

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0827.01 Yelana Love x2295

HOUSE BILL 19-1202

HOUSE SPONSORSHIP

McLachlan and Galindo, Arndt, Kipp, Pelton

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Ginal and Priola,

House Committees

Rural Affairs & Agriculture
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A BILL FOR AN ACT

101 **CONCERNING THE FOOD SYSTEMS ADVISORY COUNCIL.**

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>.)

The bill relocates the Colorado food systems advisory council (council) from the department of agriculture to Colorado state university.

The bill ends the terms of current members of the council and provides for the appointment of new members to the council.

As updated in the bill, the council's duties are to:

- ! Grow local, regional, and statewide food economies within which producers have access to new markets and low-income populations have access to fresh, affordable,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 ~~multi-stakeholder organizations, as an effective way to support system~~
2 ~~changes to improve local, regional, and state food economies~~ IN
3 SEPTEMBER 2009, THE FEDERAL CENTERS FOR DISEASE CONTROL AND
4 PREVENTION REPORTED THAT NO STATE IN THE COUNTRY WAS MEETING
5 NATIONAL GOALS FOR THE AMOUNT OF FRUITS AND VEGETABLES THAT
6 AMERICANS SHOULD BE EATING. AS A RESULT, THE CENTERS FOR DISEASE
7 CONTROL AND PREVENTION IDENTIFIED, AS A FIRST STRATEGY, THE
8 CREATION OF FOOD POLICY COUNCILS TO IMPROVE THE FOOD
9 ENVIRONMENT AND ECONOMIES AT THE LOCAL, REGIONAL, AND STATE
10 LEVELS.

11 (b) ~~Food councils formed in other states have been effective in~~
12 ~~bringing together a broad array of food-related government and~~
13 ~~nongovernment constituencies to employ a food systems approach that~~
14 ~~facilitates evaluation and program development at every stage of the food~~
15 ~~process from farm to table;~~ FOOD POLICY COUNCILS CONSIST OF
16 MULTISTAKEHOLDER ORGANIZATIONS THAT EMPLOY A FOOD SYSTEMS
17 APPROACH THAT FACILITATES EVALUATION AND PROGRAM DEVELOPMENT
18 AT EVERY STAGE OF THE FOOD PROCESS FROM FARM TO TABLE. BY 2016,
19 THERE WERE OVER TWO HUNDRED TWENTY FOOD POLICY COUNCILS
20 THROUGHOUT THE UNITED STATES ADDRESSING ISSUES SUCH AS HEALTHY
21 FOOD ACCESS, ECONOMIC DEVELOPMENT, AND FOOD PROCUREMENT.
22 COLORADO'S FOOD SYSTEMS ADVISORY COUNCIL, WHICH WAS CREATED IN
23 2010, HAS FOCUSED PRIMARILY ON STRENGTHENING HEALTHY FOOD
24 ACCESS FOR ALL COLORADANS THROUGH THE GROWTH OF COLORADO
25 AGRICULTURE AND LOCAL FOOD SYSTEMS AND ECONOMIES.

26 (c) ~~Formation of a state food advisory council is intended to~~
27 ~~benefit Colorado agriculturists and others involved in all aspects of~~

1 ~~agricultural production~~; IN 2017, COLORADO STATE UNIVERSITY, IN
2 PARTNERSHIP WITH THE COUNCIL AND OTHERS, RELEASED THE COLORADO
3 BLUEPRINT OF FOOD AND AGRICULTURE THAT IDENTIFIED KEY ASSETS,
4 EMERGING ISSUES, AND SHARED PRIORITIES FOR FUTURE INVESTMENTS IN
5 FOOD AND AGRICULTURE THROUGHOUT COLORADO. THE BLUEPRINT AND
6 THE EXISTING WORK OF THE COUNCIL DEMONSTRATE THAT BUILDING
7 LOCAL, REGIONAL, AND STATE FOOD ECONOMIES WILL CREATE JOBS,
8 STIMULATE STATEWIDE ECONOMIC DEVELOPMENT, AND CIRCULATE MONEY
9 FROM LOCAL FOOD SALES WITHIN LOCAL COMMUNITIES.

