

## CHAPTER 188

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**EDUCATION - PUBLIC SCHOOLS**


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**SENATE BILL 23-099**

BY SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Lundeen, Buckner, Coleman, Cutter, Exum, Gardner, Ginal, Gonzales, Hinrichsen, Kolker, Liston, Marchman, Moreno, Mullica, Pelton B., Pelton R., Priola, Rich, Roberts, Sullivan, Will, Winter F., Fenberg;  
 also REPRESENTATIVE(S) Kipp and Frizell, McCluskie, Pugliese, Amabile, Bacon, Bird, Boesenecker, Brown, deGruy Kennedy, Dickson, Duran, English, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Joseph, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Martinez, Mauro, McCormick, McLachlan, Michaelson Jenet, Ricks, Sharbini, Sirota, Snyder, Soper, Story, Titone, Velasco, Weissman, Willford, Woodrow, Young.

**AN ACT**

**CONCERNING FUNDING FOR SPECIAL EDUCATION SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-20-114, **add** (1)(c)(III)(B.2) as follows:

**22-20-114. Funding of programs - legislative declaration - repeal.** (1) Subject to the provisions of subsection (3) of this section, for the 2005-06 budget year and each budget year thereafter, the total amount appropriated to the department for the payment of costs incurred by administrative units for the provision of special education programs must be distributed to each administrative unit that provides educational services for children with disabilities as follows:

(c) (III) (B.2) EXCEPT AS SPECIFIED IN SUBSECTION (1.3) OF THIS SECTION, FOR THE 2023-24 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, IN ADDITION TO ANY AMOUNT THAT IS AVAILABLE PURSUANT TO SUBSECTIONS (1)(c)(I), (1)(c)(III)(A), (1)(c)(III)(B), AND (1)(c)(III)(B.1) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL APPROPRIATE FORTY MILLION TWO HUNDRED THREE THOUSAND SIX HUNDRED SEVENTY-ONE DOLLARS, WHICH AMOUNT MAY BE APPROPRIATED FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION OR THE GENERAL FUND, OR AS AMOUNTS FROM BOTH FUNDS, TO THE DEPARTMENT FOR THE PURPOSES OF THIS SUBSECTION (1)(c).

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*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.*

**SECTION 2. Appropriation.** For the 2023-24 state fiscal year, \$40,203,671 is appropriated to the department of education. This appropriation is from the state education fund created in section 17 (4)(a) of article IX of the state constitution. To implement this act, the department may use this appropriation for special education programs for children with disabilities.

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

Approved: May 15, 2023