

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-1081.02 Alana Rosen x2606

HOUSE BILL 24-1390

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO SUPPORT CERTAIN SCHOOL FOOD**
102 **PROGRAMS IN THE DEPARTMENT OF EDUCATION, AND, IN**
103 **CONNECTION THEREWITH, MAKING AND REDUCING AN**
104 **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/>.)

Joint Budget Committee. The bill requires the department of education (department) to apply to the United States department of agriculture for a statewide community eligibility provision if the

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.

HOUSE
3rd Reading Unamended
April 1, 2024

HOUSE
Amended 2nd Reading
March 28, 2024

department determines participation in a statewide community eligibility provision will maximize federal funding.

The bill requires the department to annually establish options for, and communicate the options to, school food authorities to maximize federal funding. A school food authority that chooses an option other than those established by the department will not receive healthy school meals for all program funding and must use other eligible funding sources to cover the costs of serving free meals to all students at the schools of the school food authority.

The bill delays the implementation of the local food purchasing grant, the wage increase or stipend program for school meals food preparation and service employees (wage increase or stipend program), and the local school food purchasing technical assistance and education grant program until the 2025-26 budget year.

The bill requires the department to create a policy for school food authorities to maximize the collection of household income application forms for the national school lunch program to increase federal funding for the program. School food authorities that choose to participate in the program shall apply the policy to maximize the collection of household income application forms.

The bill creates the healthy school meals for all program technical advisory group (advisory group). As soon as practicable, the department shall convene the advisory group. The advisory group shall collaborate with school districts, the office of state planning and budgeting, and other interested parties to:

- Identify ways to maximize federal reimbursements;
- Reduce costs of the program;
- Review cost-savings options, including minimizing food waste;
- Strengthen the long-term resiliency of the healthy school meals for all cash fund;
- Create model revenue scenarios;
- Provide options and recommendations to balance program revenues and expenditures; and
- Draft a report with legislative and administrative recommendations and submit it to the education committees of the house of representatives and the senate, or any successor committees; the joint budget committee; the state board of education; and the governor.

On January 1, 2024, the local school food purchasing program (purchasing program) and the local school food purchasing technical assistance and education grant program (grant program) repealed. The bill recreates the purchasing program and the grant program, and extends the programs through the 2024-25 budget year.

The bill eliminates the authorization for department expenditures

in excess of the appropriated amount to participating school food authorities for the wage increase or stipend program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-82.9-202, **add** (3)
3 as follows:

4 **22-82.9-202. Legislative declaration.** (3) THE GENERAL
5 ASSEMBLY FURTHER DECLARES THAT FOR PURPOSES OF SECTION 17 OF
6 ARTICLE IX OF THE STATE CONSTITUTION, HEALTHY SCHOOL MEALS ARE
7 AN ESSENTIAL COMPONENT TO STUDENT LEARNING. FREE HEALTHY
8 SCHOOL MEALS ARE AN IMPORTANT COMPONENT OF AN ACCOUNTABLE
9 EDUCATION PROGRAM TO MEET STATE ACADEMIC STANDARDS AND MAY
10 THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
11 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

12 **SECTION 2.** In Colorado Revised Statutes, 22-82.9-203, **add**
13 (11.5) as follows:

14 **22-82.9-203. Definitions.** As used in this part 2, unless the
15 context otherwise requires:

16 (11.5) "PROVISIONAL PROGRAMS" MEANS ALTERNATIVE OPTIONS
17 THROUGH THE NATIONAL SCHOOL LUNCH PROGRAM AND NATIONAL
18 SCHOOL BREAKFAST PROGRAM TO IMPROVE ACCESS TO FREE MEALS AND
19 TO SIMPLIFY MEAL COUNTING AND CLAIMS PROCEDURES.

20 **SECTION 3.** In Colorado Revised Statutes, 22-82.9-204, **amend**
21 (2), (3), and (4)(b); and **add** (6) and (7) as follows:

22 **22-82.9-204. Healthy school meals for all program - created -**
23 **advisory group - report - rules - definition - repeal.** (2) A school food
24 authority that chooses to participate in the program must annually give
25 notice of participation to the department as provided by rule of the state

1 board. At a minimum, the notice must include evidence that the school
2 food authority is participating in ~~the community eligibility provision as~~
3 ~~required in subsection (3) of this section~~ PROVISIONAL PROGRAMMING IF
4 DEEMED NECESSARY BY THE DEPARTMENT. THE DEPARTMENT MAY
5 REQUIRE SCHOOL FOOD AUTHORITY MODIFICATIONS TO THE PROGRAM
6 THROUGHOUT THE YEAR TO MAXIMIZE A SCHOOL FOOD AUTHORITY'S
7 FEDERAL REIMBURSEMENTS AS DEEMED NECESSARY BY THE DEPARTMENT.

8 (3) (a) If the United States department of agriculture creates the
9 option for the state, as a whole, to participate in the community eligibility
10 provision, the department shall participate in the option and shall work
11 with school food authorities and the necessary state and local departments
12 to collect data and implement the community eligibility provision
13 statewide, IF THE DEPARTMENT DETERMINES PARTICIPATION IN THE
14 STATEWIDE COMMUNITY ELIGIBILITY PROVISION MAXIMIZES FEDERAL
15 FUNDING. Until such time as Colorado participates in the community
16 eligibility provision as a state, each participating school food authority,
17 as a condition of participating in the program, must maximize the amount
18 of federal reimbursement ~~by~~ THE SCHOOL FOOD AUTHORITY RECEIVES,
19 INCLUDING, BUT NOT LIMITED TO, participating in PROVISIONAL
20 PROGRAMS, INCLUDING the community eligibility provision for all schools
21 that qualify, ~~for the community eligibility provision and that the~~
22 ~~participating school food authority serves~~ SUBJECT TO DETERMINATION BY
23 THE DEPARTMENT THAT THE SCHOOL FOOD AUTHORITY'S PARTICIPATION
24 MAXIMIZES FEDERAL REIMBURSEMENT.

25 (b) ANNUALLY, THE DEPARTMENT SHALL ESTABLISH OPTIONS FOR,
26 AND COMMUNICATE THE OPTIONS TO, EACH SCHOOL FOOD AUTHORITY TO
27 MAXIMIZE FEDERAL FUNDING. A SCHOOL FOOD AUTHORITY THAT CHOOSES

1 AN OPTION OTHER THAN THE OPTIONS ESTABLISHED BY THE DEPARTMENT
2 SHALL NOT RECEIVE HEALTHY SCHOOL MEALS FOR ALL PROGRAM FUNDING
3 AND MUST USE OTHER ELIGIBLE FUNDING SOURCES TO COVER THE COSTS
4 OF SERVING FREE MEALS TO ALL STUDENTS AT THE SCHOOLS OF THE
5 SCHOOL FOOD AUTHORITY.