10 (d) ~~Creation of a state food advisory council will provide~~
11 ~~increased focus on the economic development opportunities of Colorado's~~
12 ~~food system along with improvements to agricultural production,~~
13 ~~community well-being, and public health~~ THE CONTINUATION AND
14 ENHANCEMENT OF THE COUNCIL IS NECESSARY TO ADDRESS THE
15 RECOMMENDATIONS IN THE BLUEPRINT TO SUPPORT FOOD SYSTEM
16 CHANGES DESIGNED TO GROW LOCAL, REGIONAL, AND STATEWIDE FOOD
17 ECONOMIES WITHIN WHICH AGRICULTURAL PRODUCERS HAVE ACCESS TO
18 NEW MARKETS AND COLORADO'S POPULATION HAS IMPROVED ACCESS TO
19 FRESH, AFFORDABLE, AND HEALTHY FOODS; AND

20 (e) ~~Nothing in this article is intended to impede, cause harm to, or~~
21 ~~limit conventionally produced agricultural products or the persons who~~
22 ~~produce them~~ BUILDING ROBUST, RESILIENT, AND LONG-TERM LOCAL AND
23 REGIONAL FOOD ECONOMIES IN COLORADO WILL PRESERVE AND PROTECT
24 THE NATURAL ENVIRONMENT; INCREASE CONSUMER ACCESS TO FRESH,
25 HEALTHY, AND SAFE FOODS; AND PROVIDE GREATER FOOD SECURITY FOR
26 ALL COLORADANS.

27 (2) ~~The general assembly further finds that building local,~~

1 regional, and state food economies will create jobs, stimulate statewide
2 economic development, and circulate money from local food sales within
3 local communities. The general assembly finds that building robust,
4 resilient, and long-term local food economies in Colorado will preserve
5 and protect the natural environment, increase consumer access to fresh,
6 healthy, and safe foods, and provide greater food security for all
7 Coloradans.

8 **23-31-1102. [Formerly 24-37.3-102] Colorado food systems**
9 **advisory council - created - membership - terms - vacancies - repeal.**

10 (1) There is hereby established ~~in the department of agriculture~~ WITHIN
11 COLORADO STATE UNIVERSITY the Colorado food systems advisory
12 council, referred to in this ~~article~~ PART 11 as the "council". The council
13 is created as an advisory committee to ~~foster a healthy food supply~~
14 ~~available to all Colorado residents while enhancing the state's agricultural~~
15 ~~and natural resources, encouraging economic growth, expanding the~~
16 ~~viability of agriculture, and improving the health of our communities and~~
17 ~~residents. The council's role is to make recommendations to the general~~
18 ~~assembly and to the appropriate regulatory agencies, not to create policy.~~
19 ~~The council shall use a method of dialogue and consensus~~
20 ~~decision-making to arrive at its~~ PROVIDE recommendations REGARDING
21 INCREASING HEALTHY FOOD ACCESS FOR ALL COLORADO RESIDENTS,
22 CREATING ECONOMIC OPPORTUNITIES FOR COLORADO AGRICULTURAL
23 PRODUCERS AND FOOD-RELATED BUSINESSES, AND STRENGTHENING LOCAL
24 AND REGIONAL FOOD SYSTEMS.

25 (2) The council consists of: ~~fifteen members as follows:~~

26 (a) ~~The executive director, or his or her designee, of each of the~~
27 ~~following state departments~~ FOLLOWING SIX MEMBERS APPOINTED AS

1 INDICATED:

2 (I) ONE REPRESENTATIVE OF THE DEPARTMENT OF EDUCATION,
3 APPOINTED BY THE COMMISSIONER OF EDUCATION;

4 ~~(H)~~ (II) ONE REPRESENTATIVE OF the department of public health
5 and environment, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
6 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

7 ~~(H)~~ (III) ONE REPRESENTATIVE OF the department of agriculture,
8 APPOINTED BY THE COMMISSIONER OF AGRICULTURE;

9 ~~(H)~~ (IV) ONE REPRESENTATIVE OF the department of human
10 services, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
11 OF HUMAN SERVICES;

