

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB26-1418 be amended as follows:

1 Amend printed bill, page 4, strike lines 20 through 24 and substitute
2 "CREDITED TO:

3 (A) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE
4 FUND CREATED IN THIS PART 6, FROM WHICH FUND THE YOUTH MENTAL
5 HEALTH SERVICES ACCESS ENTERPRISE MAY AWARD GRANTS TO MENTAL
6 HEALTH AGENCIES THAT PROVIDE MENTAL HEALTH SERVICES TO YOUNG
7 PEOPLE, AS DESCRIBED IN THIS PART 6; AND

8 (B) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
9 FUND CREATED IN SECTION 22-109-104 (6), FROM WHICH FUND THE YOUTH
10 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION
11 22-109-104 MAY AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
12 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND
13 SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF
14 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;".

15 Page 6, strike lines 18 and 19 and substitute "ONLINE GAMING SERVICES,
16 PRODUCTS, OR FEATURES;

17 (c) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONE OR
18 MORE ONLINE GAMING SERVICES, PRODUCTS, OR".

19 Page 11, line 16, strike "**revenue.**" and substitute "**revenue - youth**
20 **programming and protections enterprise fund.**".

21 Page 11, strike line 27.

22 Page 12, strike lines 1 through 3 and substitute "BY YOUTH THROUGH THE:

23 (I) YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN
24 SECTION 27-60-109;

25 (II) YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM
26 CREATED IN SECTION 27-60-606;

27 (III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION
28 27-60-607;

29 (IV) OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED
30 IN SECTION 22-105.5-104; AND

31 (V) ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN
32 SECTION 22-109-105.".

33 Page 12, line 6, strike "(3) (a) THE" and substitute "(3) (a) EXCEPT AS
34 DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION, THE".

35 Page 12, after line 13 insert:

1 TO CHILDREN AND JUVENILES AND PROFIT FROM SUCH VENTURES TO
2 IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE
3 CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
4 FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH
5 PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

6 (A) AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
7 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

8 (B) SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL
9 RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

10 (b) BY SUPPORTING THE OUT-OF-SCHOOL TIME PROGRAM GRANT
11 PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORTING THE
12 DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS,
13 AS DESCRIBED IN SECTION 22-109-105, THE ENTERPRISE ENGAGES IN AN
14 ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD
15 AND THEREFORE OPERATES AS A BUSINESS;

16 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
17 SUPREME COURT IN *NICHOLL v. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
18 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
19 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
20 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
21 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE
22 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE
23 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND
24 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH
25 USERS OF COVERED PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT
26 IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS
27 OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED PLATFORMS;

28 (d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR
29 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE
30 REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL
31 YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES,
32 AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT
33 AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY
34 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS
35 STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND

36 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
37 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
38 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
39 OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE
40 FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES
41 NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

42 **22-109-103. Definitions.**

43 AS USED IN THIS ARTICLE 109, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (1) "ADD-ON TRANSACTION" MEANS AN ONLINE TRANSACTION
3 THROUGH WHICH A PLAYER OR PARTICIPANT IN AN ONLINE GAMING
4 SERVICE, PRODUCT, OR FEATURE ACQUIRES:

5 (a) AN ITEM OR ABILITY THAT PROVIDES THE PLAYER OR
6 PARTICIPANT AN ADVANTAGE OVER OTHER PLAYERS OR PARTICIPANTS; OR
7 (b) A FEATURE THAT ALTERS OR ENHANCES THE ONLINE GAMING
8 SERVICE, PRODUCT, OR FEATURE.