6 (4) (b) SUBJECT TO AVAILABLE APPROPRIATIONS, implementation
7 of sections 22-82.9-205 to 22-82.9-207 is ~~conditional upon the state of~~
8 ~~Colorado being certified to participate in the demonstration project for~~
9 ~~direct certification for children receiving medicaid benefits that is~~
10 ~~operated pursuant to 42 U.S.C. sec. 1758 (b)(15)~~ EFFECTIVE BEGINNING
11 IN THE 2025-26 BUDGET YEAR.

12 (6) (a) ON OR BEFORE JULY 1, 2024, THE DEPARTMENT SHALL
13 CREATE A POLICY FOR SCHOOL FOOD AUTHORITIES TO MAXIMIZE THE
14 COLLECTION OF HOUSEHOLD INCOME APPLICATION FORMS FOR THE
15 NATIONAL SCHOOL LUNCH PROGRAM TO INCREASE FEDERAL FUNDING FOR
16 THE PROGRAM.

17 (b) SCHOOL FOOD AUTHORITIES THAT CHOOSE TO PARTICIPATE IN
18 THE PROGRAM SHALL COMPLY WITH THE POLICY DESCRIBED IN
19 SUBSECTION (6)(a) OF THIS SECTION TO MAXIMIZE THE COLLECTION OF
20 HOUSEHOLD INCOME APPLICATION FORMS FOR THE NATIONAL SCHOOL
21 LUNCH PROGRAM.

22 (7) (a) THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM
23 TECHNICAL ADVISORY GROUP IS CREATED IN THE DEPARTMENT. AS SOON
24 AS PRACTICABLE, THE DEPARTMENT SHALL CONVENE THE ADVISORY
25 GROUP AND THE ADVISORY GROUP SHALL COLLABORATE WITH SCHOOL
26 DISTRICTS, THE OFFICE OF STATE PLANNING AND BUDGETING, AND OTHER
27 INTERESTED PARTIES TO:

- 1 (I) IDENTIFY WAYS TO MAXIMIZE FEDERAL REIMBURSEMENTS;
- 2 (II) REDUCE COSTS OF THE PROGRAM;
- 3 (III) REVIEW COST-SAVINGS OPTIONS, INCLUDING MINIMIZING
- 4 FOOD WASTE;
- 5 (IV) STRENGTHEN THE LONG-TERM RESILIENCY OF THE HEALTHY
- 6 SCHOOL MEALS FOR ALL CASH FUND;
- 7 (V) CREATE MODEL REVENUE SCENARIOS;
- 8 (VI) PROVIDE OPTIONS AND RECOMMENDATIONS FOR BALANCING
- 9 PROGRAM REVENUES AND EXPENDITURES IN THE MANNER MOST
- 10 EQUITABLE FOR STUDENTS AND SCHOOL FOOD AUTHORITIES; AND
- 11 (VII) DRAFT A REPORT PURSUANT TO SUBSECTION (7)(d) OF THIS
- 12 SECTION WITH LEGISLATIVE AND ADMINISTRATIVE RECOMMENDATIONS.

13 (b) (I) THE ADVISORY GROUP SHALL SOLICIT INPUT FROM

14 STAKEHOLDERS AND THE PUBLIC TO DIRECT THE ADVISORY GROUP'S WORK.

15 (II) LEGISLATIVE COUNCIL STAFF AND JOINT BUDGET COMMITTEE

16 STAFF SHALL PROVIDE TECHNICAL SUPPORT TO THE ADVISORY GROUP.

17 (III) THE DEPARTMENT SHALL COLLABORATE WITH THE ADVISORY

18 GROUP TO OBTAIN THE CONTRACTUAL SERVICES NECESSARY FOR THE

19 ADVISORY GROUP'S WORK.

20 (c) IN JUNE 2024 AND SEPTEMBER 2024, THE ADVISORY GROUP

21 SHALL SUBMIT A STATUS REPORT TO THE JOINT BUDGET COMMITTEE ON

22 THE PROGRESS OF THE ADVISORY GROUP'S WORK.

23 (d) (I) ON OR BEFORE DECEMBER 1, 2024, THE ADVISORY GROUP

24 SHALL SUBMIT A REPORT SUMMARIZING THE ADVISORY GROUP'S WORK

25 DESCRIBED IN SUBSECTION (7)(a) OF THIS SECTION TO THE EDUCATION

26 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR

27 ANY SUCCESSOR COMMITTEES; THE JOINT BUDGET COMMITTEE; THE STATE

1 BOARD; AND THE GOVERNOR.

2 (II) IN DECEMBER 2024, THE DEPARTMENT SHALL PRESENT THE
3 ADVISORY GROUP'S REPORT DESCRIBED IN SUBSECTION (7)(d)(I) OF THIS
4 SECTION TO THE JOINT BUDGET COMMITTEE.

5 (III) IN JANUARY 2025, THE DEPARTMENT SHALL INCLUDE AS PART
6 OF ITS PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY
7 SECTION 2-7-203 INFORMATION CONCERNING THE PROGRAM AND THE
8 REPORT DESCRIBED IN SUBSECTION (7)(d)(I) OF THIS SECTION.

9 (e) AS USED IN THIS SUBSECTION, UNLESS THE CONTEXT
10 OTHERWISE REQUIRES, "HEALTHY SCHOOL MEALS FOR ALL PROGRAM
11 TECHNICAL ADVISORY GROUP" OR "ADVISORY GROUP" MEANS THE
12 HEALTHY SCHOOL MEALS FOR ALL PROGRAM TECHNICAL ADVISORY GROUP
13 CREATED IN THIS SUBSECTION (7).

14 (f) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2025.

15 **SECTION 4.** In Colorado Revised Statutes, 22-82.9-205, **amend**
16 (5) as follows:

17 **22-82.9-205. Local food purchasing grant - amount - advisory**
18 **committee - verification of invoices.** (5) SUBJECT TO AVAILABLE
19 APPROPRIATIONS, this section is effective beginning in the ~~first full budget~~
20 ~~year after the state of Colorado is certified to participate in the federal~~
21 ~~demonstration project for direct certification for children receiving~~
22 ~~medicaid benefits as provided in section 22-82.9-204 (4) and begins~~
23 ~~including medicaid direct certification in determining school districts'~~
24 ~~identified student percentages~~ 2025-26 BUDGET YEAR.

25 **SECTION 5.** In Colorado Revised Statutes, 22-82.9-206, **amend**
26 (2) as follows:

27 **22-82.9-206. School meals food preparation and service**

1 **employees - wage increase or stipend.** (2) SUBJECT TO AVAILABLE
2 APPROPRIATIONS, this section is effective beginning in the ~~first full budget~~
3 ~~year after the state of Colorado is certified to participate in the federal~~
4 ~~demonstration project for direct certification for children receiving~~
5 ~~medicaid benefits as provided in section 22-82.9-204 (4) and begins~~
6 ~~including medicaid direct certification in determining school districts'~~
7 ~~identified student percentages~~ 2025-26 BUDGET YEAR.