12 ~~(IV)~~ (V) ~~The department~~ ONE REPRESENTATIVE of ~~education~~ THE
13 COLORADO STATE UNIVERSITY EXTENSION, APPOINTED BY THE DIRECTOR
14 OF THE COLORADO STATE UNIVERSITY EXTENSION; AND

15 (VI) ONE REPRESENTATIVE OF THE COLORADO OFFICE OF
16 ECONOMIC DEVELOPMENT, CREATED IN SECTION 24-48.5-101, APPOINTED
17 BY THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT; AND

18 (b) ~~Eleven~~ SIXTEEN members appointed by the governor ~~who~~
19 ~~represent and have expertise in one of seven functional areas of food~~
20 ~~systems~~; OR THE GOVERNOR'S DESIGNEE as follows:

21 (I) Two members who ~~represent nutrition and health~~ ARE
22 RECIPIENTS OF A FEDERAL FOOD ASSISTANCE PROGRAM, AT LEAST ONE OF
23 WHOM IS A RECIPIENT OF THE SUPPLEMENTAL NUTRITION ASSISTANCE
24 PROGRAM;

25 (II) ~~Three~~ TWO members who represent DIFFERENT SECTORS OF
26 agricultural production, ~~at least~~ one of whom ~~represents a large producer~~
27 ~~and one a small producer~~ IS A SPECIALTY CROP PRODUCER AND AT LEAST

1 ONE OF WHOM SELLS AGRICULTURAL PRODUCTS TO A PUBLIC SCHOOL OR
2 SCHOOL DISTRICT;

3 (III) ~~One member who represents small food wholesalers or food~~
4 ~~retailers and one member who represents large food wholesalers or food~~
5 ~~retailers, of which one of the two members may represent both small and~~
6 ~~large food wholesalers or food retailers~~ TWO MEMBERS WHO REPRESENT
7 FOOD WHOLESALERS OR FOOD RETAILERS, ONE OF WHOM MUST BE A
8 DIRECT MARKET RETAILER;

9 (IV) One member who represents A STATEWIDE anti-hunger ~~and~~
10 ~~food assistance programs~~ ORGANIZATION;

11 (V) ~~One member~~ TWO MEMBERS who ~~is~~ ARE knowledgeable about
12 ~~a local, state, or federal agency and who has~~ AGENCIES, ONE OF WHOM
13 HAS EXPERTISE IN FEDERAL FOOD AND NUTRITION SERVICE PROGRAMS AND
14 ONE OF WHOM HAS expertise in rural community and regional
15 development programs or community and economic development
16 programs;

17 (VI) One member from an academic institution who specializes
18 in economic systems, agriculture, or health care;

19 (VII) ~~The director of the Colorado state university extension~~
20 ~~services program or his or her designee.~~ TWO MEMBERS WHO REPRESENT
21 INSTITUTIONAL PROCUREMENT, ONE OF WHOM IS FROM AN EDUCATIONAL
22 SETTING AND ONE OF WHOM IS FROM A HEALTH CARE SETTING;

23 (VIII) ONE MEMBER WHO REPRESENTS A LOCAL, NONPROFIT,
24 COMMUNITY ORGANIZATION ENGAGED IN A FARM-TO-SCHOOL PROGRAM
25 OR LOCAL FOOD SYSTEMS;

26 (IX) ONE MEMBER WHO REPRESENTS A FOOD DISTRIBUTOR OR A
27 FOOD HUB;

1 (X) ONE MEMBER WHO IS KNOWLEDGEABLE ABOUT NUTRITION,
2 PREFERABLY A PHYSICIAN LICENSED IN THIS STATE OR A REGISTERED
3 DIETICIAN; AND

4 (XI) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATEWIDE
5 HEALTHY FOOD SYSTEMS ORGANIZATION.

