A BILL FOR AN ACT

CONCERNING EXPANDING THE GRADES ELIGIBLE FOR THE CHILD NUTRITION SCHOOL LUNCH PROTECTION PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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.)

Current law creates an annual appropriation to provide lunches at no charge to children in state-subsidized early childhood education programs administered by public schools or in kindergarten through fifth grade who would otherwise have to pay for a reduced-price lunch.

The bill extends the grade of eligibility to eighth grade in schools
that elect to participate in the expanded program. The bill authorizes an annual appropriation, including a cap on the amount of the annual appropriation, to cover the expanded grades of eligible children.

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

SECTION 1. In Colorado Revised Statutes, 22-82.9-104, amend (4)(a) as follows:

22-82.9-104. Child nutrition school lunch protection program - creation - administration - objectives. (4) The objectives of the program are to:

(a) Eliminate the reduced price paid by Colorado students who are enrolled in state-subsidized early childhood education programs administered by public schools or in kindergarten through fifth grade and who are participating in the school lunch program;

SECTION 2. In Colorado Revised Statutes, 22-82.9-105, add (1.5) as follows:

22-82.9-105. Program funding - appropriation.

(1.5) COMMENCING IN FISCAL YEAR 2018-19 AND FOR EACH FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO THE SEPARATE LINE ITEM IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE PROGRAM AN AMOUNT OF NOT LESS THAN FIVE HUNDRED THOUSAND DOLLARS AND NOT MORE THAN SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO THE DEPARTMENT TO ALLOW SCHOOL FOOD AUTHORITIES TO PROVIDE LUNCHES AT NO CHARGE FOR CHILDREN IN SIXTH GRADE THROUGH EIGHTH GRADE WHO ARE PARTICIPATING IN THE SCHOOL LUNCH PROGRAM AND WHO WOULD OTHERWISE BE REQUIRED TO PAY A REDUCED PRICE FOR LUNCH. THIS SUBSECTION (1.5) ONLY APPLIES TO
SCHOOL FOOD AUTHORITIES THAT ELECT TO ELIMINATE THE REDUCED
PRICE PAID BY COLORADO STUDENTS IN SIXTH GRADE THROUGH EIGHTH
GRADE. THE APPROPRIATION TO THE DEPARTMENT FOR THIS SUBSECTION
(1.5) SHALL BE IN ADDITION TO ANY APPROPRIATION MADE BY THE
GENERAL ASSEMBLY PURSUANT TO SECTION 22-54-123 OR 22-54-123.5 (1)
AND PURSUANT TO SUBSECTION (1) OF THIS SECTION. IN ADDITION TO THE
AUTHORITY GRANTED THE DEPARTMENT TO EXPEND MONEY
APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO OFFSET
THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN
IMPLEMENTING THE PROGRAM, THE GENERAL ASSEMBLY MAY AUTHORIZE
THE DEPARTMENT TO EXPEND A PORTION OF THE MONEY APPROPRIATED
PURSUANT TO THIS SUBSECTION (1.5) TO OFFSET ANY INCREASE IN THE
DEPARTMENT'S DIRECT AND INDIRECT COSTS INCURRED BY THE EXPANSION
OF THE PROGRAM PURSUANT TO THIS SUBSECTION (1.5).

SECTION 3. Appropriation. For the 2018-19 state fiscal year,
$564,279 is appropriated to the department of education. This
appropriation is from the general fund. To implement this act, the
department may use this appropriation for the child nutrition school lunch
protection program.

SECTION 4. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, and safety.