8 **SECTION 6.** In Colorado Revised Statutes, 22-82.9-207, **amend**
9 (4) as follows:

10 **22-82.9-207. Local school food purchasing technical assistance**
11 **and education grant program - created - report.** (4) SUBJECT TO
12 AVAILABLE APPROPRIATIONS, this section is effective beginning in the
13 ~~first full budget year after the state of Colorado is certified to participate~~
14 ~~in the federal demonstration project for direct certification for children~~
15 ~~receiving medicaid benefits as provided in section 22-82.9-204 (4) and~~
16 ~~begins including medicaid direct certification in determining school~~
17 ~~districts' identified student percentages~~ 2025-26 BUDGET YEAR.

18 **SECTION 7.** In Colorado Revised Statutes, 22-82.9-208, **amend**
19 (2) as follows:

20 **22-82.9-208. Report - audit.** (2) (a) The department shall
21 contract with an independent auditor to conduct a biennial financial and
22 performance audit of the implementation of the program, including
23 implementation of section 22-82.9-204 and ~~including~~ implementation of
24 local food purchasing grants pursuant to section 22-82.9-205,
25 distributions for the increase in wages or provision of stipends pursuant
26 to section 22-82.9-206, and implementation of the local school food
27 purchasing technical assistance and education grant program pursuant to

1 section 22-82.9-207, to the extent said sections are in effect as provided
2 in section 22-82.9-204 (4)(b). BEGINNING DECEMBER 1, 2027, the audit
3 of the two budget years in each biennial cycle must be completed by
4 December 1 of the following budget year. The department shall make the
5 audit easily accessible by the public on the department website.

6 (b) ANY APPROPRIATION TO THE DEPARTMENT FOR PURPOSES OF
7 AN AUDIT THAT IS NOT EXPENDED IN A BUDGET YEAR IS FURTHER
8 APPROPRIATED TO THE DEPARTMENT THROUGH THE CLOSE OF THE
9 FOLLOWING BUDGET YEAR FOR THE SAME PURPOSES.

10 **SECTION 8.** In Colorado Revised Statutes, **amend** 22-82.9-209
11 as follows:

12 **22-82.9-209. Program - funding.** (1) For the 2023-24 budget
13 year and for each budget year thereafter, the general assembly shall
14 appropriate to the department, by separate line items in the annual general
15 appropriation bill, the amount necessary to implement the program,
16 including the amount required to reimburse participating school food
17 authorities for eligible meals provided to students pursuant to section
18 22-82.9-204, and including the amount distributed as local food
19 purchasing grants pursuant to section 22-82.9-205, SUBJECT TO
20 AVAILABLE APPROPRIATIONS, AND the amount distributed pursuant to
21 section 22-82.9-206 to increase the wages or provide stipends for staff
22 who prepare and serve school meals, ~~and at least five million dollars~~
23 ~~annually to implement the local school food purchasing technical~~
24 ~~assistance and education grant program pursuant to section 22-82.9-207,~~
25 ~~to the extent said sections are in effect as provided in section 22-82.9-204~~
26 ~~(4)(b)~~ SUBJECT TO AVAILABLE APPROPRIATIONS. The department may
27 expend not more than one and five-tenths percent of the total amount

1 annually appropriated pursuant to this section to offset the direct and
2 indirect costs incurred by the department in implementing this part 2.

3 (2) FOR THE 2023-24 BUDGET YEAR AND THE 2024-25 BUDGET
4 YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM THE
5 STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF
6 THE STATE CONSTITUTION TO COVER PROGRAM COSTS FOR WHICH THERE
7 IS NOT SUFFICIENT MONEY IN THE HEALTHY SCHOOL MEALS FOR ALL CASH
8 FUND.

9 **SECTION 9.** In Colorado Revised Statutes, 22-82.9-210, **add** (8)
10 and (9) as follows:

11 **22-82.9-210. Healthy school meals for all program general**
12 **fund exempt account - creation - uses - reporting requirements -**
13 **definitions - repeal.** (8) ON JULY 1, 2024, THE STATE TREASURER SHALL
14 TRANSFER THE BALANCE OF THE ACCOUNT TO THE HEALTHY SCHOOL
15 MEALS FOR ALL PROGRAM CASH FUND CREATED IN SECTION 22-82.9-211.

16 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

17 **SECTION 10.** In Colorado Revised Statutes, **add** 22-82.9-211 as
18 follows:

19 **22-82.9-211. Healthy school meals for all program cash fund**
20 **- creation - uses - reporting requirements - definitions.** (1) AS USED
21 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

22 (a) "CASH FUND" MEANS THE HEALTHY SCHOOL MEALS FOR ALL
23 PROGRAM CASH FUND CREATED IN THIS SECTION.

24 (b) "HEALTHY SCHOOL MEALS FOR ALL PROGRAM REVENUE"
25 MEANS THE REVENUE GENERATED BY THE ADDITION TO FEDERAL TAXABLE
26 INCOME IN SECTION 39-22-104 (3)(p.5), WHICH REVENUE IS A
27 VOTER-APPROVED REVENUE CHANGE.

1 (2) THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM CASH FUND
2 IS CREATED IN THE STATE TREASURY. THE CASH FUND CONSISTS OF
3 HEALTHY SCHOOL MEALS FOR ALL PROGRAM REVENUE DEPOSITED IN THE
4 CASH FUND IN ACCORDANCE WITH SUBSECTION (4)(a) OF THIS SECTION.
5 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
6 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE CASH FUND TO THE
7 CASH FUND.

8 (3) (a) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
9 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE CASH FUND
10 FOR THE FOLLOWING PURPOSES:

11 (I) PROVIDING REIMBURSEMENTS TO A PARTICIPATING SCHOOL
12 FOOD AUTHORITY FOR OFFERING ELIGIBLE MEALS WITHOUT CHARGE
13 PURSUANT TO SECTION 22-82.9-204 (1)(b);

14 (II) AWARDING LOCAL FOOD PURCHASING GRANTS PURSUANT TO
15 SECTION 22-82.9-205;

16 (III) DISTRIBUTING MONEY TO A PARTICIPATING SCHOOL FOOD
17 AUTHORITY TO INCREASE WAGES OR PROVIDE STIPENDS FOR INDIVIDUALS
18 WHOM THE PARTICIPATING SCHOOL FOOD AUTHORITY EMPLOYS TO
19 DIRECTLY PREPARE AND SERVE FOOD FOR SCHOOL MEALS PURSUANT TO
20 SECTION 22-82.9-206 (1);

21 (IV) AWARDING LOCAL SCHOOL FOOD PURCHASING TECHNICAL
22 ASSISTANCE AND EDUCATION GRANTS PURSUANT TO SECTION 22-82.9-207;
23 AND

