

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 24-1205

BY REPRESENTATIVE(S) Sirota and Taggart, Bird, Amabile, Brown, Clifford, English, Froelich, Garcia, Hamrick, Hernandez, Jodeh, Joseph, Lieder, Lindsay, Lindstedt, Mabrey, Marshall, Marvin, Mauro, McLachlan, Ricks, Snyder, Story, Titone, Willford, Young, McCluskie;
also SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Cutter, Exum, Hinrichsen, Michaelson Jenet, Mullica, Priola, Fenberg.

CONCERNING MODIFICATIONS TO THE COLORADO IMAGINATION LIBRARY PROGRAM TO ENHANCE EARLY CHILDHOOD LITERACY.

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

SECTION 1. In Colorado Revised Statutes, **add with amended and relocated provisions** 26.5-1-115 as follows:

26.5-1-115. Colorado imagination library program - creation - contract - report - legislative declaration - appropriations - definitions.
(1) [Formerly 24-90-120 (1)] For the purposes of this section, unless the context otherwise requires:

(a) "County-based affiliate programs" means a ~~local~~ NONPROFIT ORGANIZATION OR NONPROFIT PARTNER affiliate of the Colorado

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

imagination library program that operates within a county or city and county OR ACROSS CITIES AND COUNTIES.

(b) "Eligible child" means a child from birth to the child's fifth birthday.

(c) "National nonprofit foundation" means a national nonprofit foundation that exists for the sole purpose of working with local entities to identify eligible children and ~~mail~~ PROVIDE age-appropriate, high-quality books each month to those children at no cost to families.

(d) "Program" means the Colorado imagination library program created pursuant to subsection (2) of this section.

(2) [**Formerly 24-90-120 (2)**] (a) (I) No later than ~~December 31, 2021~~ the state librarian in the department of education JULY 1, 2024, THE DEPARTMENT OF EARLY CHILDHOOD shall contract with a Colorado nonprofit organization for the creation and operation of the Colorado imagination library program.

(II) EFFECTIVE JUNE 30, 2024, THE RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS CONCERNING THE PROGRAM ARE TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD. BEFORE THE TRANSFER OF THE RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS OF THE PROGRAM TO THE DEPARTMENT OF EARLY CHILDHOOD ON JUNE 30, 2024, THE DEPARTMENT OF EARLY CHILDHOOD MAY ENTER INTO AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF EDUCATION FOR THE ADMINISTRATION OF THE PROGRAM.

(III) EFFECTIVE JUNE 30, 2024, IF THE DEPARTMENT OF EDUCATION IS REFERRED TO OR DESIGNATED BY THE CONTRACT DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION OR ANY OTHER DOCUMENT IN CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, THE REFERENCE OR DESIGNATION APPLIES TO THE DEPARTMENT OF EARLY CHILDHOOD. ALL CONTRACTS ENTERED INTO BY THE DEPARTMENT OF EDUCATION BEFORE JUNE 30, 2024, IN CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION ARE VALIDATED, WITH THE DEPARTMENT OF EARLY CHILDHOOD SUCCEEDING

ALL RIGHTS AND OBLIGATIONS UNDER THE CONTRACT.

(b) The contractor DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION shall:

~~(a) (I) Exist for the sole purpose of creating and operating~~ OPERATE the program BY PROVIDING AGE-APPROPRIATE, HIGH-QUALITY BOOKS TO CHILDREN TO PROMOTE EARLY CHILDHOOD LITERACY;

~~(b) (II) Manage the daily operations of the program, including, but not limited to, establishing county-based affiliate programs in all Colorado counties and cities and counties and advancing and strengthening the affiliate programs to ensure enrollment growth;~~

~~(c) Develop, promote, and coordinate a public awareness campaign in coordination with the department of education to ensure alignment with the "Colorado READ Act", part 12 of article 7 of title 22, including any public awareness campaign for the "Colorado READ Act", and to make the public aware of the opportunity to register eligible children to receive free books through the program;~~

~~(d) (III) Contract with a national nonprofit foundation to provide age-appropriate, high-quality books each month to eligible children at no cost to families;~~

~~(e) (IV) Provide for a high-quality independent evaluation of the impact of the program on child and family outcomes, including child literacy and parent and family engagement; and~~

~~(f) (V) Establish a distressed affiliate fund using gifts, grants, or donations to help county-based affiliate programs that have financial difficulty meeting the county-based affiliate programs' funding requirements.~~

(3) THE CONTRACTOR MAY ENTER INTO A CONTRACT WITH BOOK VENDORS OR BOOK PUBLISHERS IN ACCORDANCE WITH THIS SECTION TO PROVIDE ADDITIONAL AGE-APPROPRIATE, HIGH-QUALITY BOOKS TO ELIGIBLE CHILDREN ENROLLED IN THE PROGRAM AT NO COST TO FAMILIES.

