, shall report~~
15 ~~to the joint budget committee of the general assembly on whether there~~
16 ~~is a sufficient balance in the cash fund for:~~

17 (I) ~~The state treasurer to transfer an amount from the cash fund to~~
18 ~~the state education fund equal to the total amount of expenditures from~~
19 ~~the state education fund for the purposes of subsection (3) of this section~~
20 ~~minus the amount of additional tax revenue deposited in the state~~
21 ~~education fund as a result of section 39-22-104 (3)(p.5) for state fiscal~~
22 ~~years 2022-23, 2023-24, 2024-25, and 2025-26; and~~

23 (II) ~~The department to provide reimbursements to a participating~~
24 ~~school food authority for offering eligible meals without charge pursuant~~
25 ~~to section 22-82.9-204 (1).~~

26 (b) ~~This subsection (8) is repealed, effective July 1, 2027.~~

27 **SECTION 3. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.