24 (V) THE DIRECT AND INDIRECT COSTS OF ADMINISTERING THE
25 PROGRAMS DESCRIBED IN THIS SUBSECTION (3)(a), SO LONG AS THESE
26 COSTS DO NOT EXCEED ONE AND FIVE-TENTHS PERCENT OF THE TOTAL
27 AMOUNT THE GENERAL ASSEMBLY ANNUALLY APPROPRIATES IN THE SAME

1 FISCAL YEAR FOR THE OTHER PURPOSES DESCRIBED IN THIS SUBSECTION
2 (3)(a).

3 (b) MONEY IN THE CASH FUND SHALL NOT BE USED FOR THE
4 PURPOSES DESCRIBED IN SUBSECTIONS (3)(a)(II), (3)(a)(III), AND
5 (3)(a)(IV) OF THIS SECTION IF THE SUM OF THE ANNUAL TAX YEAR
6 REVENUE RECORDED IN THE CASH FUND AND THE BALANCE IN THE CASH
7 FUND, AS CALCULATED PURSUANT TO SUBSECTION (4) OF THIS SECTION, IS
8 LESS THAN, OR IS ANTICIPATED TO BE LESS THAN, THE ANNUAL
9 EXPENDITURE ANTICIPATED TO BE REQUIRED FOR THE PURPOSES
10 DESCRIBED IN SUBSECTIONS (3)(a)(I) AND (3)(a)(V) OF THIS SECTION.

11 (4) (a) THE DEPARTMENT OF REVENUE SHALL, ON A MONTHLY
12 BASIS, RECORD REVENUES AND DEPOSIT MONEY IN THE CASH FUND IN A
13 MANNER THAT IS ALIGNED WITH EXEMPT REVENUES DETERMINED
14 PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION.

15 (b) THE DEPARTMENT OF REVENUE SHALL, ON A MONTHLY BASIS,
16 REPORT THE AMOUNT OF HEALTHY SCHOOL MEALS FOR ALL PROGRAM
17 REVENUE IDENTIFIED FROM TAX RETURNS TO THE OFFICE OF STATE
18 PLANNING AND BUDGETING AND THE LEGISLATIVE COUNCIL STAFF. THE
19 OFFICE OF STATE PLANNING AND BUDGETING SHALL CALCULATE THE
20 AMOUNT OF HEALTHY SCHOOL MEALS FOR ALL PROGRAM REVENUE BOTH
21 PROJECTED TO BE RECEIVED AND ACTUALLY RECEIVED BY THE
22 DEPARTMENT OF REVENUE BASED ON INCOME TAX RETURN DATA AND
23 OTHER RELEVANT FACTORS. THE OFFICE OF STATE PLANNING AND
24 BUDGETING SHALL ALSO IDENTIFY, IN COLLABORATION WITH THE
25 DEPARTMENT OF REVENUE, THE REVENUE TO BE RECORDED AND
26 DEPOSITED ON A MONTHLY BASIS BY THE DEPARTMENT OF REVENUE IN THE
27 CASH FUND PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, AND THE

1 TOTAL REVENUE TO BE RECORDED AND DEPOSITED BY THE DEPARTMENT
2 OF REVENUE IN THE CASH FUND FOR THE FISCAL YEAR.

3 (c) THE AMOUNT OF HEALTHY SCHOOL MEALS FOR ALL PROGRAM
4 REVENUE IDENTIFIED BY THE OFFICE OF STATE PLANNING AND BUDGETING
5 FOR EACH FISCAL YEAR MUST INCLUDE ADJUSTMENTS FOR ESTIMATION
6 ERRORS DISCOVERED FOR ALL PRIOR FISCAL YEARS. THE OFFICE SHALL
7 NOTIFY THE DEPARTMENT OF REVENUE AND THE LEGISLATIVE COUNCIL
8 STAFF OF THE GENERAL ASSEMBLY OF THE ADJUSTMENT AMOUNTS.

9 (d) ON DECEMBER 1, 2024, AND EVERY DECEMBER 1 THEREAFTER,
10 THE OFFICE OF STATE PLANNING AND BUDGETING SHALL REPORT THE
11 AMOUNT OF HEALTHY SCHOOL MEALS FOR ALL PROGRAM REVENUE
12 RECEIVED BY THE DEPARTMENT OF REVENUE IN THE PREVIOUS TAX YEAR
13 BASED ON INCOME TAX RETURN DATA AND OTHER RELEVANT FACTORS.
14 THE GENERAL ASSEMBLY SHALL CONSIDER THIS REPORT WHEN
15 ESTIMATING THE AMOUNT OF MONEY TO APPROPRIATE FOR THE PURPOSES
16 SPECIFIED IN SUBSECTION (3) OF THIS SECTION IN THE NEXT FISCAL YEAR.

17 (5) IF THE DEPARTMENT DETERMINES THAT THERE IS AN
18 INSUFFICIENT AMOUNT OF MONEY IN THE CASH FUND TO PROVIDE FOR AN
19 EXPENDITURE AUTHORIZED BY THE ANNUAL APPROPRIATION FROM THE
20 CASH FUND FOR THE PURPOSES DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS
21 SECTION, THE DEPARTMENT MAY MAKE THE EXPENDITURE FROM THE
22 GENERAL FUND.

23 (6) IN ITS ANNUAL SUBMISSION OF THE STATE DEPARTMENT'S
24 BUDGET REQUEST TO THE JOINT BUDGET COMMITTEE, THE OFFICE OF STATE
25 PLANNING AND BUDGETING SHALL REPORT:

26 (a) THE TOTAL AMOUNT OF EXPENDITURES FROM THE CASH FUND
27 MADE PURSUANT TO SUBSECTION (3) OF THIS SECTION; AND

1 (b) THE TOTAL AMOUNT OF EXPENDITURES FROM THE GENERAL
2 FUND MADE PURSUANT TO SUBSECTION (5) OF THIS SECTION.

3 (7) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER THE
4 BALANCE FROM THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM GENERAL
5 FUND EXEMPT ACCOUNT DEFINED IN SECTION 22-82.9-210 TO THE CASH
6 FUND PURSUANT TO SECTION 22-82.9-210 (8).

