

CHAPTER 368

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 09-291

BY SENATOR(S) Bacon, Boyd, Carroll M., Foster, Groff, Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell, Romer, Shaffer B.,
 Tapia, Tochtrop, Veiga, Williams;
 also REPRESENTATIVE(S) Middleton, Merrifield, Green, Judd, Kerr A., Labuda.

AN ACT

CONCERNING THE STATE SHARE OF DISTRICT TOTAL PROGRAM FOR SCHOOL DISTRICTS THAT HAVE OBTAINED VOTER APPROVAL TO BE EXEMPT FROM THE CONSTITUTIONAL REVENUE LIMIT BUT THEN OBTAIN VOTER APPROVAL TO AGAIN BE SUBJECT TO SUCH LIMIT.

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

SECTION 1. 22-54-106 (1) (b), Colorado Revised Statutes, is amended, and the said 22-54-106 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

22-54-106. Local and state shares of district total program. (1) (b) Except as provided in subsections ~~(8) and (11)~~ (8), (11), AND (12) of this section, the state's share of a district's total program shall be the difference between the district's total program and the district's share of its total program; except that no district shall receive less in state aid than an amount established by the general assembly in the annual general appropriation act based upon the amount of school lands and mineral lease moneys received pursuant to the provisions of article 41 of this title and section 34-63-102 (2), C.R.S., multiplied by the district's funded pupil count.

(12) ANY DISTRICT THAT HAS OBTAINED VOTER APPROVAL TO RETAIN AND SPEND REVENUES IN EXCESS OF THE PROPERTY TAX REVENUE LIMITATION IMPOSED ON THE DISTRICT BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION AND THAT, AFTER MARCH 16, 2009, OBTAINS VOTER APPROVAL TO AGAIN BECOME SUBJECT TO SUCH PROPERTY TAX REVENUE LIMITATION SHALL RECEIVE AN AMOUNT OF STATE AID THAT SHALL BE CALCULATED AS IF THE DISTRICT LEVIED THE NUMBER OF MILLS THAT IT WOULD HAVE LEVIED IN THE APPLICABLE BUDGET YEAR HAD THE DISTRICT MAINTAINED ITS AUTHORITY TO RETAIN AND SPEND REVENUES IN EXCESS OF SUCH PROPERTY TAX REVENUE LIMITATION.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2009