After consideration on the merits, the Committee recommends the following:

SB21-027 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, after line 8 insert:

"(3) (a) In addition, the general assembly further finds and declares that:

(I) The federal government enacted the "American Rescue Plan Act of 2021" to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and to assist their efforts to contain the effects of COVID-19 on their communities, residents, and businesses. Under the federal act, the state of Colorado received over three billion dollars to be used for the purposes identified in the federal act;

(II) Regulations construing the federal act promulgated by the United States treasury identify a nonexclusive list of uses that address a broad range of public health needs exacerbated by the pandemic. Under these regulations, funds may be used for addressing the negative economic impacts caused by the public health emergency, including food assistance for households facing food insecurity; and

(III) The COVID-19 public health emergency has created an exponential need for emergency food resources for all emergency food providers and has upended many Colorado families' economic security and resulted in hunger insecurity.

(b) Therefore, the general assembly declares that the food pantry assistance program funded by transfers in this bill are appropriate uses of the money transferred to Colorado under the federal act. This money will
be put to expeditious and efficient use in expanding access to food assistance across the state.

Page 5, after line 16 insert:

"SECTION 3. In Colorado Revised Statutes, 26-2-139, amend (2), (3)(a), (3)(b), and (4)(a) introductory portion; and add (4.5) as follows:

26-2-139. Food pantry assistance grant program - created - timeline and criteria - grants - definitions - repeal. (2) There is created in the state department the food pantry assistance grant program. The purpose of the grant program is to aid Colorado food pantries and food banks in the purchase of foods that better meet the needs of their clientele, which has expanded significantly as a result of the COVID-19 public health emergency. It is the intent of the general assembly that all money awarded by the grant program is expended by July 31, 2021.

(3) (a) The state department may create a process for soliciting, vetting, awarding, and monitoring grants, pursuant to the sole source procurement authority specified in section 24-103-205 CONTRACT WITH A THIRD PARTY VENDOR TO SOLICIT, VET, AWARD, AND MONITOR GRANTS. THE SELECTION OF ANY VENDOR PURSUANT TO THIS SUBSECTION (3)(a) IS EXEMPT FROM THE REQUIREMENTS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.

(b) The state department is authorized to use seventy thousand dollars UP TO FIVE PERCENT of the total funds appropriated to the grant program for the direct and indirect costs of administering and monitoring the grant program.

(4) (a) On or before December 30, 2020, but as soon as practicable after June 22, 2020, The state department OR THIRD PARTY VENDOR shall award one or more grants out of the federal CARES Act to eligible entities ON OR BEFORE MARCH 31, 2021, but as soon as practicable after the effective date of this section THE STATE DEPARTMENT SHALL AWARD ONE OR MORE GRANTS TO ELIGIBLE ENTITIES USING STATE MONEY APPROPRIATED TO THE GRANT PROGRAM. In awarding grants, the state department shall, at a minimum, consider:

(4.5) (a) FOR STATE FISCAL YEAR 2021-22, THE GENERAL ASSEMBLY SHALL APPROPRIATE FIVE MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND, CREATED IN SECTION 24-75-228, AS ENACTED BY SENATE BILL 21-291, ENACTED IN 2021, TO THE STATE DEPARTMENT FOR THE GRANT PROGRAM THAT CONFORMS WITH
THE ALLOWABLE PURPOSES SET FORTH IN THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY BE SUBSEQUENTLY AMENDED.

(b) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2023.

Renumber succeeding sections accordingly.

Page 5, line 18, strike "For" and substitute "(1) For".

Page 5, after line 23 insert:

"(2) For the 2021-22 state fiscal year, $5,000,000 is appropriated to the department of human services for use by the office self sufficiency. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228, C.R.S., and of money the state receives from the federal coronavirus state fiscal recovery fund. To implement this act, the office may use this appropriation for the food pantry assistance grant program created in section 26-2-139 (2), C.R.S.

SECTION 5. Effective date. Section 3 of this act takes effect only if Senate Bill 21-288 becomes law, and, in which case, section 3 of this act takes effect either upon the effective date of this act or one day after the effective date of Senate Bill 21-288, whichever is later.".

Renumber succeeding section accordingly.

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