

DRAFT  
10.8.09

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**BILL 5**

LLS NO. 10-0235.01 Brita Darling

**INTERIM COMMITTEE BILL**

**Economic Opportunity Poverty Reduction Task Force**

**SHORT TITLE:** "Suppl Nutrition Assistance Prog Outreach"

**A BILL FOR AN ACT**

101 **CONCERNING A STATE OUTREACH PLAN RELATED TO THE**  
102 **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**  
Requires the state board to develop and implement a state outreach plan with the use of private and federal moneys to promote access to federal food benefits by eligible persons. Allows the state board to partner or contract with one or more nonprofit organizations to develop and implement the outreach plan. Authorizes the state department of human services (state department) to seek and accept gifts, grants, and donations

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

for the purposes of developing and implementing the state outreach plan. Requires the state department to submit the outreach plan for federal approval and to request any matching federal moneys that may be available upon approval of the outreach plan. Exempts the state board from developing and implementing a state outreach plan if the state department does not receive private or federal moneys sufficient to cover the state's expenditures for developing and implementing the plan.

Changes the name of the federal food stamps program to the supplemental nutrition assistance program to reflect the federal name change.

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

2           **SECTION 1.** 26-2-301, Colorado Revised Statutes, is amended  
3 to read:

4           **26-2-301. Supplemental nutrition assistance program -**  
5 **administration.** (1) The state department is hereby designated as the  
6 single state agency to administer or supervise the administration of the  
7 ~~food-stamp~~ SUPPLEMENTAL NUTRITION ASSISTANCE program in this state  
8 in cooperation with the federal government pursuant to the federal "Food  
9 ~~Stamp~~ AND NUTRITION Act OF 2008", as amended, and this part 3.

10           (2) The state department, with the approval of the state board, may  
11 enter into an agreement with the secretary of the United States department  
12 of agriculture to accept federal food ~~coupons~~ ASSISTANCE BENEFITS for  
13 disbursement to qualified households in accordance with federal law.  
14 Under state department supervision, the responsibility for disbursement  
15 may be delegated, under agreement, to county departments, United States  
16 postal service facilities, or other commercial facilities such as but not  
17 limited to banks.

18           (3) The ~~food-stamp~~ SUPPLEMENTAL NUTRITION ASSISTANCE  
19 program shall be implemented and administered in every county in the  
20 state by the respective county departments or by the state department

1 pursuant to an agreement with one or more counties. If a county can  
2 demonstrate to the satisfaction of the state department that it is impossible  
3 or impractical for the county department to administer the program, the  
4 state department shall ensure that the program is implemented and  
5 administered within such county, and the county shall continue to meet  
6 the requirements of section 26-1-122.

7 (4) (a) THE STATE BOARD SHALL DEVELOP A STATE OUTREACH  
8 PLAN, REFERRED TO IN THIS SECTION AS THE "OUTREACH PLAN", TO  
9 PROMOTE ACCESS BY ELIGIBLE PERSONS TO BENEFITS THROUGH THE  
10 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. THE OUTREACH PLAN  
11 SHALL MEET THE CRITERIA ESTABLISHED BY THE FOOD AND NUTRITION  
12 SERVICES AGENCY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE  
13 FOR APPROVAL OF STATE OUTREACH PLANS. THE STATE BOARD IS  
14 AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, AND DONATIONS TO  
15 DEVELOP AND IMPLEMENT THE OUTREACH PLAN.

16 (b) FOR PURPOSES OF DEVELOPING AND IMPLEMENTING AN  
17 OUTREACH PLAN, THE STATE BOARD MAY PARTNER WITH ONE OR MORE  
18 NONPROFIT ORGANIZATIONS OR MAY CONTRACT WITH ONE OR MORE  
19 NONPROFIT ORGANIZATIONS FOR THE DEVELOPMENT AND  
20 IMPLEMENTATION OF THE OUTREACH PLAN. IF THE STATE BOARD  
21 CONTRACTS WITH ONE OR MORE ORGANIZATIONS TO DEVELOP AND  
22 IMPLEMENT THE OUTREACH PLAN, THE CONTRACT MAY SPECIFY THAT THE  
23 ORGANIZATION IS RESPONSIBLE FOR SEEKING SUFFICIENT GIFTS, GRANTS,  
24 OR DONATIONS NECESSARY FOR THE DEVELOPMENT AND IMPLEMENTATION  
25 OF THE OUTREACH PLAN, AND MAY ADDITIONALLY SPECIFY THAT ANY  
26 COSTS TO THE STATE ASSOCIATED WITH THE AWARD AND MANAGEMENT  
27 OF THE CONTRACT OR THE IMPLEMENTATION OR ADMINISTRATION OF THE

1 OUTREACH PLAN SHALL BE PAID OUT OF ANY PRIVATE MONEYS RAISED FOR  
2 THE DEVELOPMENT AND IMPLEMENTATION OF THE OUTREACH PLAN. THE  
3 STATE BOARD SHALL SUBMIT THE OUTREACH PLAN TO THE FOOD AND  
4 NUTRITION SERVICES AGENCY FOR APPROVAL AND SHALL REQUEST ANY  
5 FEDERAL MATCHING MONEYS THAT MAY BE AVAILABLE UPON APPROVAL  
6 OF THE OUTREACH PLAN.

7 (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (a) OR  
8 (b) OF THIS SUBSECTION (4), THE STATE BOARD SHALL BE EXEMPT FROM  
9 DEVELOPING, IMPLEMENTING, OR ADMINISTERING AN OUTREACH PLAN IF  
10 THE STATE DEPARTMENT DOES NOT RECEIVE PRIVATE OR FEDERAL MONEYS  
11 SUFFICIENT TO COVER THE STATE'S COSTS ASSOCIATED WITH THE  
12 DEVELOPMENT, IMPLEMENTATION, OR ADMINISTRATION OF THE OUTREACH  
13 PLAN.

14 ~~(4)~~ (5) The provisions of article 1 of this title and, where not  
15 inconsistent with this part 3, the provisions of part 1 of this article shall  
16 apply to FEDERAL food ~~stamps~~ ASSISTANCE BENEFITS under this part 3.

17 **SECTION 2. Act subject to petition - effective date.** This act  
18 shall take effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly (August  
20 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
21 referendum petition is filed pursuant to section 1 (3) of article V of the  
22 state constitution against this act or an item, section, or part of this act  
23 within such period, then the act, item, section, or part shall not take effect  
24 unless approved by the people at the general election to be held in  
25 November 2010 and shall take effect on the date of the official  
26 declaration of the vote thereon by the governor. <{*Does the committee*  
27 *want a safety clause?*>

- 1 <{Note: Conforming amendments related to the program name change
- 2 will appear in a later draft.}>