6 (3) In making appointments to the council, the ~~governor~~
7 APPOINTING AUTHORITIES shall ensure, TO THE EXTENT POSSIBLE, that the
8 membership of the council includes geographic ~~representation from all~~
9 ~~areas of the state. The governor shall also consider appointing persons~~
10 ~~who have expertise in more than one functional area. No more than five~~
11 ~~members of the council appointed by the governor shall be members of~~
12 ~~the same political party~~ AND SOCIAL DIVERSITY, AS WELL AS A BALANCE
13 OF EXPERTISE, BOTH GOVERNMENTAL AND NONGOVERNMENTAL, IN ISSUES
14 RELATING TO COLORADO'S FOOD SYSTEMS.

15 (4) Each member of the council ~~who is appointed pursuant to~~
16 ~~subsection (2) of this section shall serve~~ SERVES at the pleasure of the
17 appointing authority who appointed the member. Each member of the
18 council ~~shall serve~~ SERVES a three-year term; except that the governor OR
19 THE GOVERNOR'S DESIGNEE shall appoint ~~four~~ SIX members to serve
20 two-year terms AND FOUR MEMBERS TO SERVE FOUR-YEAR TERMS. AN
21 APPOINTING AUTHORITY MAY REAPPOINT THE MEMBER FOR ONE
22 ADDITIONAL THREE-YEAR TERM.

23 (5)(a) THE TERMS OF THE COUNCIL MEMBERS APPOINTED PRIOR TO
24 THE EFFECTIVE DATE OF THIS PART 11 EXPIRE ON AUGUST 30, 2019. The
25 appointing authorities shall make their ~~initial~~ appointments to the council
26 AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION no later than ~~October 1,~~
27 ~~2010~~ AUGUST 31, 2019.

1 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
2 2020.

3 (6) Any vacancy on the council shall be filled in the same manner
4 in which the original appointment was made, and the term ~~shall be~~ IS for
5 the balance of the unexpired term of the member whose ~~term~~ POSITION ON
6 THE COUNCIL is vacant.

7 (7) A majority of the members of the council shall elect a chair
8 and a vice-chair, who shall serve for two-year terms. A member of the
9 council who is an executive director OR COMMISSIONER of a state
10 department or ~~his or her~~ THE EXECUTIVE DIRECTOR'S OR COMMISSIONER'S
11 designee may be elected to be a chair or a vice-chair of the council, but
12 both positions shall not be held at the same time by members who are
13 executive directors OR COMMISSIONERS of state departments or their
14 designees.

15 (8) Each member of the council ~~shall serve~~ SERVES without
16 compensation but may be reimbursed from the food systems advisory
17 council fund created in section ~~24-37.3-105~~ 23-31-1105 for actual and
18 necessary subsistence and travel expenses incurred in the performance of
19 ~~his or her~~ THE MEMBER'S duties as a member of the council.

20 (9) ~~The chair shall call the meetings and notify the members of~~
21 ~~each meeting being called at least seven days in advance.~~ THE CHAIR
22 SHALL HOLD meetings ~~shall be held~~ as often as the chair deems necessary
23 but not less than four times each calendar year. ~~A quorum for the~~
24 ~~transaction of business consists of seven members of~~ The council SHALL
25 ADOPT POLICIES AND PROCEDURES NECESSARY TO CARRY OUT ITS DUTIES.
26 IF NEEDED, AND IF FUNDING IS AVAILABLE, COLORADO STATE UNIVERSITY
27 MAY STAFF THE COUNCIL.

1 **23-31-1103. [Formerly 24-37.3-103] Council - purpose and**
2 **duties.** (1) The ~~purpose~~ PURPOSES of the council ~~is to~~ INCLUDE:

3 (a) ~~Identify and use existing studies of the food system and~~
4 ~~examples of best practices, whenever possible;~~ GROWING LOCAL,
5 REGIONAL, AND STATEWIDE FOOD ECONOMIES WITHIN WHICH PRODUCERS
6 HAVE ACCESS TO NEW MARKETS AND LOW-INCOME POPULATIONS HAVE
7 ACCESS TO FRESH, AFFORDABLE, AND HEALTHY FOODS. THE COUNCIL WILL
8 COLLABORATE AND COORDINATE WITH AGRICULTURAL PRODUCERS,
9 RELEVANT STATE AND FEDERAL EDUCATIONAL INSTITUTIONS,
10 NONGOVERNMENTAL ORGANIZATIONS, AND CONSUMERS TO CONNECT
11 STATE AND FEDERAL AGENCIES AND TO PROVIDE COLORADO
12 AGRICULTURAL PRODUCERS, INCLUDING FRUIT AND VEGETABLE
13 PRODUCERS, WITH VIABLE MARKET OPPORTUNITIES. AREAS OF FOCUS
14 INCLUDE:

15 (I) CONNECTING COLORADO AGRICULTURAL PRODUCERS TO
16 FEDERAL FOOD ASSISTANCE PROGRAMS BY FUNCTIONING AS AN
17 INTERAGENCY LIAISON BETWEEN RELEVANT STATE AND FEDERAL
18 AGENCIES;

19 (II) LEVERAGING THE PURCHASING POWER OF THE STATE'S
20 INSTITUTIONS TO CREATE NEW AND RELIABLE MARKETS FOR COLORADO
21 AGRICULTURAL PRODUCTS AND SUPPORT THE GROWTH OF ROBUST AND
22 RESILIENT FOOD SYSTEMS WHILE PROVIDING FRESH, AFFORDABLE, AND
23 HEALTHY FOODS TO VULNERABLE POPULATIONS; AND

24 (III) SUPPORTING THE IMPLEMENTATION OF THE
25 RECOMMENDATIONS IN THE COLORADO BLUEPRINT OF FOOD AND
26 AGRICULTURE PROJECT, ENSURING THAT THE RECOMMENDATIONS IN THE
27 BLUEPRINT, OR ITS SUCCESSOR PROJECT, ARE UPDATED AS NEEDED, AND

1 ENSURING ALIGNMENT WITH OTHER STATE OR LOCAL FOOD PLANS IF
2 RELEVANT;

3 ~~(b) Work with other task forces, committees, or organizations that~~
4 ~~are pursuing initiatives or studies similar to the purposes and duties~~
5 ~~outlined in this article and develop relationships with other task forces,~~
6 ~~committees, or organizations to collaborate on similar efforts~~

7 CONDUCTING RESEARCH REGARDING NATIONAL BEST PRACTICES
8 REGARDING FOOD AND NUTRITION ASSISTANCE, DIRECT AND
9 INTERMEDIATED MARKET DEVELOPMENT, INSTITUTIONAL PROCUREMENT,
10 AND FARM-TO-SCHOOL PROGRAMS AS WELL AS OTHER PRIORITIES
11 DETERMINED BY THE COUNCIL;

12 ~~(c) Develop local food recommendations that promote the~~
13 ~~building of robust, resilient, and long-term local food economies;~~

14 ~~(d) Develop recommendations regarding hunger and food access;~~

15 ~~(e) (c) Collaborate~~ COLLABORATING with, ~~serve~~ SERVING as a
16 resource to, and ~~receive~~ RECEIVING input from local and regional food
17 policy councils in the state; AND

18 (d) EXPLORING METHODS OF COLLECTING AND ASSESSING
19 STATEWIDE DATA RELATING TO COUNCIL ACTIVITIES AND REPORTING THE
20 RELEVANT INFORMATION AND DATA REGARDING COUNCIL ACTIVITIES AS
21 REQUIRED BY SECTION 23-31-1106.

22 ~~(f) Collaborate with the department of agriculture in promoting~~
23 ~~the marketing program known as "Colorado Proud", which helps~~
24 ~~consumers, restaurants, and retailers to identify and purchase Colorado~~
25 ~~food and agricultural products; and~~

26 ~~(g) Develop recommendations for actions that state and local~~
27 ~~governments, businesses, agriculturists, and consumers can take to build~~

1 ~~robust, resilient, and long-term local food economies.~~

2 (2) ~~In developing its recommendations, the council shall consider,~~
3 ~~but not be limited to, the following areas of interest:~~ THE DEPARTMENT OF
4 AGRICULTURE, DEPARTMENT OF EDUCATION, DEPARTMENT OF HUMAN
5 SERVICES, AND DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
6 SHALL COOPERATE WITH THE COUNCIL WITH RESPECT TO THE COUNCIL'S
7 DUTIES SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