(4) **[Formerly 24-90-120 (3)]** Notwithstanding section 24-1-136

(11)(a)(I), on or before July 1 of the year after the state librarian enters into a contract pursuant to subsection (2) of this section JULY 1, 2024, and ON OR BEFORE each July 1 thereafter, the contractor shall submit a report to the department, of education which shall then submit the report to the education committees of the senate and house of representatives, or ~~any~~ THEIR successor committees, concerning the total number of eligible children residing in each county or city and county in Colorado and how many eligible children are enrolled in the program in each county or city and county.

(5) [Formerly 24-90-120 (4)] (a) The contractor, in operating the program pursuant to subsection (2) of this section, shall pay to the national nonprofit foundation the statewide cost to provide free books to eligible children enrolled in the program, as determined by the national nonprofit foundation. THE CONTRACTOR SHALL PAY A BOOK VENDOR OR BOOK PUBLISHER THAT ENTERS INTO A CONTRACT WITH THE CONTRACTOR PURSUANT TO SUBSECTION (3) OF THIS SECTION THE STATEWIDE COST TO PROVIDE ADDITIONAL FREE BOOKS TO ELIGIBLE CHILDREN ENROLLED IN THE PROGRAM. The general assembly shall annually appropriate money from the general fund to the department of education for the state librarian to distribute to the contractor for the state's fifty percent share of the cost to provide the books.

(b) Each county-based affiliate program shall MUST pay to the contractor the remainder of the cost, as determined by the national nonprofit foundation OR A BOOK VENDOR OR BOOK PUBLISHER THAT ENTERS INTO A CONTRACT WITH THE CONTRACTOR PURSUANT TO THIS SECTION, to provide books to the eligible children enrolled in the county or city and county.

(6) [Formerly 24-90-120 (5)] The department of education may seek, accept, and expend gifts, grants, or donations from private or public sources for the implementation of this section.

(7) [Formerly 24-90-120 (6)] (a) It is the intent of the general assembly to provide full funding by 2026 for any eligible child who wants to participate in the program.

(b) (I) For the 2022-23 state fiscal year, the general assembly shall appropriate nine hundred seven thousand one hundred forty dollars for the Colorado imagination library PROGRAM and shall increase the appropriation

in subsequent fiscal years as necessary to meet the intention of the general assembly set forth in ~~subsection (6)(a)~~ SUBSECTION (7)(a) of this section.

(II) ANY APPROPRIATION MADE IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE 2023-24 STATE FISCAL YEAR TO THE DEPARTMENT OF EDUCATION FOR THE COLORADO IMAGINATION LIBRARY PROGRAM IS HEREBY TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD FOR THE COLORADO IMAGINATION LIBRARY PROGRAM ON JUNE 30, 2024. ANY UNEXPENDED AND UNENCUMBERED MONEY APPROPRIATED FROM THE GENERAL FUND FOR THE COLORADO IMAGINATION LIBRARY PROGRAM FOR THE 2023-24 STATE FISCAL YEAR THAT IS TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD PURSUANT TO THIS SUBSECTION (7)(b)(II) REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT OF EARLY CHILDHOOD THROUGH THE 2024-25 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

(c) FOR THE 2024-25 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT OF EARLY CHILDHOOD THE FUNDS NECESSARY TO MEET THE INTENTION OF THE GENERAL ASSEMBLY SET FORTH IN SUBSECTION (7)(a) OF THIS SECTION.

~~(e)~~ (d) Twenty percent of money appropriated for the 2021-22 state fiscal year, and each fiscal year thereafter, may be used for the contractor operating the program for duties set forth in ~~subsections (2)(a) to (2)(d) and (2)(f)~~ SUBSECTIONS (2)(b)(I) TO (2)(b)(III) AND (2)(b)(V) of this section.

SECTION 2. Repeal of relocated provisions in this act. In Colorado Revised Statutes, **repeal** 24-90-120.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO