

An Act

HOUSE BILL 26-1351

BY REPRESENTATIVE(S) Brown and Sirota, Taggart, Duran, McCormick, Story;
also SENATOR(S) Amabile and Bridges, Kirkmeyer, Exum, Frizell, Pelton B., Simpson, Wallace.

CONCERNING THE USE OF STATE EDUCATION FUND MONEY TO FUND THE
HEALTHY SCHOOL MEALS FOR ALL PROGRAM.

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

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

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

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

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2027.

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.

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

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

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

(b) Before ~~July 1, 2026~~ JULY 1, 2028, and before each July 1 thereafter, the office of state planning and budgeting shall, in collaboration with the department of revenue, prepare an estimate of the amount of state education fund healthy school meals for all revenue for the following fiscal year and report that estimate to the state treasurer.

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

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

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

~~(i) The state treasurer to transfer an amount from the cash fund to the state education fund equal to the total amount of expenditures from the state education fund for the purposes of subsection (3) of this section minus the amount of additional tax revenue deposited in the state education fund as a result of section 39-22-104 (3)(p.5) for state fiscal years 2022-23;~~

~~2023-24, 2024-25, and 2025-26, and~~

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

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

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.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO