

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 6, 2022

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB22-1146 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 3, strike "(2);" and substitute "(2) and
2 (4)(a)(III);".
- 3 Page 3, line 6, strike "SHALL" and substitute "MAY".
- 4 Page 3, line 9, strike "OF THE FIRST".
- 5 Page 3, strike lines 10 through 12.
- 6 Page 3, line 13, strike "BY THE STATE TREASURER." and substitute "IN THE
7 STATE TREASURER'S DISCRETION, THE FIRST THREE NEW MEMBERS
8 APPOINTED BY THE STATE TREASURER ON OR AFTER JULY 1, 2022, MAY
9 SERVE AN INITIAL TERM OF BETWEEN ONE AND THREE YEARS, AS
10 DETERMINED BY THE STATE TREASURER."
- 11 Page 3, after line 15, insert:

12 "(4) (a) No later than March 31, 2017, the board shall establish
13 policies that are necessary and proper for the administration of this
14 section, including but not limited to:
15 (III) Recommendations to the general assembly regarding the
16 distribution of income and interest described in section 22-41-102
17 ~~(3)(f)(IV) and (3)(g)(IV)~~ (3)(h)(IV).".
- 18 Page 3, strike lines 17 and 18 and substitute "TO CONSIDER
19 OPPORTUNITIES TO IMPROVE THE GROWTH OF THE PUBLIC SCHOOL FUND
20 AND ITS DISTRIBUTIONS FOR".

1 Page 5, after line 19 insert:

2 "SECTION 3. In Colorado Revised Statutes, 22-41-102, **amend**
3 (3)(g) introductory portion; and **add** (3)(h) as follows:

4 **22-41-102. Fund inviolate.** (3) (g) For the 2019-20 state fiscal
5 ~~year, and each state fiscal year thereafter~~ YEAR THROUGH THE 2021-22
6 STATE FISCAL YEAR, interest or income earned on the investment of the
7 ~~moneys~~ MONEY in the public school fund must be used or credited in the
8 following order:

9 (h) FOR THE 2022-23 STATE FISCAL YEAR, AND EACH STATE FISCAL
10 YEAR THEREAFTER, INTEREST OR INCOME EARNED ON THE INVESTMENT OF
11 THE MONEY IN THE PUBLIC SCHOOL FUND MUST BE USED OR CREDITED AS
12 FOLLOWS:

13 (I) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO
14 THE STATE TREASURER AN AMOUNT NECESSARY TO PAY FOR THE SERVICES
15 OF THE INVESTMENT CONSULTANT HIRED BY THE PUBLIC SCHOOL FUND
16 INVESTMENT BOARD PURSUANT TO SECTION 22-41-102.5 (5) AND TO PAY
17 FOR ANY REIMBURSEMENT FOR TRAVEL AND OTHER NECESSARY EXPENSES
18 INCURRED BY THE MEMBERS OF THE PUBLIC SCHOOL FUND INVESTMENT
19 BOARD PURSUANT TO SECTION 22-41-102.5 (2);

20 (II) AFTER THE APPROPRIATION MADE PURSUANT TO SUBSECTION
21 (3)(h)(I) OF THIS SECTION, ALL REMAINING INTEREST AND INCOME, NOT TO
22 EXCEED TWENTY-ONE MILLION DOLLARS, SHALL BE CREDITED TO THE
23 STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 FOR
24 DISTRIBUTION AS PROVIDED IN THAT SECTION;

25 (III) AFTER MONEY IN THE PUBLIC SCHOOL FUND HAS BEEN
26 APPROPRIATED OR CREDITED PURSUANT TO SUBSECTIONS (3)(h)(I) AND
27 (3)(h)(II) OF THIS SECTION, ALL REMAINING INTEREST AND INCOME, NOT
28 TO EXCEED TWENTY MILLION DOLLARS, SHALL BE CREDITED TO THE
29 RESTRICTED ACCOUNT OF THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
30 ASSISTANCE FUND, WHICH ACCOUNT IS CREATED IN SECTION 22-43.7-104
31 (5), FOR USE AS PROVIDED IN THAT SECTION; AND

32 (IV) ANY ADDITIONAL INTEREST AND INCOME REMAINING IN THE
33 PUBLIC SCHOOL FUND MAY BE CREDITED AS SPECIFIED BY THE GENERAL
34 ASSEMBLY, TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE
35 PUBLIC SCHOOL FUND INVESTMENT BOARD DESCRIBED IN SECTION
36 22-41-102.5 (4)(a)(III), OR, IF NOT CREDITED PURSUANT TO THIS
37 SUBSECTION (3)(h)(IV), REMAINS IN THE PUBLIC SCHOOL FUND."

38 Renumber succeeding section accordingly.

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