

## CHAPTER 343

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**GOVERNMENT - STATE**

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## SENATE BILL 13-174

BY SENATOR(S) Schwartz, Giron, Jones, Carroll, Guzman, Heath, Kefalas, Tochtrop, Todd;  
also REPRESENTATIVE(S) Lebock, Fischer, Ginal, Hullinghorst, Labuda, Mitsch Bush, Ryden, Schafer, Singer, Vigil.

## AN ACT

## CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL.

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

**SECTION 1.** In Colorado Revised Statutes, 2-3-1203, **repeal** (3) (z) (VI); and **add** (3) (ee.5) as follows:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(z) July 1, 2013:

(VI) ~~The Colorado food systems advisory council created in section 24-37.3-102, C.R.S.;~~

(ee.5) SEPTEMBER 1, 2018:

(I) THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL CREATED IN SECTION 24-37.3-102, C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 24-37.3-102, **amend** (2) introductory portion, (2) (b) introductory portion, (2) (b) (II), and (2) (b) (III); and **add** (2) (b) (VI) and (2) (b) (VII) as follows:

**24-37.3-102. Colorado food systems advisory council - created - membership - terms - vacancies.** (2) The council consists of ~~thirteen~~ FIFTEEN members as follows:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(b) ~~Nine~~ ELEVEN members appointed by the governor who represent and have expertise in one of ~~five~~ SEVEN functional areas of food systems, as follows:

(II) Three members who represent agricultural production, AT LEAST ONE OF WHOM REPRESENTS A LARGE PRODUCER AND ONE A SMALL PRODUCER;

(III) ~~Two members who represent~~ ONE MEMBER WHO REPRESENTS SMALL food wholesalers or food retailers AND ONE MEMBER WHO REPRESENTS LARGE FOOD WHOLESALERS OR FOOD RETAILERS, OF WHICH ONE OF THE TWO MEMBERS MAY REPRESENT BOTH SMALL AND LARGE FOOD WHOLESALERS OR FOOD RETAILERS;

(VI) ONE MEMBER FROM AN ACADEMIC INSTITUTION WHO SPECIALIZES IN ECONOMIC SYSTEMS, AGRICULTURE, OR HEALTH CARE;

(VII) THE DIRECTOR OF THE COLORADO STATE UNIVERSITY EXTENSION SERVICES PROGRAM OR HIS OR HER DESIGNEE.

**SECTION 3.** In Colorado Revised Statutes, 24-37.3-105, **amend** (1) as follows:

**24-37.3-105. Fund - acceptance of gifts, grants, or donations.** (1) For the purposes of carrying out the duties of the council, the council is authorized to seek and accept gifts, grants, or donations, including in-kind donations, from private or public sources for the purposes of this article; except that the council may not accept a gift, grant, or donation that is subject to conditions that are inconsistent with this article or any other law of the state. The council may accept in-kind donations of staff services from the private sector to staff the council. The council is also authorized to accept and expend federal funds available for food policy councils. All private and public moneys received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the food systems advisory council fund, which fund is hereby created and referred to in this section as the "fund". The moneys in the fund ~~shall be subject to annual appropriation~~ MUST BE CONTINUOUSLY APPROPRIATED by the general assembly to the department of agriculture for allocation to the council for the direct and indirect costs associated with implementing this article. Any moneys in the fund not expended for the purpose of this article may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert or be credited or transferred to the general fund or another fund; except that, if, at the time this article is repealed pursuant to section 24-37.3-107, the fund contains a balance of unencumbered and unexpended moneys, those moneys shall revert to the general fund.

**SECTION 4.** In Colorado Revised Statutes, **amend** 24-37.3-107 as follows:

**24-37.3-107. Repeal of article.** This article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1, 2018. Prior to such repeal, the food systems advisory council shall be reviewed as provided for in section 2-3-1203, C.R.S.

**SECTION 5. 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.

Approved: May 28, 2013