

**First Extraordinary Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25B-0002.02 Pierce Lively x2059

SENATE BILL 25B-003

SENATE SPONSORSHIP

Michaelson Jenet and Wallace,

HOUSE SPONSORSHIP

Garcia and Stewart K.,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORTING ACCESS TO HEALTHY FOOD FOR**
102 **COLORADANS, AND, IN CONNECTION THEREWITH, AMENDING**
103 **THE BALLOT ISSUE LANGUAGE FOR A MEASURE ON THE**
104 **NOVEMBER 2025 BALLOT AND MODIFYING THE PERMISSIBLE**
105 **USES OF THE HEALTHY SCHOOL MEALS FOR ALL CASH FUND.**

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>.)

Section 2 of the bill amends the ballot title language for the ballot issue concerning increasing taxes annually by \$95 million to support 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.

healthy school meals for all program (program) that the secretary of state will submit to the voters at the November 2025 statewide election. The amended ballot title language allows the additional tax revenue authorized by the ballot issue to be spent on supporting access to healthy food for Colorado kids and families and not just on the program.

Section 3 amends the healthy school meals for all cash fund (fund), as the fund would exist upon voters approving the ballot issue concerning increasing taxes annually by \$95 million to support the program that the secretary of state will submit to the voters at the November 2025 statewide election. Section 3 expands the permissible uses of money in the fund. Section 3 allows money in the fund to be used for, among other things, supporting the implementation of the supplemental nutritional assistance program, so long as the program is fully funded first.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) In July 2025, the United States Congress passed, and the
5 president signed into law, a federal budget bill, Pub.L. 119-21, that
6 significantly reduced funding for the supplemental nutritional assistance
7 program and shifted new and ongoing financial responsibilities to the
8 states;

9 (b) These federal changes are projected to, starting in state fiscal
10 year 2026-27, impose at least \$50 million in new annual costs to the state
11 of Colorado to administer the supplemental nutritional assistance program
12 and, in future years, potentially impose additional costs to the state of
13 Colorado to provide a portion of the supplemental nutritional assistance
14 program benefits;

15 (c) The federal budget bill also reduced funding for
16 community-based outreach and application assistance in connection with
17 the supplemental nutrition assistance program, which play a critical role

1 in helping Coloradans access and retain program benefits;

2 (d) Outreach for the supplemental nutritional assistance program
3 promotes both equitable access and efficient, accurate administration of
4 the program, helping prevent avoidable payment errors while maintaining
5 access for all eligible people;

6 (e) The federal budget bill also eliminated the nation's only
7 dedicated nutrition education program for households that benefit from
8 the supplemental nutritional assistance program, ending over \$6 million
9 in funding for Colorado and eliminating access to programs that are vital
10 for improving food security, dietary quality, and the ability to stretch
11 limited food budgets for 325,000 Coloradans including 30,000 families;

12 (f) The United States department of agriculture's data shows that
13 for every dollar spent on nutrition education, up to \$10.64 is saved in
14 health-care spending;

15 (g) The supplemental nutritional assistance program education
16 directly reduces risk factors for conditions like diabetes, hypertension,
17 and obesity-chronic diseases that account for the bulk of health-care
18 costs;

19 (h) Nutrition education is even more critical when families face
20 steeper food prices and changes to the supplemental nutritional assistance
21 program structure and eligibility that result in families needing support in
22 doing more with less;

23 (i) Without investments in these programs, the hundreds of
24 thousands of Coloradans-including children, families, older adults,
25 veterans, and workers-who are eligible to receive supplemental nutritional
26 assistance program benefits are at risk of losing vital food assistance and
27 more Coloradans will go hungry;

1 (j) House Bill 25-1274 directed the secretary of state to submit
2 Proposition MM to the registered voters of the state to raise additional
3 revenue for the full implementation of the healthy school meals for all
4 program and its components, since the revenue raised in connection with
5 Proposition FF was insufficient to fund the full implementation of the
6 healthy school meals for all program and its components; and

7 (k) By modifying Proposition MM to support healthy food access
8 for Colorado kids and families and to allow excess money collected
9 beyond that necessary to fully fund and implement the healthy school
10 meals for all program to be used to support filling the gap in funding for
11 the supplemental nutritional assistance program caused by the reduced
12 funding for the program as a result of the federal budget bill, voter
13 approval of Proposition MM will ensure that all Coloradans have access
14 to the nutritious food they need to thrive.