9 (2) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A
10 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN
11 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,
12 THAT:

13 (a) CONDUCTS BUSINESS IN THIS STATE;
14 (b) GENERATES A MAJORITY OF ITS ANNUAL REVENUE FROM
15 ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;
16 (c) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONE OR
17 MORE ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES THAT ARE
18 REASONABLY LIKELY TO BE ACCESSED BY A YOUTH;
19 (d) COLLECTS USERS' PERSONAL DATA OR HAS USERS' PERSONAL
20 DATA COLLECTED ON ITS BEHALF BY A PROCESSOR; AND
21 (e) SOLELY OR JOINTLY WITH OTHERS DETERMINES THE PURPOSES
22 AND MEANS OF THE PROCESSING OF USERS' PERSONAL DATA.

23 (3) "ENTERPRISE" MEANS THE YOUTH PROGRAMMING AND
24 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104.

25 (4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS
26 FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

27 (5) "FUND" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS
28 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

29 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN
30 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303
31 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

32 (7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN
33 SECTION 6-1-1303 (18).

34 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION
35 6-1-1303 (19).

36 (9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS
37 THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY
38 LIKELY TO BE ACCESSED BY A YOUTH BASED ON ANY OF THE FOLLOWING
39 INDICATORS:

40 (a) THE ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS
41 DIRECTED TO CHILDREN, AS DESCRIBED BY THE FEDERAL "CHILDREN'S
42 ONLINE PRIVACY PROTECTION ACT OF 1998", 15 U.S.C. SECS. 6501 TO
43 6506, AND THE ASSOCIATED RULES OF THE FEDERAL TRADE COMMISSION;

1 (b) THE ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS
2 DETERMINED, BASED ON COMPETENT AND RELIABLE EVIDENCE REGARDING
3 AUDIENCE COMPOSITION, TO BE ROUTINELY ACCESSED BY AN AUDIENCE
4 THAT IS COMPOSED OF AT LEAST TWO PERCENT YOUTHS WHO ARE TWO
5 THROUGH SEVENTEEN YEARS OLD;

6 (c) THE AUDIENCE OF THE ONLINE GAMING SERVICE, PRODUCT, OR
7 FEATURE IS DETERMINED, BASED ON INTERNAL COMPANY RESEARCH, TO
8 BE COMPOSED OF AT LEAST TWO PERCENT YOUTHS WHO ARE TWO
9 THROUGH SEVENTEEN YEARS OLD; OR

10 (d) A COVERED PLATFORM KNEW OR SHOULD HAVE KNOWN THAT
11 AT LEAST TWO PERCENT OF THE AUDIENCE OF THE COVERED PLATFORM'S
12 ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS COMPOSED OF YOUTHS
13 WHO ARE TWO THROUGH SEVENTEEN YEARS OLD; EXCEPT THAT, IN
14 MAKING THIS ASSESSMENT, THE COVERED PLATFORM SHALL NOT COLLECT
15 OR PROCESS ANY PERSONAL DATA THAT IS NOT REASONABLY NECESSARY
16 TO PROVIDE AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE WITH
17 WHICH A YOUTH IS ACTIVELY AND KNOWINGLY ENGAGED.

18 (10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109
19 (1)(e).

20 **22-109-104. Youth programming and protections enterprise**
21 **- created - board - powers and duties - rules and policies - fund -**
22 **repeal.**

23 (1)(a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
24 IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND
25 OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT
26 FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED
27 PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE
28 REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
29 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO
30 SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS
31 DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE 1** ENTITY,
32 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND
33 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

34 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
35 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT
36 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS
37 THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL
38 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT
39 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE
40 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE
41 CONSTITUTION.

42 (c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF
43 INDIVIDUALS TO CONSIST OF THE FOLLOWING INDIVIDUALS:

- 1 (I) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S
2 DESIGNEE, WHO SHALL SERVE AS AN EX-OFFICIO NONVOTING MEMBER;
- 3 (II) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE SPECIAL
4 EDUCATION CONSORTIUM, TO BE APPOINTED BY THE SPEAKER OF THE
5 HOUSE OF REPRESENTATIVES;
- 6 (III) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE
7 OUT-OF-SCHOOL TIME PROGRAMMING ENTITY, TO BE APPOINTED BY THE
8 PRESIDENT OF THE SENATE;
- 9 (IV) ONE INDIVIDUAL WHO REPRESENTS A LOCAL GOVERNMENT
10 ENTITY WITH A FOCUS ON SUPPORTING OUT-OF-SCHOOL TIME PROGRAMS,
11 TO BE APPOINTED BY THE GOVERNOR;
- 12 (V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT
13 PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL
14 TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE
15 HOUSE OF REPRESENTATIVES;
- 16 (VI) ONE INDIVIDUAL WHO REPRESENTS A PHILANTHROPIC
17 FOUNDATION WHOSE MISSION INCLUDES SUPPORT FOR OUT-OF-SCHOOL
18 TIME PROGRAMS, TO BE APPOINTED BY THE GOVERNOR;
- 19 (VII) ONE INDIVIDUAL WHO REPRESENTS AN ADVOCACY
20 ORGANIZATION THAT REPRESENTS STUDENTS WITH DISABILITIES, TO BE
21 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;
- 22 (VIII) ONE INDIVIDUAL WITH EXPERTISE IN FINANCIAL
23 ADMINISTRATION OR GRANT ADMINISTRATION FOR NONPROFIT
24 ORGANIZATIONS, TO BE APPOINTED BY THE MINORITY LEADER OF THE
25 SENATE;
- 26 (IX) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME
27 PROGRAM PROVIDER IN A RURAL AREA, TO BE APPOINTED BY THE
28 MINORITY LEADER OF THE SENATE;
- 29 (X) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME
30 PROGRAM PROVIDER IN A METROPOLITAN AREA, TO BE APPOINTED BY THE
31 SPEAKER OF THE HOUSE OF REPRESENTATIVES;
- 32 (XI) ONE INDIVIDUAL WHO IS A SPECIAL EDUCATION DIRECTOR FOR
33 A SCHOOL DISTRICT, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;
34 AND
- 35 (XII) ONE INDIVIDUAL WITH EXPERTISE IN PROGRAMS THAT
36 SUPPORT ACADEMIC ACHIEVEMENT AND SOCIAL-EMOTIONAL SKILL
37 DEVELOPMENT, TO BE APPOINTED BY THE GOVERNOR.
- 38 (d) THE APPOINTING AUTHORITIES DESCRIBED IN SUBSECTION
39 (1)(c) OF THIS SECTION SHALL APPOINT THE INITIAL MEMBERS OF THE
40 BOARD ON OR BEFORE DECEMBER 1, 2026.
- 41 (e) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE
42 MEMBER'S APPOINTING AUTHORITY AND MAY BE REPLACED BY THE
43 MEMBER'S APPOINTING AUTHORITY AT ANY TIME. A MEMBER APPOINTED

1 AS A REPLACEMENT SHALL SERVE OUT THE REPLACED MEMBER'S TERM
2 AND MAY BE REAPPOINTED TO A FULL TERM.

3 (f) BOARD MEMBERS SHALL SERVE TERMS OF THREE YEARS,
4 EXCEPT THAT:

5 (I) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO
6 SUBSECTIONS (1)(c)(II), (1)(c)(III), AND (1)(c)(IV) OF THIS SECTION SHALL
7 SERVE INITIAL TERMS OF ONE YEAR; AND

8 (II) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO
9 SUBSECTIONS (1)(c)(V), (1)(c)(VI), AND (1)(c)(VII) OF THIS SECTION
10 SHALL SERVE INITIAL TERMS OF TWO YEARS.

11 (g) A BOARD MEMBER MAY NOT SERVE MORE THAN TWO
12 CONSECUTIVE THREE-YEAR TERMS.

13 (h) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE
14 FEBRUARY 1, 2027. AT THE BOARD'S FIRST MEETING, THE BOARD SHALL
15 ELECT A CHAIR AND A VICE-CHAIR FROM THE MEMBERS OF THE BOARD.