7 [REDACTED]

8 **SECTION 11.** In Colorado Revised Statutes, **add** part 3 to article
9 82.9 of title 22 as follows:

10 PART 3
11 LOCAL SCHOOL FOOD
12 PURCHASING PROGRAMS

13 **22-82.9-301. Definitions.** AS USED IN THIS PART 3, UNLESS THE
14 CONTEXT OTHERWISE REQUIRES:

15 (1) "COLORADO GROWN, RAISED, OR PROCESSED PRODUCTS"
16 MEANS ALL FRUITS, VEGETABLES, GRAINS, MEATS, AND DAIRY PRODUCTS,
17 EXCEPT LIQUID MILK, GROWN OR RAISED IN COLORADO, AND MINIMALLY
18 PROCESSED PRODUCTS OR VALUE-ADDED PROCESSED PRODUCTS THAT
19 MEET THE STANDARDS FOR THE COLORADO PROUD DESIGNATION,
20 ESTABLISHED BY THE COLORADO DEPARTMENT OF AGRICULTURE, EVEN IF
21 THE PRODUCT DOES NOT HAVE THE COLORADO PROUD DESIGNATION.

22 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
23 CREATED PURSUANT TO SECTION 24-1-115.

24 (3) "LOCAL SCHOOL FOOD PURCHASING PROGRAM" OR
25 "PURCHASING PROGRAM" MEANS THE LOCAL SCHOOL FOOD PURCHASING
26 PROGRAM CREATED IN SECTION 22-82.9-302.

27 (4) "MINIMALLY PROCESSED PRODUCTS" MEANS RAW OR FROZEN

1 FABRICATED PRODUCTS; PRODUCTS THAT RETAIN THEIR INHERENT
2 CHARACTER, SUCH AS SHREDDED CARROTS OR DICED ONIONS; AND DRIED
3 PRODUCTS, SUCH AS BEANS, BUT DOES NOT INCLUDE ANY PRODUCTS THAT
4 ARE HEATED, COOKED, OR CANNED.

5 (5) "NATIONAL SCHOOL LUNCH PROGRAM" MEANS THE FEDERAL
6 SCHOOL LUNCH PROGRAM CREATED IN THE "RICHARD B. RUSSELL
7 NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., AS
8 AMENDED.

9 (6) "PARTICIPATING PROVIDER" MEANS A SCHOOL DISTRICT;
10 DISTRICT CHARTER SCHOOL; INSTITUTE CHARTER SCHOOL; BOARD OF
11 COOPERATIVE SERVICES; COLORADO SCHOOL FOR THE DEAF AND THE
12 BLIND, ESTABLISHED IN SECTION 22-80-102; APPROVED FACILITY SCHOOL
13 OR FACILITY, AS DEFINED IN SECTION 22-2-402; OR RESIDENTIAL OR DAY
14 TREATMENT CHILD CARE FACILITY, AS DEFINED IN SECTION 26-6-903, THAT
15 PARTICIPATES IN THE FEDERAL NATIONAL SCHOOL LUNCH PROGRAM AND
16 THAT HAS BEEN SELECTED BY THE DEPARTMENT TO PARTICIPATE IN THE
17 LOCAL SCHOOL FOOD PURCHASING PROGRAM PURSUANT TO SECTION
18 22-82.9-302 (2)(b).

19 (7) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
20 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
21 STATE CONSTITUTION.

22 (8) "TECHNICAL ASSISTANCE AND EDUCATION PROGRAM" MEANS
23 THE LOCAL SCHOOL FOOD PURCHASING TECHNICAL ASSISTANCE AND
24 EDUCATION GRANT PROGRAM CREATED PURSUANT TO SECTION
25 22-82.9-303.

26 (9) "VALUE-ADDED PROCESSED PRODUCTS" MEANS PRODUCTS
27 THAT ARE ALTERED FROM THEIR UNPROCESSED OR MINIMALLY PROCESSED

1 STATE THROUGH PRESERVATION TECHNIQUES, INCLUDING COOKING,
2 BAKING, OR CANNING.

3 **22-82.9-302. Local school food purchasing program - creation**

4 **- rules.** (1) THE LOCAL SCHOOL FOOD PURCHASING PROGRAM IS CREATED
5 IN THE DEPARTMENT TO REIMBURSE PARTICIPATING PROVIDERS FOR THE
6 PURCHASE OF COLORADO GROWN, RAISED, OR PROCESSED PRODUCTS
7 PURSUANT TO THIS SECTION.

8 (2) (a) A SCHOOL DISTRICT, DISTRICT CHARTER SCHOOL, INSTITUTE
9 CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES, THE COLORADO
10 SCHOOL FOR THE DEAF AND THE BLIND, AN APPROVED FACILITY SCHOOL
11 OR FACILITY, OR A RESIDENTIAL CHILD CARE FACILITY MAY APPLY TO THE
12 DEPARTMENT TO PARTICIPATE IN THE PURCHASING PROGRAM TO RECEIVE
13 REIMBURSEMENT FOR PURCHASE OF COLORADO GROWN, RAISED, OR
14 PROCESSED PRODUCTS PURSUANT TO THIS SECTION.

15 (b) (I) THE DEPARTMENT SHALL SELECT PARTICIPATING PROVIDERS
16 THAT SERVED FEWER THAN TWO MILLION ONE HUNDRED FIFTY THOUSAND
17 SCHOOL LUNCHES IN THE 2023-24 SCHOOL YEAR. THE DEPARTMENT SHALL
18 CREATE A FORM FOR PARTICIPATING PROVIDERS TO TRACK AND REPORT
19 THE COLORADO GROWN, RAISED, OR PROCESSED PRODUCTS PURCHASED.

20 (II) THE DEPARTMENT SHALL GIVE PREFERENCE TO APPLICANTS
21 THAT:

22 (A) DEMONSTRATE A COMMITMENT TO LOCAL PURCHASING OR
23 FOOD AND AGRICULTURAL EDUCATION;

24 (B) HAVE A KITCHEN WITH THE ABILITY TO STORE, PREPARE, AND
25 SERVE LOCAL FOOD PRODUCTS;

26 (C) HAVE GREATER THAN TWENTY-FIVE PERCENT OF THEIR
27 STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE LUNCH PURSUANT TO

1 THE NATIONAL SCHOOL LUNCH PROGRAM;

2 (D) SERVED FEWER THAN ONE MILLION TWO HUNDRED FIFTY
3 THOUSAND SCHOOL LUNCHES IN THE 2023-24 SCHOOL YEAR COUNT; AND

4 (E) SATISFY ANY OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED
5 BY THE DEPARTMENT.

6 (III) TO THE EXTENT POSSIBLE, IN SELECTING PARTICIPATING
7 PROVIDERS, THE DEPARTMENT SHALL ENSURE DIVERSITY IN GEOGRAPHIC
8 LOCATION AND DISTRICT PUPIL COUNT.

9 (c) ON OR BEFORE AUGUST 1 OF THE YEAR FOLLOWING THE
10 PARTICIPATING PROVIDER'S APPLICATION, THE PARTICIPATING PROVIDER
11 SHALL TRACK AND REPORT TO THE DEPARTMENT FOR THE SCHOOL YEAR
12 IN WHICH IT APPLIED, AND FOR THE 2023-24 SCHOOL YEAR, THE TOTAL
13 AMOUNT OF COLORADO GROWN, RAISED, OR PROCESSED PRODUCTS IT
14 PURCHASED FOR STUDENT MEALS AND THE TOTAL NUMBER OF LUNCHES
15 THAT IT PROVIDED TO STUDENTS.

