

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-1228.02 Richard Sweetman x4333

SENATE BILL 18-269

SENATE SPONSORSHIP

Neville T. and Moreno,

HOUSE SPONSORSHIP

Neville P. and Bridges,

Senate Committees

Finance
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 CONCERNING PROVIDING FUNDING FOR LOCAL EDUCATION PROVIDERS
102 TO IMPLEMENT SCHOOL SECURITY IMPROVEMENTS TO PREVENT
103 INCIDENCES OF SCHOOL VIOLENCE, AND, IN CONNECTION
104 THEREWITH, CREATING THE SCHOOL SECURITY DISBURSEMENT
105 PROGRAM.

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>.)

The bill creates the school security disbursement program (disbursement program) in the department of public safety (department).

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
May 7, 2018

SENATE
3rd Reading Unamended
May 1, 2018

SENATE
2nd Reading Unamended
April 30, 2018

A school district, charter school, institute charter school, or board of cooperative services (local education provider) may apply for a disbursement by submitting an application to the department. A disbursement recipient may use the money for one or more of the purposes specified in the bill, which include building improvements to enhance security and training for school personnel. The department must review the applications received and disburse money to applicants that meet the application requirements. The department must give priority to applicants that commit to providing matching funds for the amount received. The disbursements are paid from money that is set aside in the school security disbursement program account that the bill creates within the school safety resources center fund. Each disbursement recipient must report to the department concerning its use of the money, and the department must annually provide a summary of the reports to committees of the general assembly. The disbursement program is repealed, effective July 1, 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 24-33.5-1810** as
3 follows:

4 **24-33.5-1810. School security disbursement program - created**
5 **- rules - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "DISBURSEMENT PROGRAM" MEANS THE SCHOOL SECURITY
8 DISBURSEMENT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

9 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
10 CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 1 OF ARTICLE
11 30.5 OF TITLE 22, AN INSTITUTE CHARTER SCHOOL THAT IS AUTHORIZED
12 PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR A BOARD OF
13 COOPERATIVE SERVICES AS DEFINED IN SECTION 22-5-103.

14 (2) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL SECURITY
15 DISBURSEMENT PROGRAM TO PROVIDE DISBURSEMENTS TO LOCAL
16 EDUCATION PROVIDERS TO USE FOR THE PURPOSES DESCRIBED IN

1 SUBSECTION (3) OF THIS SECTION TO IMPROVE SECURITY WITHIN PUBLIC
2 SCHOOLS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
3 SHALL DISBURSE MONEY TO APPLICANTS AS PROVIDED IN SUBSECTION (5)
4 OF THIS SECTION FROM MONEY CREDITED TO THE SCHOOL SECURITY
5 DISBURSEMENT PROGRAM ACCOUNT WITHIN THE SCHOOL SAFETY
6 RESOURCE CENTER CASH FUND CREATED IN SECTION 24-33.5-1807. IT IS
7 THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT
8 DISTRIBUTE THE MONEY CREDITED TO THE SCHOOL SECURITY
9 DISBURSEMENT PROGRAM ACCOUNT FOR THE DISBURSEMENT PROGRAM AS
10 QUICKLY AS PRACTICABLE BASED ON THE RECEIPT OF QUALIFYING
11 APPLICATIONS.

12 (3) A LOCAL EDUCATION PROVIDER THAT RECEIVES A
13 DISBURSEMENT FROM THE DISBURSEMENT PROGRAM MAY USE THE
14 DISBURSED MONEY ONLY FOR THE FOLLOWING PURPOSES:

15 (a) CAPITAL CONSTRUCTION THAT IMPROVES THE SECURITY OF A
16 PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE, INCLUDING ANY
17 STRUCTURE OR INSTALLED HARDWARE, DEVICE, OR EQUIPMENT THAT
18 PROTECTS A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE AND
19 THE STUDENTS, EDUCATORS, AND OTHER INDIVIDUALS WHO ATTEND,
20 WORK IN, OR VISIT A PUBLIC SCHOOL FACILITY OR ARE TRANSPORTED IN A
21 PUBLIC SCHOOL VEHICLE FROM THREATS OF PHYSICAL HARM INCLUDING
22 BUT NOT LIMITED TO ANY STRUCTURE OR INSTALLED HARDWARE, DEVICE,
23 OR EQUIPMENT THAT:

24 (I) PREVENTS THE ENTRY OF UNAUTHORIZED INDIVIDUALS INTO A
25 PUBLIC SCHOOL FACILITY OR A PROTECTED SPACE WITHIN A PUBLIC
26 SCHOOL FACILITY OR ONTO A PUBLIC SCHOOL VEHICLE;

27 (II) PREVENTS UNDESIRE OBJECTS AND SUBSTANCES FROM

1 ENTERING A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE;

2 (III) SOUNDS WARNINGS WHEN A THREAT IS PRESENT;

3 (IV) CAN BE USED TO EXPEDITE COMMUNICATION WHEN A THREAT

4 IS PRESENT; OR

5 (V) ENABLES AUTHORIZED INDIVIDUALS TO VISUALLY MONITOR

6 THE PUBLIC SCHOOL FACILITY OR ITS GROUNDS OR THE PUBLIC SCHOOL

7 VEHICLE;

8 (b) TRAINING IN STUDENT THREAT ASSESSMENT, WHICH TRAINING

9 IS PROVIDED TO ALL SCHOOL BUILDING STAFF WHO HAVE CONTACT WITH

10 STUDENTS;

11 (c) TRAINING FOR ON-SITE SCHOOL RESOURCE OFFICERS EMPLOYED

12 BY THE LOCAL EDUCATION PROVIDER;

13 (d) SCHOOL EMERGENCY RESPONSE TRAINING FOR ALL SCHOOL

14 BUILDING STAFF.

15 (4) A LOCAL EDUCATION PROVIDER, INCLUDING ANY COMBINATION

16 OF LOCAL EDUCATION PROVIDERS WHO WISH TO APPLY TOGETHER AS A

17 SINGLE, REGIONAL APPLICANT, MAY APPLY FOR A DISBURSEMENT BY

18 SUBMITTING AN APPLICATION TO THE DEPARTMENT THAT INCLUDES THE

19 FOLLOWING INFORMATION:

20 (a) THE PURPOSE OR PURPOSES DESCRIBED IN SUBSECTION (3) OF

21 THIS SECTION FOR WHICH THE APPLICANT IS REQUESTING THE

22 DISBURSEMENT;

23 (b) THE AMOUNT OF DISBURSED MONEY REQUESTED BASED ON AN

24 ITEMIZED ESTIMATE OF THE EXPECTED COST OF THE PURPOSE OR PURPOSES

25 FOR WHICH THE APPLICANT IS REQUESTING THE DISBURSEMENT AND

26 TAKING INTO ACCOUNT THE REQUIREMENT OF MATCHING MONEY, IF

27 APPLICABLE, PURSUANT TO SUBSECTION (6) OF THIS SECTION;

1 (c) EVIDENCE OF THE AVAILABILITY OF AND COMMITMENT OF THE
2 APPLICANT TO USE FINANCIAL RESOURCES TO MATCH THE AMOUNT OF THE
3 DISBURSEMENT;

4 (d) THE APPLICANT'S COMMITMENT TO PROVIDE INFORMATION TO
5 THE DEPARTMENT AS REQUIRED FOR THE ANNUAL REPORT DESCRIBED IN
6 SUBSECTION (6) OF THIS SECTION;

7 (e) IF THE LOCAL EDUCATION PROVIDER IS A CHARTER SCHOOL
8 THAT IS AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22,
9 LOCATED WITHIN A SCHOOL DISTRICT FACILITY, AND PARTICIPATING IN THE
10 SCHOOL DISTRICT'S SAFETY AND SECURITY SERVICES, INFORMATION
11 DEMONSTRATING THAT THE CHARTER SCHOOL HAS COLLABORATED WITH
12 THE SCHOOL DISTRICT IN PREPARING AND SUBMITTING THE APPLICATION;
13 AND

14 (f) ANY ADDITIONAL INFORMATION, AS SPECIFIED BY RULE OF THE
15 EXECUTIVE DIRECTOR, THAT IS NECESSARY FOR THE DEPARTMENT TO
16 EVALUATE THE LIKELY EFFECTIVENESS OF THE APPLICANT'S USE OF THE
17 DISBURSED MONEY IN IMPROVING SECURITY IN PUBLIC SCHOOL FACILITIES
18 OR VEHICLES.

19 (5) THE DEPARTMENT SHALL REVIEW EACH APPLICATION RECEIVED
20 PURSUANT TO SUBSECTION (4) OF THIS SECTION AND, SUBJECT TO
21 AVAILABLE APPROPRIATIONS, SHALL DISBURSE MONEY TO THE APPLICANT
22 IF THE DEPARTMENT DETERMINES THAT THE APPLICATION MEETS THE
23 REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS SECTION AND THE
24 PURPOSE OR PURPOSES FOR WHICH THE APPLICANT INTENDS TO USE THE
25 DISBURSED MONEY IS LIKELY TO IMPROVE SECURITY IN PUBLIC SCHOOL
26 FACILITIES OR VEHICLES. THE DEPARTMENT SHALL GIVE PRIORITY TO
27 APPLICANTS THAT COMMIT TO PROVIDING FINANCIAL RESOURCES TO

1 MATCH THE AMOUNT OF THE DISBURSEMENT. THE DEPARTMENT SHALL
2 DETERMINE THE DISBURSEMENT AMOUNT TAKING INTO ACCOUNT THE
3 AMOUNT IDENTIFIED IN THE APPLICATION.