16 (2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

17 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND
18 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES
19 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT
20 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
21 24;

22 (b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT
23 ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

24 (c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS ARTICLE 109;
25 AND

26 (d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE
27 CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS ARTICLE 109.

28 (3) THE ENTERPRISE SHALL:

29 (a) PROVIDE GRANTS THROUGH THE OUT-OF-SCHOOL TIME
30 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

31 (b) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF
32 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105.

33 (4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS
34 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF
35 ARTICLE 6 OF TITLE 24.

36 (b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN
37 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE
38 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24,
39 AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR
40 REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC
41 RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER
42 THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL
43 REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL

1 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

2 (c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE
3 "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF
4 TITLE 11.

5 (5) THE DEPARTMENT OF EDUCATION SHALL PROVIDE OFFICE
6 SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A
7 CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS
8 SECTION.

9 (6) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
10 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
11 CREDITED TO THE FUND IN ACCORDANCE WITH SECTION 27-60-605; ANY
12 MONEY RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED
13 IN SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE
14 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

15 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
16 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
17 FUND TO THE FUND.

18 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
19 ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR
20 THE PURPOSES OF THIS ARTICLE 109, SUBJECT TO THE REQUIREMENTS OF
21 SUBSECTION (6)(d) OF THIS SECTION.

22 (d) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT
23 OF THE ANNUAL FEE REVENUE FOR THE ENTERPRISE'S ADMINISTRATIVE
24 EXPENSES.

25 (7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE
26 BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO
27 THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION
28 DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S
29 EXISTENCE.

30 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

31 (8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
32 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
33 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND
34 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S
35 TOTAL ANNUAL REVENUE.

36 **22-109-105. Educational rights enforcement.**

37 THE DEPARTMENT OF EDUCATION SHALL USE MONEY MADE
38 AVAILABLE FROM THE YOUTH PROGRAMMING AND PROTECTIONS
39 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6) TO ENFORCE
40 EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN.

41 **SECTION 4.** In Colorado Revised Statutes, 22-105.5-104,
42 **amend** (3)(a) and (3)(b); and **add** (5) as follows:

43 **22-105.5-104. Out-of-school time program grant program -**

1 **created - use of grants - funding - rules - repeal.**

2 (3) (a) The department shall administer the grant program IN
3 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS
4 ENTERPRISE CREATED IN SECTION 22-109-104.

5 (b) Subject to available appropriations, the state board, IN
6 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS
7 ENTERPRISE CREATED IN SECTION 22-109-104, shall award grants as
8 provided in section 22-105.5-105.

9 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO
10 THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE
11 STATE BOARD, IN CONSULTATION WITH THE YOUTH PROGRAMMING AND
12 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104, MAY AWARD
13 GRANTS FROM THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
14 FUND CREATED IN SECTION 22-109-104 (6).

15 **SECTION 5.** In Colorado Revised Statutes, 22-105.5-105,
16 **amend** (3)(a) as follows:

17 **22-105.5-105. Grant program eligibility - application - criteria**
18 **- awards.**

19 (3) (a) The department, IN CONSULTATION WITH THE YOUTH
20 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION
21 22-109-104, shall review the applications received pursuant to this section
22 to determine eligibility for the grant program, and, subject to available
23 appropriations, the state board, IN CONSULTATION WITH THE YOUTH
24 PROGRAMMING AND PROTECTIONS ENTERPRISE, shall award grants to
25 eligible entities."

26 Renumber succeeding section accordingly.

27 Page 1, strike lines 107 through 110 and substitute "ENTERPRISE IS
28 CREATED IN THE BILL, AND TO THE YOUTH PROGRAMMING AND
29 PROTECTIONS ENTERPRISE, WHICH ENTERPRISE IS ALSO CREATED IN
30 THE BILL, TO BE USED TO FUND PROGRAMS THAT PROVIDE SERVICES TO
31 YOUNG PEOPLE."

** ** ** ** **