

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0156.01 Kristen Forrestal x4217

SENATE BILL 13-174

SENATE SPONSORSHIP

Schwartz, Giron, Jones

HOUSE SPONSORSHIP

Lebsock,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS**
102 **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://www.leg.state.co.us/billsummaries>.)

Sunset Process - Senate Agriculture, Natural Resources, and Energy Committee. In 2010, the general assembly created the Colorado food systems advisory council (council) to foster a healthy food supply available to all Colorado residents while enhancing the state's agricultural and natural resources, encouraging economic growth, expanding the

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

HOUSE
Amended 2nd Reading
April 19, 2013

SENATE
3rd Reading Unamended
February 21, 2013

SENATE
Amended 2nd Reading
February 20, 2013

viability of agriculture, and improving the health of Colorado's communities and residents by making recommendations to the general assembly. The council is scheduled to repeal July 1, 2013. The bill continues the council indefinitely. The bill also adds 2 more members to the committee and ensures diversity among the existing members.

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

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

4 **2-3-1203. Sunset review of advisory committees.** (3) The
5 following dates are the dates for which the statutory authorization for the
6 designated advisory committees is scheduled for repeal:

7 (z) July 1, 2013:

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

10 (ee.5) **SEPTEMBER 1, 2018:**

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

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

16 **24-37.3-102. Colorado food systems advisory council - created**
17 **- membership - terms - vacancies.** (2) The council consists of ~~thirteen~~
18 ~~FIFTEEN~~ members as follows:

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

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

1 PRODUCER;

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

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

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

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

13 **24-37.3-105. Fund - acceptance of gifts, grants, or donations.**

14 **(1) For the purposes of carrying out the duties of the council, the council**
15 **is authorized to seek and accept gifts, grants, or donations, including**
16 **in-kind donations, from private or public sources for the purposes of this**
17 **article; except that the council may not accept a gift, grant, or donation**
18 **that is subject to conditions that are inconsistent with this article or any**
19 **other law of the state. The council may accept in-kind donations of staff**
20 **services from the private sector to staff the council. The council is also**
21 **authorized to accept and expend federal funds available for food policy**
22 **councils. All private and public moneys received through gifts, grants, or**
23 **donations shall be transmitted to the state treasurer, who shall credit the**
24 **same to the food systems advisory council fund, which fund is hereby**
25 **created and referred to in this section as the "fund". The moneys in the**
26 **fund shall be subject to annual appropriation** MUST BE CONTINUOUSLY
27 **APPROPRIATED by the general assembly to the department of agriculture**

1 for allocation to the council for the direct and indirect costs associated
2 with implementing this article. Any moneys in the fund not expended for
3 the purpose of this article may be invested by the state treasurer as
4 provided by law. All interest and income derived from the investment and
5 deposit of moneys in the fund shall be credited to the fund. Any
6 unexpended and unencumbered moneys remaining in the fund at the end
7 of a fiscal year shall remain in the fund and shall not revert or be credited
8 or transferred to the general fund or another fund; except that, if, at the
9 time this article is repealed pursuant to section 24-37.3-107, the fund
10 contains a balance of unencumbered and unexpended moneys, those
11 moneys shall revert to the general fund.

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

14 **24-37.3-107. Repeal of article.** This article is repealed, effective
15 ~~July 1, 2013~~ **SEPTEMBER 1, 2018.** Prior to such repeal, the food systems
16 advisory council shall be reviewed as provided for in section 2-3-1203,
17 **C.R.S.**

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.