

CHAPTER 5

AGRICULTURE

SENATE BILL 26-064

BY SENATOR(S) Simpson and Roberts, Amabile, Bridges, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Kolker, Lindstedt, Liston, Marchman, Michaelson Jenet, Pelton R., Rodriguez, Snyder, Wallace, Weissman, Coleman;
also REPRESENTATIVE(S) McCormick and Soper, Bacon, Boesenecker, Duran, English, Espenoza, Goldstein, Gonzalez R., Hamrick, Joseph, Lieder, Lindsay, Lukens, Marshall, Martinez, Mauro, Nguyen, Richardson, Rutinel, Slaugh, Smith, Stewart K., Taggart, Titone, McCluskie.

AN ACT

CONCERNING MODIFYING THE COLORADO AGRICULTURAL FUTURE LOAN PROGRAM TO ALLOW CERTAIN ELIGIBLE ENTITIES TO QUALIFY FOR FUNDING FROM THE PROGRAM.

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

SECTION 1. In Colorado Revised Statutes, 35-1.2-102, **add** (5.5) as follows:

35-1.2-102. Definitions.

As used in this article 1.2, unless the context otherwise requires:

(5.5) "ELIGIBLE ENTITY" MEANS AN ENTITY THAT:

(a) IS CERTIFIED BY THE DIVISION OF CONSERVATION PURSUANT TO SECTION 12-15-104; OR

(b) (I) (A) IS A DISTRICT THAT HAS AUTHORITY TO CONDUCT WATER ACTIVITIES, AS THOSE TERMS ARE DEFINED IN SECTION 37-45.1-102; OR

(B) IS AN IRRIGATION DISTRICT CREATED PURSUANT TO ARTICLE 41, 45, 46, 47, 48, OR 50 OF TITLE 37 OR A DITCH AND RESERVOIR COMPANY CREATED PURSUANT TO ARTICLE 42 OF TITLE 7; AND

(II) HAS A LETTER OF SUPPORT, IN A FORM APPROVED BY THE COMMISSIONER, FROM AN ENTITY THAT IS CERTIFIED PURSUANT TO SECTION 12-15-104.

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, 35-1.2-103, **amend** (6)(a), (7) introductory portion, (7)(b)(II), (7)(c)(VII) introductory portion, and (7)(c)(VII)(F); and **add** (7)(d) as follows:

35-1.2-103. Colorado agricultural future loan program - created - application - criteria - awards - rules.

(6) The department shall review applications received pursuant to this section. In awarding grants and distributing money to financial entities for awarding loans, the department shall:

(a) Ensure applicants approved for loans or grants meet the requirements for eligible businesses, ELIGIBLE ENTITIES, and eligible farmers or ranchers pursuant to section 35-1.2-102 (5), **(5.5)**, and (6); and

(7) Pursuant to article 4 of title 24, the commissioner shall ~~promulgate~~ **ADOPT** such rules as are required in this article 1.2 and such additional rules as may be necessary to implement the loan program. At a minimum, the rules must:

(b) On and after January 1, 2023, to the extent practicable, prioritize the provision of loans to eligible farmers or ranchers who apply for loans or grants from the loan program and who:

(II) Represent a population that is underserved or underrepresented in Colorado agriculture; ~~and~~

(c) Specify:

(VII) Permissible uses of money awarded as low-interest loans to eligible farmers or ranchers, ELIGIBLE ENTITIES, and eligible businesses, which uses may include:

(F) Such other uses as the commissioner may identify; **AND**

(d) **PRIORITIZE THE PROVISION OF LOANS TO ELIGIBLE ENTITIES THAT APPLY FOR LOANS TO ACQUIRE AND CONSERVE AGRICULTURALLY PRODUCTIVE LAND AND THAT SEEK TO TRANSFER OWNERSHIP OF THE LAND TO AN ELIGIBLE FARMER OR RANCHER WHO QUALIFIES FOR A LOAN PURSUANT TO SUBSECTION (7)(b)(I) OR (7)(b)(II) OF THIS SECTION.**

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to applications submitted on or after the applicable effective date of this act.

Approved: March 24, 2026