



1 conducting or contracting for the financial assistance priority assessment  
2 required by section 22-43.7-108 (1), incurred by the division, the board,  
3 and the department in exercising their powers and duties pursuant to this  
4 article, providing financial assistance, making payments required by  
5 section 22-43.7-114, and paying any transaction costs necessarily incurred  
6 in connection with the provision of financial assistance as authorized by  
7 this article. FOR STATE FISCAL YEAR 2020-21, THE GENERAL ASSEMBLY  
8 SHALL APPROPRIATE ONE HUNDRED SIXTY MILLION DOLLARS FROM THE  
9 ASSISTANCE FUND FOR USE BY THE BOARD IN PROVIDING FINANCIAL  
10 ASSISTANCE IN THE FORM OF MATCHING CASH GRANTS ONLY."

11 Page 4 of the bill, after line 25 insert:

12 "SECTION 3. In Colorado Revised Statutes, **amend** 22-43.7-201  
13 as follows:

14 **22-43.7-201. Full-day kindergarten facility capital**  
15 **construction fund - creation - grants - definitions.** (1) ~~There is hereby~~  
16 ~~established in the state treasury~~ The full-day kindergarten facility capital  
17 construction fund, referred to in this part 2 as the "fund". "FUND", IS  
18 HEREBY CREATED IN THE STATE TREASURY. The fund shall consist  
19 CONSISTS of any ~~moneys annually appropriated thereto by the general~~  
20 ~~assembly for the purposes of this part 2. All interest and income earned~~  
21 ~~on the deposit of moneys in the fund shall be credited to the fund. Any~~  
22 ~~unexpended and unencumbered moneys remaining in the fund at the end~~  
23 ~~of a budget year shall remain in the fund and shall not be credited or~~  
24 ~~transferred to the general fund or any other fund.~~ MONEY THAT THE  
25 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE  
26 STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED  
27 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE  
28 FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY,  
29 THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD MAY  
30 EXPEND MONEY FROM THE FUND AS SPECIFIED IN THIS PART 2.

31 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS  
32 SECTION, the public school capital construction assistance board shall use  
33 the ~~moneys~~ MONEY in the fund to provide grants or matching grants to  
34 any school district or institute charter school that is undertaking a capital  
35 construction project to renovate a facility, rent a facility, or provide a  
36 temporary auxiliary facility that will be used in conjunction with  
37 providing a full-day kindergarten program. The board shall award a grant  
38 or matching grant pursuant to this part 2 to a school district or institute  
39 charter school only if, without the grant or matching grant, the school

1 district or institute charter school would be unable to provide a facility in  
2 which to offer a full day of kindergarten to more students than were  
3 offered a full day of kindergarten in the 2007-08 budget year. For  
4 purposes of this part 2, "temporary auxiliary facility" means a temporary  
5 building that will be placed on the same campus as a main educational  
6 facility.

7 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS  
8 SECTION, each budget year, the board shall use fifty percent of the ~~moneys~~  
9 MONEY in the fund to provide grants pursuant to this part 2 and fifty  
10 percent of the ~~moneys~~ MONEY in the fund to provide matching grants  
11 pursuant to this part 2.

12 (4) (a) AS USED IN THIS SUBSECTION (4), UNLESS THE CONTEXT  
13 OTHERWISE REQUIRES:

14 (I) "APPLICANT SHARE PERCENTAGE" MEANS, WITH RESPECT TO AN  
15 APPLICANT, THE PERCENTAGE OF TOTAL EQUITABLY ADJUSTED FUNDING  
16 STATEWIDE FOR BOTH ALL APPLICANTS AND ALL POTENTIAL APPLICANTS  
17 WHO DO NOT ACTUALLY APPLY FOR GRANTS AS AUTHORIZED BY THIS  
18 SUBSECTION (4) REPRESENTED BY THE EQUITABLY ADJUSTED FUNDING FOR  
19 THE APPLICANT.

20 (II) "EQUITABLE ADJUSTMENT FACTOR" MEANS, WITH RESPECT TO  
21 BOTH AN APPLICANT AND A POTENTIAL APPLICANT THAT DOES NOT  
22 ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION (4)  
23 THE SUM OF THE APPLICANT'S:

24 (A) SIZE FACTOR, AS DETERMINED PURSUANT TO SECTION  
25 22-54-104 (5)(b)(I.5);

26 (B) PERCENTAGE OF ENROLLED PUPILS WHO ARE ELIGIBLE FOR  
27 FREE OR REDUCED PRICE LUNCH;

28 (C) PERCENTAGE OF ENROLLED PUPILS WHO ARE ENGLISH  
29 LANGUAGE LEARNERS, AS DEFINED IN SECTION 22-24-103 (4); AND

30 (D) PERCENTAGE OF ENROLLED PUPILS WHO ARE SPECIAL  
31 EDUCATION STUDENTS.

