

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Water & Natural Resources.

HB26-1033 be amended as follows:

- 1 Amend printed bill, page 2, line 5, after "(2)(c)," insert "(2)(e),".
- 2 Page 2, lines 5 and 6, strike "**repeal** (2)(e);".
- 3 Page 2, line 18, after "SELL" insert "PACKAGED".
- 4 Page 2, line 19, after "TORTAS." add "A PRODUCER MAY SELL UP TO FIVE
5 TYPES OF FOODS THAT REQUIRE TIME AND TEMPERATURE CONTROL FOR
6 SAFETY. THE PRODUCER MUST SET THE FOODS THAT REQUIRE TIME AND
7 TEMPERATURE CONTROL FOR SAFETY AND PROVIDE A LIST OF SUCH FOODS
8 TO THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL HEALTH
9 AGENCY UPON REQUEST. A PRODUCER MAY CHANGE THE FOODS THAT
10 REQUIRE TIME AND TEMPERATURE CONTROL FOR SAFETY, AS LONG AS THE
11 PRODUCER IS NOT SELLING MORE THAN FIVE FOODS THAT REQUIRE TIME
12 AND TEMPERATURE CONTROL FOR SAFETY AT ANY GIVEN TIME. THE
13 PRODUCER MUST PACKAGE FOOD REQUIRING TIME AND TEMPERATURE
14 CONTROL IN THE PRODUCER'S HOME KITCHEN OR A COMMERCIAL, PRIVATE,
15 OR PUBLIC KITCHEN.".
- 16 Page 3, strike lines 14 through 17 and substitute "SECTION SATISFIES AN
17 EXEMPTION FROM INSPECTION, SUCH AS THE".
- 18 Page 3, line 19, strike "POULTRY." and substitute "POULTRY OR A FEDERAL
19 MEAT PROCESSING EXEMPTION.".
- 20 Page 4, strike lines 21 through 24 and substitute:
21 "(e) This section applies only to producers ~~who~~ THAT earn ~~net~~
22 GROSS revenues of ~~ten~~ ONE HUNDRED FIFTY thousand dollars or less per
23 calendar year from the sale of ~~each eligible food product produced in the~~
24 ~~producer's home kitchen or a commercial, private, or public kitchen~~ FOOD
25 PERMITTED UNDER THIS SECTION. THE DEPARTMENT SHALL ANNUALLY
26 ADJUST THE CAP FOR INFLATION. THE DEPARTMENT MAY ROUND THE
27 ADJUSTED AMOUNT UPWARD TO THE NEAREST DOLLAR. INFLATION IS
28 MEASURED BY THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES
29 DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE
30 INDEX, OR A SUCCESSOR INDEX, FOR DENVER-AURORA-LAKEWOOD FOR
31 ALL ITEMS PAID FOR BY URBAN CONSUMERS. A PRODUCER SHALL NOT
32 ESTABLISH, REORGANIZE, OR OPERATE MULTIPLE ENTITIES OR
33 CONTRACTUAL ARRANGEMENTS FOR THE PURPOSE OF CIRCUMVENTING
34 THIS REVENUE CAP.".

- 1 Page 5, line 4, after "If" insert "THE DEPARTMENT OR".
- 2 Page 5, line 7, after "THE" insert "DEPARTMENT OR".
- 3 Page 6, strike lines 8 and 9 and substitute "section 25-4-1614 (9)(c), ~~who~~
4 THAT earns ~~net~~ GROSS revenues ~~of ten thousand dollars or less per~~
5 ~~calendar year from the sale of each eligible food product~~ LESS THAN THE
6 AMOUNT PERMITTED PURSUANT TO SECTION 25-4-1614 (2)(e).".
- 7 Page 6, strike lines 12 and 13 and substitute "section 25-4-1614 (9)(c),
8 ~~who~~ THAT earns ~~net~~ GROSS revenues ~~of ten thousand dollars or less per~~
9 ~~calendar year from the sale of each eligible food product~~ LESS THAN THE
10 AMOUNT PERMITTED PURSUANT TO SECTION 25-4-1614 (2)(e).".

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