8 ~~(a) (I) An examination of foods made available to children,~~
9 ~~including those in public schools, and consideration of ways to improve~~
10 ~~the nutritional quality of those foods and increase children's access to~~
11 ~~locally grown foods.~~

12 ~~(H) In designing recommendations to improve school nutrition~~
13 ~~and increase access to locally grown foods, the council shall incorporate~~
14 ~~input from, and coordinate with the work of, the Colorado campaign to~~
15 ~~end childhood hunger by 2015, initiated by executive order of the~~
16 ~~governor.~~

17 ~~(b) A study of efforts to make local, healthy, and safe foods~~
18 ~~available under public assistance programs, including the possibility of~~
19 ~~using electronic benefit cards for the supplemental nutrition assistance~~
20 ~~program (SNAP) and federal farmers' market nutrition program (FMNP)~~
21 ~~coupons at local farmers' markets;~~

22 ~~(c) An in-depth examination of local and regional efforts to~~
23 ~~strengthen and develop robust, resilient, and long-term local food~~
24 ~~economies by supporting and promoting urban, suburban, and rural~~
25 ~~agricultural production; identifying and developing solutions to regulatory~~
26 ~~and policy barriers; and strengthening local infrastructure and~~
27 ~~entrepreneurial efforts;~~

1 ~~(d) The potential impacts that the production of local, healthy, and~~
2 ~~safe foods would have on economic development in Colorado, including~~
3 ~~both the direct impacts for the producers of local food and the actual and~~
4 ~~potential indirect impacts, such as encouraging restaurants to feature~~
5 ~~locally raised agricultural products and promoting food and wine tourism;~~
6 ~~and~~

7 ~~(e) Any other issues the council, by consensus, considers~~
8 ~~pertinent.~~

9 **23-31-1104. [Formerly 24-37.3-104] Subcommittees of the**
10 **council.** (1) (a) The council may create subcommittees, as the council
11 deems necessary, to carry out the work of the council. ~~These~~
12 ~~subcommittees may include but are not limited to:~~

- 13 ~~(I) Local and regional food councils;~~
- 14 ~~(II) Local government;~~
- 15 ~~(III) School districts, the members of which shall include persons~~
16 ~~with expertise in nutrition and in school financing; and~~
- 17 ~~(IV) A coordination subcommittee to collaborate with other task~~
18 ~~forces, committees, and organizations, including the interagency~~
19 ~~farm-to-school coordination task force created in section 22-82.6-104,~~
20 ~~C.R.S.~~

21 (b) ~~IF CREATED,~~ the subcommittees ~~shall~~ MUST include
22 representatives of the council and may include persons appointed by the
23 chair and the vice-chair of the council who are not members of the
24 council.

25 (2) The council may engage in any other activity the council
26 determines is necessary to accomplish the purposes outlined in this ~~article~~
27 PART 11.

1 **23-31-1105. [Formerly 24-37.3-105] Fund - acceptance of gifts,**
2 **grants, or donations.** (1) For the purposes of carrying out the duties of
3 the council, the council is authorized to seek and accept gifts, grants, or
4 donations, including in-kind donations, from private or public sources for
5 the purposes of this ~~article~~ PART 11; except that the council may not
6 accept a gift, grant, or donation that is subject to conditions that are
7 inconsistent with this ~~article~~ PART 11 or any other law of the state. The
8 council may accept in-kind donations of staff services from the private
9 sector to staff the council. The council is also authorized to accept and
10 expend federal ~~funds~~ MONEY available for ~~food policy councils~~ ITS
11 ACTIVITIES. All private and public ~~moneys~~ MONEY received through gifts,
12 grants, or donations shall be transmitted to the state treasurer, who shall
13 credit ~~the same~~ IT to the food systems advisory council fund, which fund
14 is ~~hereby~~ created IN THE STATE TREASURY and referred to in this section
15 as the "fund". The ~~moneys~~ MONEY in the fund ~~must be~~ IS continuously
16 appropriated ~~by the general assembly to the department of agriculture~~ TO
17 COLORADO STATE UNIVERSITY for allocation to the council for the direct
18 and indirect costs associated with implementing this ~~article~~ PART 11. Any
19 ~~moneys~~ MONEY in the fund not expended for the purpose of this ~~article~~
20 PART 11 may be invested by the state treasurer as provided by law. THE
21 STATE TREASURER SHALL CREDIT all interest and income derived from the
22 investment and deposit of ~~moneys~~ MONEY in the fund ~~shall be credited~~ to
23 the fund. ~~Any unexpended and unencumbered moneys remaining in the~~
24 ~~fund at the end of a fiscal year shall remain in the fund and shall not~~
25 ~~revert or be credited or transferred to the general fund or another fund;~~
26 ~~except that, if, at the time this article is repealed pursuant to section~~
27 ~~24-37.3-107, the fund contains a balance of unencumbered and~~