15 **SECTION 2.** In Colorado Revised Statutes, 22-82.9-213, **amend**
16 (1) as follows:

17 **22-82.9-213. Ballot issue related to Proposition FF revenue**
18 **increase - repeal.** (1) At the statewide election held in November 2025,
19 the secretary of state shall submit to the registered electors of the state for
20 their approval or rejection the following ballot issue: "Shall state taxes be
21 increased by \$95 million annually by a change to the Colorado Revised
22 Statutes ~~that, to support the healthy school meals for all program,~~
23 ~~increases~~ TO SUPPORT ACCESS TO HEALTHY FOOD FOR COLORADO KIDS
24 AND FAMILIES, INCLUDING THE HEALTHY SCHOOL MEALS FOR ALL
25 PROGRAM, AND, IN CONNECTION THEREWITH, INCREASING state taxable
26 income only for individuals who have a federal ~~tax~~ TAXABLE income of
27 \$300,000 or more by limiting itemized or standard state income tax

1 deductions to \$1,000 for single tax return filers and \$2,000 for joint tax
2 return filers for the purposes of fully funding the healthy school meals for
3 all program to continue paying for public schools to offer free breakfast
4 and lunch to all public school students while also increasing wages for
5 employees who prepare and serve school meals, helping schools use
6 basic, nutritious ingredients, instead of processed products, and ensuring
7 that Colorado grown and raised products are part of school meals;
8 SUPPORTING THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
9 (SNAP) THAT HELPS LOW-INCOME COLORADO FAMILIES AFFORD
10 GROCERIES; and ~~shall the state be allowed~~ ALLOWING THE STATE to retain
11 and spend as a voter-approved revenue change all additional tax revenue
12 generated by these tax deduction changes?"

13 **Changes in Income Taxes Owed by Income Category**

14

Income Category	Proposed Change in Average Income Tax Owed
\$299,999 or less	\$0
\$300,000 or more	+\$486

15
16

17 **SECTION 3.** In Colorado Revised Statutes, 22-82.9-211, **amend**
18 **as it will become effective if the ballot issue described in section**
19 **22-82.9-213 is approved by the people at the next statewide election**
20 (1)(c), (3)(a) introductory portion, (3)(e) introductory portion, (3)(f)
21 introductory portion, and (3)(g); **amend as it exists unless the ballot**
22 **issue described in section 22-82.9-212 is approved by the people at the**
23 **next statewide election and the ballot issue described in section**
24 **22-82.9-213 is rejected by the people at the next statewide election**
25 (3)(a)(IV); **amend (3)(a)(II) and (3)(a)(III);** and **add (3)(a)(VI),**
26 (3)(a)(VII), **(3)(a)(VIII), and (3)(j)** as follows:

1 **22-82.9-211. Healthy school meals for all program cash fund**
2 **- creation - uses - reporting requirements - legislative declaration -**
3 **definitions - repeal.** (1) As used in this section, unless the context
4 otherwise requires:

5 (c) "Reserve calculation" means a calculation that determines the
6 amount expended by the department for the purposes described in
7 subsections (3)(a)(II), (3)(a)(III), (3)(a)(IV), **(3)(a)(VI), (3)(a)(VII),**
8 **(3)(a)(VIII),** and (3)(a.5) of this section in accordance with subsections
9 (3)(c) to (3)(g) of this section. The reserve calculation shall independently
10 be computed for subsections (3)(c) to (3)(g) of this section by legislative
11 council, in consultation with the department, and based on the relevant
12 projections in the March economic and revenue forecast prepared by
13 legislative council staff. The computation of the reserve calculation for
14 each of subsections (3)(c) to (3)(g) of this section shall result in a
15 percentage equal to the anticipated balance in the fund as of the beginning
16 of the fiscal year plus any additional money that will be deposited in or
17 transferred to the fund over the course of the fiscal year minus the
18 estimated amount of money expended by the department for the purposes
19 described in subsections (3)(a) and (3)(a.5) of this section in accordance
20 with the subsection of this section for which the reserve calculation is
21 computed divided by the estimated amount expended by the department
22 for the purposes described in subsections (3)(a)(I) and (3)(a)(V) of this
23 section in accordance with the subsection of this section for which the
24 reserve calculation is computed.