16 (3) (a) IN OCTOBER 2024, THE DEPARTMENT SHALL REIMBURSE
17 EACH PARTICIPATING PROVIDER PARTICIPATING IN THE PURCHASING
18 PROGRAM AT LEAST FIVE CENTS FOR EVERY SCHOOL LUNCH THAT THE
19 PARTICIPATING PROVIDER PREPARED IN THE 2023-24 SCHOOL YEAR OR A
20 MINIMUM OF ONE THOUSAND DOLLARS, WHICHEVER IS GREATER; EXCEPT
21 THAT A PARTICIPATING PROVIDER IS NOT REIMBURSED FOR THE AMOUNT
22 OF VALUE-ADDED PROCESSED PRODUCTS THAT EXCEEDS TWENTY-FIVE
23 PERCENT OF THE TOTAL OF THE COLORADO GROWN, RAISED, OR
24 PROCESSED PRODUCTS IT PURCHASED.

25 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, THE
26 MAXIMUM AMOUNT OF REIMBURSEMENTS THAT MAY BE AWARDED IN ANY
27 YEAR IS FIVE HUNDRED THOUSAND DOLLARS.

1 (4) REIMBURSEMENT PAYMENTS MADE PURSUANT TO THIS SECTION
2 ACCRUE TO THE PARTICIPATING PROVIDER'S NONPROFIT SCHOOL FOOD
3 ACCOUNT.

4 (5) (a) THE STATE BOARD IS AUTHORIZED TO ADOPT RULES TO
5 IMPLEMENT THE PURCHASING PROGRAM.

6 (b) THE DEPARTMENT IS AUTHORIZED TO MONITOR THE
7 PURCHASING PROGRAM TO ENSURE PROGRAM INTEGRITY.

8 (c) THE DEPARTMENT SHALL CREATE, DISTRIBUTE, AND COLLECT
9 PRODUCER AND PARTICIPATING PROVIDER SURVEYS REQUIRED PURSUANT
10 TO SECTION 22-82.9-304.

11 (6) IF IN ANY STATE BUDGET YEAR THE DEPARTMENT DOES NOT
12 EXPEND OR ENCUMBER THE FULL AMOUNT OF THE APPROPRIATION FOR THE
13 PURCHASING PROGRAM, UP TO FIVE PERCENT OF THE APPROPRIATION IS
14 AVAILABLE TO THE DEPARTMENT IN THE NEXT STATE BUDGET YEAR TO
15 PAY FOR THE EVALUATION REQUIRED PURSUANT TO SECTION 22-82.9-304.

16 **22-82.9-303. Local school food purchasing technical assistance**
17 **and education grant program - creation - report.** (1) THE LOCAL
18 SCHOOL FOOD PURCHASING TECHNICAL ASSISTANCE AND EDUCATION
19 GRANT PROGRAM IS CREATED IN THE DEPARTMENT. THE PURPOSE OF THE
20 TECHNICAL ASSISTANCE AND EDUCATION PROGRAM IS TO ISSUE A GRANT
21 TO A STATEWIDE NONPROFIT ORGANIZATION TO DEVELOP AND MANAGE A
22 GRANT PROGRAM TO ASSIST WITH THE PROMOTION OF COLORADO GROWN,
23 RAISED, OR PROCESSED PRODUCTS TO PARTICIPATING PROVIDERS.

24 (2) SUBJECT TO AVAILABLE APPROPRIATIONS, THE NONPROFIT
25 ORGANIZATION MAY AWARD GRANTS FOR THE FOLLOWING:

26 (a) TRAINING, TECHNICAL ASSISTANCE, AND PHYSICAL
27 INFRASTRUCTURE GRANTS TO PARTICIPATING PROVIDERS, GROWER

1 ASSOCIATIONS, OR OTHER ORGANIZATIONS THAT AGGREGATE PRODUCTS
2 FROM PRODUCERS FOR:

3 (I) PROFESSIONAL CONTRACTING SERVICES TO SUPPORT THE
4 DEVELOPMENT AND SUSTAINABILITY OF LOCAL AND REGIONAL FOOD
5 SYSTEMS;

6 (II) CHEF TRAINING ON FOOD HANDLING AND PROCUREMENT
7 PRACTICES AND SMALL KITCHEN EQUIPMENT PURCHASES;

8 (III) GOOD AGRICULTURAL PRACTICES CERTIFICATION COSTS AND
9 GOOD HANDLING PRACTICES CERTIFICATION COSTS AND TRAINING ON
10 SELLING TO SCHOOLS; AND

11 (IV) CAPACITY BUILDING FOR LOCAL VALUE-ADDED PROCESSED
12 PRODUCTS; AND

13 (b) EDUCATION, OUTREACH, AND PROMOTION FOR:

14 (I) SCHOOLS TO ENGAGE FAMILIES AND COMMUNITIES AROUND THE
15 BENEFITS OF FARM-TO-SCHOOL AND WAYS TO SUPPORT FARM-TO-SCHOOL;
16 AND

17 (II) GROWER ASSOCIATIONS AND GROWERS TO COMMUNICATE TO
18 SCHOOLS AND SCHOOL COMMUNITIES ABOUT THE MULTIPLE BENEFITS OF
19 PURCHASING LOCAL PRODUCTS.

20 (3) THE NONPROFIT ORGANIZATION SHALL ANNUALLY REPORT TO
21 THE DEPARTMENT ON THE TECHNICAL ASSISTANCE AND EDUCATION
22 PROGRAM, INCLUDING:

23 (a) THE NUMBER AND TYPES OF ENTITIES RECEIVING GRANTS;

24 (b) THE NUMBER, TYPES, AND PURPOSES OF THE GRANTS AWARDED
25 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION; AND

26 (c) THE TYPES OF EDUCATION AND OUTREACH CONDUCTED BY
27 PARTICIPATING PROVIDERS AND OTHERS PURSUANT TO SUBSECTION (2)(b)

1 OF THIS SECTION.

2 **22-82.9-304. Evaluation - report.** (1) ON OR BEFORE DECEMBER
3 1, 2025, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE EDUCATION
4 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, THE
5 HOUSE OF REPRESENTATIVES AGRICULTURE, WATER, AND NATURAL
6 RESOURCES COMMITTEE, THE SENATE AGRICULTURE AND NATURAL
7 RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ON THE
8 EFFECT OF THE PURCHASING PROGRAM ON THE AMOUNT OF COLORADO
9 GROWN, RAISED, OR PROCESSED PRODUCTS PURCHASED BY PARTICIPATING
10 PROVIDERS, INCLUDING:

11 (a) NAMES AND DEMOGRAPHIC DATA OF PARTICIPATING
12 PROVIDERS;

13 (b) THE DOLLAR AMOUNT SPENT ON COLORADO GROWN, RAISED,
14 OR PROCESSED PRODUCTS DURING THE PURCHASING PROGRAM, INCLUDING
15 LOCAL PURCHASING DATA FROM THE 2023-24 SCHOOL YEAR, THAT THE
16 PARTICIPATING PROVIDER INCLUDED IN THE APPLICATION TO THE
17 PURCHASING PROGRAM;

18 (c) PRODUCT CATEGORIES PURCHASED;

19 (d) NUMBER OF COLORADO PRODUCERS OR BUSINESSES
20 PARTICIPATING BY PARTICIPATING PROVIDER AND IN TOTAL;

21 (e) ECONOMIC EFFECT ON PARTICIPATING PROVIDERS, PRODUCERS,
22 AND ECONOMIES; AND

23 (f) QUALITATIVE PRODUCER AND PARTICIPATING PROVIDER
24 SURVEYS.

