

An Act

SENATE BILL 25-169

BY SENATOR(S) Jodeh and Pelton R., Cutter, Exum, Kipp, Marchman, Michaelson Jenet, Wallace, Weissman, Winter F.;
also REPRESENTATIVE(S) Zokaie, Bacon, Boesenecker, Brown, Camacho, Carter, Clifford, Duran, Feret, Garcia, Gilchrist, Hamrick, Joseph, Lieder, Lindsay, Mabrey, McCormick, Ricks, Rutinel, Rydin, Sirota, Smith, Stewart K., Willford, McCluskie.

CONCERNING THE IMPLEMENTATION OF A RESTAURANT MEALS PROGRAM
FOR CERTAIN RECIPIENTS OF THE SUPPLEMENTAL NUTRITION
ASSISTANCE PROGRAM.

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

SECTION 1. In Colorado Revised Statutes, **add** 26-2-310 as follows:

26-2-310. Restaurant meals program - federal approval - eligible SNAP recipients - report - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "OFFICE" MEANS THE OFFICE OF ECONOMIC SECURITY IN THE DEPARTMENT OF HUMAN SERVICES.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) "PROGRAM" MEANS THE RESTAURANT MEALS PROGRAM IMPLEMENTED PURSUANT TO THIS SECTION.

(c) "SNAP" MEANS THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ESTABLISHED PURSUANT TO THIS PART 3.

(d) "SNAP RECIPIENT" MEANS AN INDIVIDUAL IN A HOUSEHOLD WHO IS RECEIVING BENEFITS FROM SNAP.

(e) "USDA" MEANS THE UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE.

(2) (a) NO LATER THAN JANUARY 1, 2026, THE STATE DEPARTMENT SHALL SUBMIT AN APPLICATION TO THE USDA TO IMPLEMENT A RESTAURANT MEALS PROGRAM THAT ALLOWS SNAP RECIPIENTS TO PURCHASE HOT OR PREPARED FOODS AT PARTICIPATING RESTAURANTS.

(b) A SNAP RECIPIENT IS ELIGIBLE FOR PARTICIPATION IN THE PROGRAM IF THE SNAP RECIPIENT MEETS THE USDA'S ELIGIBILITY CRITERIA FOR THE PROGRAM.

(c) SUBJECT TO AVAILABLE APPROPRIATIONS, AFTER RECEIVING APPROVAL FROM THE USDA TO IMPLEMENT THE PROGRAM, THE OFFICE SHALL DEVELOP AND PUBLISH ON ITS WEBSITE AN IMPLEMENTATION PLAN FOR THE PROGRAM AND THE USDA'S ELIGIBILITY CRITERIA FOR SNAP RECIPIENTS.

(3) (a) AFTER DEVELOPING AND PUBLISHING THE IMPLEMENTATION PLAN PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, AND SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE DEPARTMENT SHALL ADOPT RULES FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE PROGRAM. AT A MINIMUM, THE RULES MUST:

(I) ADDRESS HOW THE STATE DEPARTMENT WILL VERIFY A SNAP RECIPIENT'S ELIGIBILITY PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND

(II) ESTABLISH THE STATE-LEVEL APPLICATION PROCESS AND ELIGIBILITY REQUIREMENTS FOR RESTAURANTS, INCLUDING, AT A MINIMUM,

THAT PARTICIPATING RESTAURANTS:

(A) ARE LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-4-1603; AND

(B) ARE AUTHORIZED BY THE FOOD AND NUTRITION SERVICES AGENCY OF THE USDA TO ACCEPT SNAP BENEFITS.

(b) THE RULES ADOPTED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MAY ENCOURAGE PARTICIPATING RESTAURANTS TO:

(I) UTILIZE PRACTICES OF PROCURING LOCALLY PRODUCED FOODS FOR HOT OR PREPARED MEALS;

(II) SERVE FOODS THAT REPRESENT DIVERSE CULTURAL TRADITIONS;

(III) SERVE GEOGRAPHICALLY DIVERSE REGIONS OF THE STATE; AND

(IV) OFFER THE OPTION FOR A PATRON TO CHOOSE HOW MUCH TO PAY FOR THEIR MEAL IN UNDERINVESTED COMMUNITIES.

(4) IN ADDITION TO TECHNICAL ASSISTANCE PROVIDED BY THE USDA, SUBJECT TO AVAILABLE APPROPRIATIONS, THE OFFICE MAY PROVIDE TECHNICAL ASSISTANCE TO RESTAURANTS APPLYING TO PARTICIPATE IN THE PROGRAM AS WELL AS TO PARTICIPATING RESTAURANTS. THE STATE DEPARTMENT MAY CONTRACT WITH A THIRD-PARTY VENDOR TO PROVIDE ADDITIONAL OUTREACH AND TECHNICAL ASSISTANCE PURSUANT TO THIS SUBSECTION (4).

(5) IN ITS ANNUAL REPORT TO THE COMMITTEES OF REFERENCE MADE PURSUANT TO SECTION 2-7-203, THE STATE DEPARTMENT SHALL PROVIDE AN UPDATE CONCERNING THE PROGRESS TOWARD IMPLEMENTING THE RESTAURANT MEALS PROGRAM. AT A MINIMUM, THE UPDATE MUST INCLUDE THE NAMES AND ADDRESSES OF ALL APPROVED PARTICIPATING RESTAURANTS AND THE NUMBER OF SNAP RECIPIENTS ELIGIBLE TO PARTICIPATE IN THE PROGRAM, BY COUNTY.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO