

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

REVISED

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

LLS NO. 24-1073.01 Brita Darling x2241

HOUSE BILL 24-1416

HOUSE SPONSORSHIP

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House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE HEALTHY FOOD INCENTIVES**
102 **PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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 creates the healthy food incentives program (program) in the department of public health and environment to be administered by the prevention services division (division).

The division shall partner with a statewide nonprofit organization

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.

SENATE
2nd Reading Unamended
April 4, 2024

HOUSE
3rd Reading Unamended
April 1, 2024

HOUSE
2nd Reading Unamended
March 28, 2024

that has experience in supporting healthy food incentives programs to provide healthy food incentives that benefit Colorado's low-income populations. The healthy food incentives must attempt to improve access to fresh Colorado-grown fruits and vegetables within Colorado's low-income communities.

The bill limits the division's and the nonprofit organization's administrative expenses.

For the 2024-25 state fiscal year, the bill appropriates \$500,000 to the department of public health and environment for use by the division to implement the program.

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

SECTION 1. In Colorado Revised Statutes, **add** part 22 to article 20.5 of title 25 as follows:

PART 22

HEALTHY FOOD INCENTIVES PROGRAM

25-20.5-2201. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) A RECENT SURVEY FOUND THAT ONE IN THREE COLORADANS ARE "FOOD INSECURE", THAT IS, LACKING RELIABLE ACCESS TO NUTRITIOUS FOOD;

(b) IN ADDITION, MORE THAN ONE IN THREE ADULTS LIVING WITH CHILDREN HAVE REPORTED REGULARLY CUTTING BACK OR SKIPPING MEALS TO ALLOW THEIR CHILDREN TO HAVE ENOUGH TO EAT;

(c) CHILDHOOD HUNGER CAN HAVE LIFELONG IMPACTS, SUCH AS INTERFERING WITH DEVELOPMENTAL AND EDUCATIONAL PROGRESS;

(d) CERTAIN COMMUNITIES, INCLUDING COMMUNITIES OF COLOR, SENIORS, AND LOWER-INCOME COLORADANS, ARE PRONE TO HIGHER-THAN-AVERAGE RATES OF FOOD INSECURITY;

(e) FOOD SECURITY AND HOUSING SECURITY ARE CLOSELY RELATED ISSUES: BOTH ARE BASIC NEEDS THAT A FAMILY MUST ACCOUNT

1 FOR, AND THE TWO CAN BECOME COMPETING PRIORITIES ON A LIMITED
2 BUDGET. A FAMILY'S ABILITY TO PAY FOR FOOD IS DIRECTLY RELATED TO
3 THE FAMILY'S ABILITY TO PAY FOR HOUSING, AND IMPROVING ONE WILL
4 NECESSARILY IMPROVE THE OTHER.

5 (f) IMPROVING THE CAPACITY OF EXISTING SMALL, LOCAL
6 RETAILERS TO STORE AND SELL NUTRITIOUS FOOD CAN IMPROVE ACCESS,
7 LOWER PRICES, AND REDUCE FOOD INSECURITY, PARTICULARLY FOR
8 COLORADO FAMILIES MOST AT RISK OF FOOD INSECURITY, WHILE KEEPING
9 MORE OF THE PROCEEDS OF ECONOMIC ACTIVITY IN THE LOCAL
10 COMMUNITY; AND

11 (g) EXPANDING THE NUMBER OF RETAILERS SELLING FRESH
12 PRODUCE MAY ALSO CREATE NEW MARKET OPPORTUNITIES FOR
13 COLORADO AGRICULTURAL PRODUCERS.

14 (2) THEREFORE, THE GENERAL ASSEMBLY DETERMINES THAT
15 ENACTING LEGISLATION TO FURTHER SUPPORT EXISTING NUTRITION
16 ACCESS EFFORTS WILL IMPROVE ACCESS TO NUTRITIOUS FOOD FOR
17 COLORADANS, ASSIST SMALL BUSINESSES, AND FOSTER COLORADO'S
18 AGRICULTURAL INDUSTRY.

19 **25-20.5-2202. Healthy food incentives program - creation -**
20 **nonprofit organization.** (1) THERE IS CREATED THE HEALTHY FOOD
21 INCENTIVES PROGRAM IN THE DEPARTMENT TO BE ADMINISTERED BY THE
22 DIVISION.

23 (2) THE DIVISION SHALL PARTNER WITH A STATEWIDE NONPROFIT
24 ORGANIZATION TO PROVIDE HEALTHY FOOD INCENTIVES THAT BENEFIT
25 COLORADO'S LOW-INCOME POPULATIONS. THE INCENTIVES PROVIDED
26 PURSUANT TO THE HEALTHY FOOD INCENTIVES PROGRAM MUST ATTEMPT
27 TO IMPROVE ACCESS TO FRESH COLORADO-GROWN FRUITS AND

1 VEGETABLES WITHIN COLORADO'S LOW-INCOME COMMUNITIES.

2 (3) THE STATEWIDE NONPROFIT ORGANIZATION SELECTED BY THE
3 DIVISION FOR THE PARTNERSHIP DESCRIBED IN SUBSECTION (2) OF THIS
4 SECTION MUST HAVE EXPERIENCE SUPPORTING PROGRAMS THAT PROVIDE
5 HEALTHY FOOD INCENTIVES, SUCH AS PROGRAMS AT LOCAL FARMERS'
6 MARKETS, AND EXPERIENCE WITH COORDINATING HEALTHY FOOD
7 PROGRAMS AND COORDINATING FUNDING BETWEEN LOCAL, STATE, AND
8 FEDERAL PROGRAMS.

9 (4) IN PROVIDING THE PROGRAM INCENTIVES, BOTH THE DIVISION
10 AND THE NONPROFIT ORGANIZATION SHALL MINIMIZE ADMINISTRATIVE
11 EXPENSES. THE DIVISION SHALL NOT USE MORE THAN TEN THOUSAND
12 DOLLARS OF, AND THE NONPROFIT ORGANIZATION SHALL NOT USE MORE
13 THAN FIVE PERCENT OF, THE AMOUNT APPROPRIATED FOR THE PROGRAM
14 TO PAY FOR ADMINISTRATIVE EXPENSES.

15 **SECTION 2. Appropriation.** For the 2024-25 state fiscal year,
16 \$500,000 is appropriated to the department of public health and
17 environment for use by the prevention services division. This
18 appropriation is from the general fund. To implement this act, the division
19 may use this appropriation for the healthy food incentives program related
20 to chronic disease prevention programs.

21 **SECTION 3. Safety clause.** The general assembly finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety or for appropriations for
24 the support and maintenance of the departments of the state and state
25 institutions.