25 **22-82.9-305. Program funding - state education fund.**
26 PURCHASING NUTRITIOUS FOODS FROM COLORADO'S FOOD SYSTEMS,
27 INCLUDING LOCAL FARMERS AND RANCHERS, SUPPORTS STUDENTS'

1 NUTRITION AND PROVIDES QUALITY MEALS TO BOOST THE HEALTH AND
2 WELL-BEING OF COLORADO STUDENTS, AND IS AN IMPORTANT COMPONENT
3 OF AN ACCOUNTABLE EDUCATION PROGRAM TO MEET STATE ACADEMIC
4 STANDARDS, AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE
5 EDUCATION FUND CREATED SECTION 17 (4) OF ARTICLE IX OF THE STATE
6 CONSTITUTION.

7 **22-82.9-306. Repeal of part.** THIS PART 3 IS REPEALED, EFFECTIVE
8 JULY 1, 2026.

9 **SECTION 12.** In Colorado Revised Statutes, 24-75-109, **amend**
10 (1)(f) as follows:

11 **24-75-109. Controller may allow expenditures in excess of**
12 **appropriations - limitations - appropriations for subsequent fiscal**
13 **year restricted - repeal.** (1) For the purpose of closing the state's books,
14 and subject to the provisions of this section, the controller may, on or
15 after May 1 of any fiscal year and before the forty-fifth day after the close
16 thereof, upon approval of the governor, allow any department, institution,
17 or agency of the state, including any institution of higher education, to
18 make an expenditure in excess of the amount authorized by an item of
19 appropriation for such fiscal year if:

20 (f) The overexpenditure is by the department of education for
21 either:

22 ~~(I) Providing reimbursements to a participating school food~~
23 ~~authority for offering eligible meals without charge, pursuant to section~~
24 ~~22-82.9-204 (1)(b); or~~

25 ~~(II) Distributing money to a participating school food authority to~~
26 ~~increase wages or provide stipends for individuals whom the participating~~
27 ~~school food authority employs to directly prepare and serve food for~~

1 ~~school meals, pursuant to section 22-82.9-206 (1).~~ PROVIDING
2 REIMBURSEMENTS TO A PARTICIPATING SCHOOL FOOD AUTHORITY FOR
3 OFFERING ELIGIBLE MEALS WITHOUT CHARGE, PURSUANT TO SECTION
4 22-82.9-204 (1)(b).

5 **SECTION 13.** In Colorado Revised Statutes, 24-75-201, **amend**
6 (2)(c) as follows:

7 **24-75-201. General fund - general fund surplus - custodial**
8 **money - repeal.** (2) (c) (I) Any unrestricted balance remaining in the
9 healthy school meals for all program general fund exempt account created
10 in section 22-82.9-210 (2) at the end of any fiscal year shall not be
11 designated as part of the general fund surplus.

12 (II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 14.** In Colorado Revised Statutes, 24-75-201.1,
14 **amend** (2)(e) as follows:

15 **24-75-201.1. Restriction on state appropriations - legislative**
16 **declaration - definitions - repeal.** (2) The basis for the calculation of
17 the reserve as specified in this section includes all appropriations for
18 expenditure from the general fund for such fiscal year, except for any
19 appropriations for:

20 (e) (I) Expenditures from the healthy school meals for all program
21 general fund exempt account created in section 22-82.9-210 (2).

22 (II) THIS SUBSECTION (2)(e) IS REPEALED, EFFECTIVE JULY 1, 2025.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	SECTION 15. Appropriation to the department of education for the fiscal year beginning July 1, 2024. Amend as added by House Bill 24-1430 section 2, Part IV (1)(A),						
2	(3)(D)(1), (3)(D)(2), and the affected totals, and repeal Footnote 17, as follows:						
3	Section 2. Appropriation.						
4	PART IV						
5	DEPARTMENT OF EDUCATION						
6							
7	(1) MANAGEMENT AND ADMINISTRATION						
8	(A) Administration and Centrally-Appropriated Line Items						
9	State Board of Education	575,805	575,805				
10			(2.5 FTE)				
11	General Department and						
12	Program Administration	6,532,726	3,204,516		188,595 ^a	3,139,615 ^b	
13			(23.9FTE)		(2.1 FTE)	(19.9 FTE)	
14	Grants Administration	564,452	389,513		174,939 ^c		
15	Health, Life, and Dental	9,686,767	4,025,403		1,462,109 ^d	968,342 ^e	3,230,913(I)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Short-term Disability	93,966	38,115		12,790 ^d	9,834 ^e	33,227(I)
2	Paid Family Medical Leave						
3	Insurance	265,629	96,798	1,277 ^f	38,371 ^d	29,501 ^e	99,682(I)
4					39,648 ^d		
5	Unfunded Liability						
6	Amortization Equalization						
7	Disbursement	6,264,374	2,498,466	42,478 ^f	852,690 ^d	655,574 ^e	2,215,166(I)
8					895,168 ^d		
9	Salary Survey	2,167,677	778,984	20,500 ^f	311,459 ^d	240,788 ^e	815,946(I)
10					331,959 ^d		
11	Step Pay	2,163,729	908,997		312,360 ^d	205,099 ^e	737,273(I)
12	PERA Direct Distribution	1,304,359	963,385	6,335 ^f	188,732 ^d	145,907 ^e	
13					195,067 ^d		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Temporary Employees						
2	Related to Authorized						
3	Leave	29,961	29,961				
4	Workers' Compensation	334,121	160,533		43,601 ^d	11,291 ^e	118,696(I)
5	Legal Services	1,324,188	818,348		443,603 ^d	62,237 ^e	
6	Administrative Law Judge						
7	Services	209,603			209,603 ^g		
8	Payment to Risk						
9	Management and Property						
10	Funds	821,832	821,832				
11	Capitol Complex Leased						
12	Space	1,053,714	300,308		191,776 ^d	95,888 ^h	465,742(I)
13	CORE Operations	66,377	33,185		25,715 ⁱ	7,477 ^j	
14		33,459,280					
15							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a This amount shall be from general education development program fees.