25 (3) (a) Subject to annual appropriation by the general assembly,
26 ~~the department may expend~~ money MAY BE EXPENDED from the fund that
27 is not in the account for the following purposes:

1 (II) BEGINNING JULY 1, 2026, awarding local food purchasing
2 grants pursuant to section 22-82.9-205;

3 (III) BEGINNING JULY 1, 2026, distributing money to a
4 participating school food authority to increase wages or provide stipends
5 for individuals whom the participating school food authority employs to
6 directly prepare and serve food for school meals pursuant to section
7 22-82.9-206 (1);

8 (IV) BEGINNING JULY 1, 2026, awarding local school food
9 purchasing technical assistance and education grants pursuant to section
10 22-82.9-207; ~~and~~

11 (VI) BEGINNING JULY 1, 2026, IMPLEMENTING THE SUPPLEMENTAL
12 NUTRITIONAL ASSISTANCE PROGRAM;

13 (VII) BEGINNING JULY 1, 2026, PROVIDING OUTREACH RELATED
14 TO THE SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM; AND

15 (VIII) BEGINNING JULY 1, 2026, PROVIDING COMMUNITY-BASED
16 NUTRITION EDUCATION.

17 (e) If the department expending money from the fund as follows
18 would result in a reserve calculation amount equal to or greater than
19 twenty-five percent and less than ~~forty~~ THIRTY-FIVE percent, then the
20 department shall expend money from the fund, including money in the
21 account in accordance with subsection (3)(a.5)(II) of this section, as
22 follows:

23 (f) If the department expending money from the fund as follows
24 would result in a reserve calculation amount equal to or greater than ~~forty~~
25 THIRTY-FIVE percent, ~~and, for state fiscal years commencing on or after~~
26 ~~July 1, 2029, less than fifty percent,~~ then the department shall expend
27 money from the fund, including money in the account in accordance with

1 subsection (3)(a.5)(II) of this section, as follows:

2 (g) ~~For fiscal years commencing on or after July 1, 2029, If, UPON~~
3 AWARDING MONEY ACCORDING TO SUBSECTION (3)(f) OF THIS SECTION, the
4 department determines that ~~doing so~~ AWARDING MONEY PURSUANT TO
5 THIS SUBSECTION (3)(g) would result in a reserve calculation amount
6 equal to ~~fifty~~ THIRTY-FIVE percent or more, then ~~the department shall~~
7 ~~expend~~ money MAY BE EXPENDED from the fund, including money in the
8 account in accordance with subsection (3)(a.5)(II) of this section by
9 ~~increasing the amounts awarded and distributed from the fund to amounts~~
10 ~~greater than those described in subsection (3)(f) of this section~~ AWARDING
11 AND DISTRIBUTING AMOUNTS FROM THE FUND AS DESCRIBED IN
12 SUBSECTION (3)(f) OF THIS SECTION AND THEN FUNDING THE
13 IMPLEMENTATION OF THE SUPPLEMENTAL NUTRITIONAL ASSISTANCE
14 PROGRAM IN A MANNER THAT SUPPLEMENTS AND DOES NOT SUPPLANT THE
15 STATE'S EXPENDITURES, AS OF JULY 1, 2025, TO IMPLEMENT THE
16 SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM; OUTREACH RELATED
17 TO THE SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM; AND
18 COMMUNITY-BASED NUTRITION EDUCATION.

19 (j) NOTWITHSTANDING ANY LAW TO THE CONTRARY, MONEY IN
20 THE FUND SHALL ONLY BE EXPENDED FROM THE FUND IN ACCORDANCE
21 WITH SUBSECTIONS (3)(c) THROUGH (3)(i) OF THIS SECTION ON OR AFTER
22 JULY 1, 2026.

23 **SECTION 4. Effective date.** (1) Except as otherwise provided
24 in subsection (2) of this section, this act takes effect upon passage.

25 (2) Section 22-82.9-211 (1)(c), (3)(a) introductory portion, (3)(e)
26 introductory portion, (3)(f) introductory portion, (3)(g), (3)(a)(II),
27 (3)(a)(III), and (3)(a)(IV) (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), and (3)(j),

1 Colorado Revised Statutes, as amended and enacted in section 3 of this
2 act, take effect only if, at the November 2025 statewide election, the
3 ballot issue described in section 22-82.9-213, Colorado Revised Statutes,
4 is approved by the people, in which case section 22-82.9-211 (1)(c),
5 (3)(a) introductory portion, (3)(e) introductory portion, (3)(f) introductory
6 portion, (3)(g), (3)(a)(II), (3)(a)(III), and (3)(a)(IV) (3)(a)(VI),
7 (3)(a)(VII), (3)(a)(VIII), and (3)(j), Colorado Revised Statutes, as
8 amended and enacted in section 3 of this act, take effect on the date of the
9 official declaration of the vote thereon by the governor.

10 **SECTION 5. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.