4 (6) (a) ON OR BEFORE AUGUST 1, 2019, AND ON OR BEFORE
5 AUGUST 1 EACH YEAR THEREAFTER, EACH LOCAL EDUCATION PROVIDER
6 THAT RECEIVED A DISBURSEMENT IN THE PRECEDING SCHOOL YEAR SHALL
7 SUBMIT A REPORT TO THE DEPARTMENT SPECIFYING THE AMOUNT
8 RECEIVED; THE SOURCE AND AMOUNT OF MATCHING MONEY PROVIDED, IF
9 APPLICABLE; AND THE PURPOSE OR PURPOSES FOR WHICH THE LOCAL
10 EDUCATION PROVIDER USED THE DISBURSED MONEY, INCLUDING AN
11 ITEMIZED ACCOUNTING OF HOW THE MONEY WAS EXPENDED.

12 (b) BEGINNING WITH THE ANNUAL PRESENTATION IN 2019
13 PROVIDED BY THE DEPARTMENT TO THE COMMITTEES OF REFERENCE
14 PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE IN THE
15 ANNUAL PRESENTATION A SUMMARY OF THE REPORTS RECEIVED
16 PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION. ON OR BEFORE
17 JANUARY 15, 2020, AND ON OR BEFORE JANUARY 15 EACH YEAR
18 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A SUMMARY OF THE
19 REPORTS RECEIVED PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION TO
20 THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
21 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

22 (7) THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES
23 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
24 4 OF THIS TITLE 24, TO ESTABLISH THE TIME FRAMES FOR SUBMITTING
25 DISBURSEMENT APPLICATIONS AND AWARDING DISBURSEMENTS AND TO
26 SPECIFY ANY ADDITIONAL INFORMATION THAT MUST BE INCLUDED IN
27 DISBURSEMENT APPLICATIONS AS DESCRIBED IN SUBSECTION (4)(f) OF THIS

1 SECTION.

2 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

3 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1807,
4 **amend** (3) and (4); and **add** (6) as follows:

5 **24-33.5-1807. School safety resource center cash fund - repeal.**

6 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF THIS SECTION,
7 the ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation
8 by the general assembly to the department for the direct and indirect costs
9 associated with implementing this part 18. Any ~~moneys~~ MONEY in the
10 fund not expended for the purposes of this part 18 may be invested by the
11 state treasurer as provided by law. All interest and income derived from
12 the investment and deposit of ~~moneys~~ MONEY in the fund shall be credited
13 to the fund.

14 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF
15 THIS SECTION, the department is authorized to expend ~~moneys~~ MONEY
16 from the fund for the purposes of this part 18.

17 (b) The department may expend up to two percent of the ~~moneys~~
18 MONEY annually appropriated from the fund, NOT INCLUDING MONEY
19 CREDITED TO THE SCHOOL SECURITY DISBURSEMENT PROGRAM ACCOUNT
20 PURSUANT TO SUBSECTION (6) OF THIS SECTION, to offset the costs
21 incurred in implementing this part 18.

22 (6) (a) (I) THERE IS HEREBY CREATED IN THE FUND THE SCHOOL
23 SECURITY DISBURSEMENT PROGRAM ACCOUNT, REFERRED TO IN THIS
24 SUBSECTION (6) AS THE "ACCOUNT". EFFECTIVE JULY 1, 2018, THE STATE
25 TREASURER SHALL CREDIT TWENTY-NINE MILLION FIVE HUNDRED
26 THOUSAND DOLLARS FROM THE AMOUNT APPROPRIATED TO THE FUND FOR
27 THE 2018-19 FISCAL YEAR TO THE ACCOUNT. THE AMOUNT CREDITED TO

1 THE ACCOUNT IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT TO
2 IMPLEMENT THE SCHOOL SECURITY DISBURSEMENT PROGRAM CREATED IN
3 SECTION 24-33.5-1810. THE DEPARTMENT MAY EXPEND UP TO ONE
4 PERCENT OF THE AMOUNT CREDITED TO THE ACCOUNT FOR THE
5 ADMINISTRATIVE EXPENSES INCURRED IN IMPLEMENTING THE SCHOOL
6 SECURITY DISBURSEMENT PROGRAM.

7 (II) EFFECTIVE JULY 1, 2018, THE STATE TREASURER SHALL CREDIT
8 FIVE HUNDRED THOUSAND DOLLARS TO THE FUND FOR DISTRIBUTION TO
9 THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT
10 CREATED IN SECTION 24-33.5-1603, FOR THE PURPOSES OF HOUSE BILL
11 18-1413, ENACTED IN 2018.

12 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2021.
13 ANY AMOUNT REMAINING IN THE ACCOUNT AS OF JULY 1, 2021, SHALL BE
14 CREDITED TO THE FUND.

15 **SECTION 3. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.