

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

INTRODUCED

LLS NO. 23-0788.01 Shelby Ross x4510

HOUSE BILL 23-1158

HOUSE SPONSORSHIP

Willford and Taggart,

SENATE SPONSORSHIP

Mullica,

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO COMMODITY**
102 **SUPPLEMENTAL FOOD GRANT PROGRAM.**

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 creates the Colorado commodity supplemental food grant program to provide grants of money to aid county departments of human or social services, food banks, and food pantries in purchasing and distributing food packages to qualifying low-income older Colorado adults.

For the 2023-24 state fiscal year and each state fiscal year

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

thereafter, the bill annually appropriates \$1 million from the general fund to the department of human services for the grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The commodity supplemental food program (CSFP) is a
5 federal food support program that is administered by the Colorado
6 department of human services that provides low-income older Colorado
7 adults with a monthly food package containing a \$50 value in nutritional
8 food staples such as cereals, grains, canned goods, and peanut butter;

9 (b) In Colorado, food packages are distributed by trusted
10 community partners, such as food banks, food pantries, and county
11 departments of human or social services (county department), that often
12 include additional food in the packages including fresh produce, meat,
13 and dairy;

14 (c) Currently, Colorado's caseload for CSFP is around 14,000
15 adults who are 60 years of age or older, but the need is much higher.
16 According to the federal census, there are roughly five times that many
17 older Coloradans living in poverty who may be eligible for CSFP.

18 (d) CSFP is a critical program that helps Colorado's older adults
19 but the program can be difficult and costly for food banks, food pantries,
20 and county departments to operate due to a lack of funding to distribute
21 the food and promote the program to eligible Coloradans;

22 (e) Food banks, food pantries, and county departments receive
23 about \$6 in federal reimbursement per food package but it costs more
24 than \$9 to distribute each package, meaning food banks, food pantries,
25 and county departments operate the program at a net loss; and

1 (f) Feeding Colorado reports that the annual program deficit is
2 over \$360,000 for the five Feeding American food banks that serve every
3 county in Colorado and distribute approximately 84% of the CSFP
4 caseload for the state.

5 (2) Therefore, the general assembly declares it is necessary to
6 create a state-funded commodity supplemental food program to provide
7 state money in addition to the federal money received for the distribution
8 of food packages for low-income older Coloradans.

9 **SECTION 2.** In Colorado Revised Statutes, **add 26-2-143** as
10 follows:

11 **26-2-143. Colorado commodity supplemental food grant**
12 **program - creation - appropriation - rules - definitions.** (1) AS USED
13 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

14 (a) "ELIGIBLE ENTITY" MEANS A COUNTY DEPARTMENT OF HUMAN
15 OR SOCIAL SERVICES, A FOOD BANK, OR A FOOD PANTRY, BUT DOES NOT
16 INCLUDE A HUNGER-RELIEF CHARITABLE ORGANIZATION, AS DEFINED IN
17 SECTION 39-22-536 (1).

18 (b) "FOOD BANK" MEANS A CHARITABLE ORGANIZATION, EXEMPT
19 FROM FEDERAL INCOME TAXATION UNDER THE FEDERAL "INTERNAL
20 REVENUE CODE OF 1986", AS AMENDED, THAT ACQUIRES AND
21 DISTRIBUTES FOOD AND NONFOOD ESSENTIALS TO OTHER HUNGER-RELIEF
22 PROGRAMS.

23 (c) "FOOD PANTRY" MEANS AN INDIVIDUAL SITE THAT BUYS FOOD
24 OR RECEIVES DONATIONS OF FOOD THAT ARE THEN DIRECTLY DISTRIBUTED
25 TO THOSE IN ITS COMMUNITY.

26 (d) "GRANT PROGRAM" MEANS THE COLORADO COMMODITY
27 SUPPLEMENTAL FOOD GRANT PROGRAM CREATED IN SUBSECTION (2) OF

1 THIS SECTION.

2 (2) THERE IS CREATED IN THE STATE DEPARTMENT THE COLORADO
3 COMMODITY SUPPLEMENTAL FOOD GRANT PROGRAM. THE PURPOSE OF THE
4 GRANT PROGRAM IS TO AID ELIGIBLE ENTITIES IN PURCHASING AND
5 DISTRIBUTING FOOD PACKAGES TO QUALIFYING LOW-INCOME OLDER
6 COLORADO ADULTS.

7 (3) THE STATE DEPARTMENT SHALL ADMINISTER THE GRANT
8 PROGRAM. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
9 DEPARTMENT SHALL PAY GRANTS OUT OF MONEY ANNUALLY
10 APPROPRIATED TO THE STATE DEPARTMENT FOR THE GRANT PROGRAM
11 PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE STATE BOARD SHALL
12 ADOPT RULES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM,
13 INCLUDING:

14 (a) TIMELINES FOR APPLICATION FOR, CONSIDERATION OF, AND
15 AWARDING GRANTS;

16 (b) CRITERIA FOR AWARDING GRANTS; AND

17 (c) ANY OTHER MATTERS NECESSARY FOR SUCCESSFUL OPERATION
18 OF THE GRANT PROGRAM.

19 (4) FOR THE 2023-24 STATE FISCAL YEAR AND EACH STATE FISCAL
20 YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY
21 APPROPRIATE ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE
22 STATE DEPARTMENT FOR THE GRANT PROGRAM.

23 **SECTION 3. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.