32 (III) "EQUITABLY ADJUSTED FUNDING" MEANS, WITH RESPECT TO  
33 BOTH AN APPLICANT AND A POTENTIAL APPLICANT WHO DOES NOT  
34 ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION (4)  
35 THE PRODUCT OF TOTAL APPLICANT PER PUPIL FUNDING AND THE  
36 EQUITABLE ADJUSTMENT FACTOR.

37 (IV) "TOTAL APPLICANT PER PUPIL FUNDING" MEANS, WITH  
38 RESPECT TO BOTH AN APPLICANT AND A POTENTIAL APPLICANT WHO DOES  
39 NOT ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION  
40 (4) THE PRODUCT OF THE NUMBER OF CHILDREN ENROLLED IN A FULL-DAY  
41 KINDERGARTEN EDUCATIONAL PROGRAM PROVIDED BY THE APPLICANT

1 DURING THE 2019-20 BUDGET YEAR AND THE APPLICANT'S PER PUPIL  
2 FUNDING AMOUNT, AFTER APPLICATION OF SECTION 22-54-104 (5)(g), FOR  
3 THE 2019-20 BUDGET YEAR.

4 (b) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER  
5 TWENTY-FIVE MILLION DOLLARS FROM THE ASSISTANCE FUND TO THE  
6 FUND. DURING THE 2018-19 BUDGET YEAR, THE BOARD SHALL ACCEPT  
7 APPLICATIONS FROM APPLICANTS THAT WILL PROVIDE A FULL-DAY  
8 KINDERGARTEN EDUCATIONAL PROGRAM FOR THE 2019-20 BUDGET YEAR  
9 FOR FINANCIAL ASSISTANCE IN THE FORM OF FORMULA-BASED GRANTS IN  
10 A TOTAL AMOUNT OF UP TO TWENTY-FIVE MILLION DOLLARS FOR THE  
11 2019-20 BUDGET YEAR. THE BOARD SHALL ESTABLISH GRANT  
12 APPLICATION REQUIREMENTS AND DEADLINES THAT ALLOW APPLICANTS  
13 TO EFFICIENTLY PROVIDE THE INFORMATION NEEDED TO ALLOW THE  
14 BOARD TO QUICKLY DETERMINE THE ESTIMATED AMOUNT OF THE  
15 FORMULA-BASED GRANT TO BE AWARDED TO EACH APPLICANT AND  
16 EXPEDITE DISTRIBUTION OF THE FORMULA-BASED GRANTS.

17 (c) THE AMOUNT OF THE GRANT TO BE PROVIDED TO EACH  
18 APPLICANT PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION IS  
19 DETERMINED BY THE FOLLOWING FORMULA:

20 THE LESSER OF \$25,000,000 X THE APPLICANT SHARE  
21 PERCENTAGE OR THE AMOUNT ACTUALLY APPLIED FOR BY  
22 THE APPLICANT.

23 ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FROM THE  
24 FUND TO THE ASSISTANCE FUND ANY PORTION OF THE TWENTY-FIVE  
25 MILLION DOLLARS PREVIOUSLY TRANSFERRED FROM THE ASSISTANCE  
26 FUND TO THE FUND AS REQUIRED BY SUBSECTION (4)(b) OF THIS SECTION  
27 THAT IS NOT DISTRIBUTED TO APPLICANTS AS FORMULA-BASED GRANTS  
28 DURING THE 2019-20 BUDGET YEAR.

29 (d) ON JULY 1, 2019, OR AS SOON AS FEASIBLE THEREAFTER, THE  
30 BOARD SHALL CAUSE TO BE DISTRIBUTED TO EACH APPLICANT EIGHTY  
31 PERCENT OF THE ESTIMATED AMOUNT OF THE APPLICANT'S  
32 FORMULA-BASED GRANT. AS SOON AS FEASIBLE FOLLOWING THE FINAL  
33 DETERMINATION OF STATEWIDE AND APPLICANT FULL-DAY KINDERGARTEN  
34 ENROLLMENT FOR THE 2019-20 BUDGET YEAR AND NO LATER THAN  
35 FEBRUARY 15, 2020, THE BOARD SHALL DETERMINE THE FINAL AMOUNT  
36 OF EACH APPLICANT'S FORMULA-BASED GRANT AND CAUSE TO BE  
37 DISTRIBUTED TO EACH APPLICANT ANY ADDITIONAL AMOUNT NEEDED TO  
38 ENSURE THAT EACH APPLICANT RECEIVES THE FULL FINAL AMOUNT OF ITS  
39 GRANT.