^b Of this amount, \$2,270,195 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$869,420 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

^c Of this amount, \$91,134 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$48,734 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., \$27,096 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S. \$4,459 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S., and \$3,516 shall be from the Start Smart Nutrition Program Fund created in Section 22-82.7-105 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^d Of these amounts, \$1,228,130 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$1,098,482(I) shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., \$597,456 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S., \$486,345 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S., \$186,980 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., \$70,590 SHALL BE FROM THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM CASH FUND CREATED IN SECTION 22-82.9-211 (2), C.R.S., \$44,739 shall be from general education development program fees, and \$215,359 shall be from various sources of cash funds. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
\$	\$	\$	\$	\$	\$	\$
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS

1 ^e Of these amounts, \$2,042,122 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., \$62,237 is
2 estimated to be transferred from the Division of Public School Capital Construction Assistance line item appropriation in the School District Operations section of this department,
3 \$37,047 is estimated to be transferred from the Department of Regulatory Agencies from the Reading Services for the Blind Cash Fund and Disabled Telephone Users Fund in the Public
4 Utilities Commission, \$36,506 is estimated to be from Medicaid funds transferred from the Department of Health Care Policy and Financing from the Transfer to the Department of
5 Education for Public School Health Services Administration line item in the Executive Director's Office, and \$150,661 shall be from various sources of reappropriated funds.

6 ~~^f These amounts shall be from the Healthy School Meals for All Program General Fund Exempt Account created in Section 22-82.9-210 (3), C.R.S.~~

7 ^g Of this amount, \$171,874(I) shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., and \$37,729 shall be from the State Education Fund created
8 in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject
9 to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

10 ^h This amount shall be transferred from the Division of Public School Capital Construction Assistance line item appropriation in the School District Operations section of this department.

11 ⁱ Of this amount, it is estimated that \$9,616 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$6,155(I) shall be from the Educator
12 Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., \$4,442 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1),
13 C.R.S., \$3,515 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S., \$1,602 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1),
14 C.R.S., and \$385 shall be from general education development program fees. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education
15 Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

16 ^j This amount shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(3) SCHOOL DISTRICT OPERATIONS						
3	(D) Nutrition						
4	(1) Healthy School Meals for All Program						
5	Program Administration ¹⁷						
6	ADMINISTRATION	887,732	95,908	791,824 ^a			
7		791,824			791,824 ^a		
8		(3.2 FTE)	(1.0 FTE)				
9					(3.2 FTE)		
10	School Meal						
11	Reimbursements	137,483,812	22,146,226	115,337,586 ^a			
12					137,483,812 ^a		
13	Local Food Purchasing						
14	Grant	5,000,000	5,000,000				

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Local Food Technical						
2	Assistance Grant	5,000,000		5,000,000			
3	Wage Distributions	8,400,000		8,400,000			
4		156,771,544					
5		138,275,636					
6							
7	^a These amounts OF THESE AMOUNTS, \$116,129,410 shall be from the Healthy School Meals for All Program General Fund Exempt Account , CASH FUND, created in Section 22-82.9-211						
8	(2), C.R.S., AND \$22,146,226 SHALL BE FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)(A) OF ARTICLE IX OF THE STATE CONSTITUTION.						
9							
10	(2) Other Nutrition Program						
11	Federal Nutrition Programs	156,775,300		104,973			156,670,327(I)
12				(0.9 FTE)			(16.1 FTE)
13	State Match for School						
14	Lunch Program	2,472,644			2,472,644 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Child Nutrition School						
2	Lunch Protection Program	841,460			841,460 ^b		
3	Start Smart Nutrition						
4	Program	296,484			296,484 ^c		
5	LOCAL SCHOOL FOOD						
6	PURCHASING PROGRAMS	675,729			675,729 ^b		
7					(0.4 FTE)		
8	Summer Electronics						
9	Benefits Transfer for						
10	Children	447,870	223,935				223,935(I)
11			(0.9 FTE)				(0.8 FTE)
12		<u>160,833,758</u>					
13		161,509,487					
14							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a This amount shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S., from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(g), C.R.S.

^b This amount shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^c This amount shall be from the Start Smart Nutrition Program Fund created in Section 22-82.7-105 (1), C.R.S.

TOTALS PART IV

(EDUCATION)	<u>\$7,440,497,346</u>	<u>\$3,338,057,203</u>	<u>\$1,363,480,333^a</u>	<u>1,764,077,511^b</u>	<u>\$104,652,889^c</u>	<u>\$870,229,410^d</u>
	<u>\$7,422,677,167</u>	<u>\$3,297,415,069</u>	<u>\$1,247,280,333^a</u>	<u>\$1,903,099,466^b</u>		

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, \$5,432,434 contains an (I) notation.

^c Of this amount, \$43,900,000 contains an (I) notation.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^d This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

17 Department of Higher Education, School District Operations, Nutrition, Healthy School Meals for All, Program Administration -- Of the amount appropriated in this line item, up to \$400,000, if not expended prior to the close of the 2024-25 state fiscal year, remains available for expenditure until the close of the 2025-26 state fiscal year.

1 **SECTION 16. Repeal and reenact, with amendments,** as
2 enacted by House Bill 24-1430, section 16, as follows:

3 **SECTION 16. Appropriation to the department of education**
4 **for the fiscal year beginning July 1, 2023.** In Session Laws of Colorado
5 2023, **amend** section 7 (1) introductory portion, (1)(f), and **add** (1)(h) of
6 chapter 89, (SB 23-221), as follows:

7 Section 7. **Appropriation.** (1) For the 2023-24 state fiscal year,
8 \$171,439,107 is appropriated to the department of education. Of this
9 appropriation, \$156,000,000 is from the healthy school meals for all
10 program general fund exempt account and \$15,439,107 is from the
11 ~~general fund~~. STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF
12 ARTICLE IX OF THE STATE CONSTITUTION. To implement this act, the
13 department may use this appropriation as follows:

- 14 (f) \$171,000,000 for school meal reimbursements; and
- 15 (h) \$100,000 for consulting support, which amount, if not
16 expended prior to the close of the 2023-24 state fiscal year, remains
17 available for expenditure until the close of the 2024-25 state fiscal year.

18 **SECTION 17. Effective date.** This act takes effect upon passage;
19 except that sections 15 and 16 of this act take effect only if House Bill
20 24-1430 becomes law, in which case sections 15 and 16 take effect upon
21 the effective date of this act or House Bill 24-1430, whichever is later.

22 **SECTION 18. Safety clause.** The general assembly finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety or for appropriations for
25 the support and maintenance of the departments of the state and state
26 institutions.