1 unexpended moneys, those moneys shall revert to the general fund.

2 (2) ~~Moneys~~ MONEY in the fund may be used for the following
3 purposes:

4 (a) The actual and necessary expenses incurred by members of the
5 council for serving on the council;

6 (b) The costs of staffing the council, IF STAFFED BY COLORADO
7 STATE UNIVERSITY; and

8 (c) The costs of ~~preparing and submitting the annual report~~
9 ~~required by section 24-37.3-106~~ FUNDING PROGRAMS INITIATED BY THE
10 COUNCIL OR COUNCIL STAFF.

11 (3) ~~It is the intent of the general assembly that no moneys from the~~
12 ~~general fund be appropriated for the council. It is also the intent of the~~
13 ~~general assembly that no state employees be hired to implement this~~
14 ~~article and that the administrative costs of providing fiscal support to the~~
15 ~~council be absorbed by the department of agriculture.~~

16 (4) ~~If the council does not receive sufficient moneys through gifts,~~
17 ~~grants, and donations pursuant to subsection (1) of this section to carry~~
18 ~~out the duties of the council, the council shall not meet and shall not~~
19 ~~prepare an annual report pursuant to section 24-37.3-106 until such time~~
20 ~~as sufficient moneys become available.~~

21 **23-31-1106. [Formerly 24-37.3-106] Reports -**
22 **recommendations.** ~~Commencing October 1, 2011, and on or before~~
23 ~~October 1 of each year thereafter, the council shall report its findings and~~
24 ~~recommendations, including any legislative proposals or proposals for~~
25 ~~administrative action, to the general assembly, the governor, and the~~
26 ~~commissioner of agriculture pursuant to section 24-1-136 (9).~~
27 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), no later than January 31,

1 ~~2012~~ 2021, and every January 31 EVERY OTHER YEAR thereafter, the
2 council shall also report its findings and recommendations, including any
3 legislative proposals; THE INFORMATION SPECIFIED IN SECTION 23-31-1103
4 (1)(d) to ~~the house health and human services committee; the senate~~
5 ~~health and human services committee;~~ the house RURAL AFFAIRS AND
6 agriculture livestock, and natural resources committee and the senate
7 agriculture and natural resources committee, or their successor
8 committees.

9 **23-31-1107. [Formerly 24-37.3-107] Repeal of part.** This article
10 ~~37.3~~ PART 11 is repealed, effective September 1, 2023. ~~Prior to such~~
11 ~~BEFORE THE~~ repeal, the food systems advisory council shall be reviewed
12 ~~as provided for in~~ THIS PART 11 IS SCHEDULED FOR REVIEW IN
13 ACCORDANCE WITH section 2-3-1203.

14 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **amend**
15 (14)(a)(X) as follows:

16 **2-3-1203. Sunset review of advisory committees - legislative**
17 **declaration - definition - repeal.** (14) (a) The following statutory
18 authorizations for the designated advisory committees are scheduled for
19 repeal on September 1, 2023:

20 (X) The Colorado food systems advisory council created in
21 ~~section 24-37.3-102~~ PART 11 OF ARTICLE 31 OF TITLE 23.

22 **SECTION 3. Repeal of relocated provisions in this act.** In
23 Colorado Revised Statutes, **repeal** article 37.3 of title 24.

24 **SECTION 4.** In Colorado Revised Statutes, **repeal** article 82.6
25 of title 22.

26 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.