40 (e) AS SOON AS POSSIBLE AFTER RECEIVING EACH DISTRIBUTION  
41 DESCRIBED IN THIS SECTION, THE AUTHORIZER FOR A CHARTER SCHOOL

1 THAT OPERATES A FULL-DAY KINDERGARTEN EDUCATIONAL PROGRAM  
2 SHALL DISTRIBUTE TO THE CHARTER SCHOOL, IN A LUMP SUM, ONE  
3 HUNDRED PERCENT OF THE AMOUNT RECEIVED THAT IS ATTRIBUTABLE TO  
4 THE FULL-DAY KINDERGARTEN PUPILS ENROLLED IN THE CHARTER  
5 SCHOOL.

6 (f) AN APPLICANT MAY EXPEND A FORMULA-BASED GRANT  
7 RECEIVED PURSUANT TO THIS SUBSECTION (4) DURING THE 2019-20  
8 BUDGET YEAR FOR THE PURPOSE OF ACQUIRING FURNITURE, FIXTURES, OR  
9 OTHER FIXED OR MOVEABLE EQUIPMENT, EXCLUDING CONSTRUCTION  
10 EQUIPMENT, THAT IS NEEDED TO CONDUCT A FULL-DAY KINDERGARTEN  
11 EDUCATIONAL PROGRAM OR A PRESCHOOL EDUCATIONAL PROGRAM."

12 Renumber succeeding sections accordingly.

13 Page 5 of the bill, line 11, strike "PERCENTAGE" and substitute "NUMBER".

14 Page 5 of the bill, line 14, strike "PERCENTAGE" and substitute "NUMBER".

15 Page 6 of the bill, after line 19 insert:

16 **"SECTION 5. Appropriation.** For the 2019-20 state fiscal year,  
17 \$50,000,000 is appropriated to the department of education. This  
18 appropriation is from the public school capital construction assistance  
19 fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the  
20 department may use this appropriation for public school capital  
21 construction assistance board cash grants.

22 **SECTION 6. Appropriation.** For the 2019-20 state fiscal year,  
23 \$25,000,000 is appropriated to the department of education. This  
24 appropriation is from the full-day kindergarten facility capital  
25 construction fund created in section 22-43.7-201 (1), C.R.S. To  
26 implement this act, the department may use this appropriation for grants  
27 made pursuant to section 22-43.7-201 (4), C.R.S.

28 **SECTION 7. Appropriation.** For the 2019-20 state fiscal year,  
29 \$5,000,000 is appropriated to the department of education. This  
30 appropriation is from the public school capital construction assistance  
31 fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the  
32 department may use this appropriation for public school capital  
33 construction assistance board lease payments.

34 **SECTION 8. Appropriation.** For the 2019-20 state fiscal year,  
35 \$656,559 is appropriated to the department of education. This  
36 appropriation is from the state education fund created in section 17(4)(a)

1 of article IX of the state constitution. To implement this act, the  
2 department may use this appropriation for state aid to charter school  
3 facilities.



		APPROPRIATION FROM						
		ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
		\$	\$	\$	\$	\$	\$	\$
1	Public School Capital							
2	Construction Assistance							
3	Board - Lease Payments	81,000,000				81,000,000 <sup>f</sup>		
4	Public School Capital							
5	Construction Assistance							
6	Board - Cash Grants <sup>5</sup>	70,000,000				70,000,000 <sup>f</sup>		
7	Financial Assistance							
8	Priority Assessment	150,000				150,000 <sup>f</sup>		
9	State Aid for Charter							
10	School Facilities	<del>25,000,000</del>				<del>25,000,000<sup>g</sup></del>		
11		29,250,000				29,250,000 <sup>g</sup>		
12		<u>177,557,245</u>						
13		181,807,245						
14								

\*HB1055\_H\_APP.003\*



APPROPRIATION FROM

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1     <sup>d</sup> This amount contains an (I) notation."

2

- 1 Renumber succeeding section accordingly.
- 2 Page 1 of the bill, line 108, strike "AND".
- 3 Page 1 of the bill, line 111, strike "SCHOOLS." and substitute "SCHOOLS,
- 4 AND MAKING AN APPROPRIATION.". "

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