

JBC Staff Fiscal Analysis
Senate Appropriations Committee

Concerning disability rights protections in public schools.

Prime Sponsors:

Senators Kolker; Marchman
Representatives Bacon; Phillips

Date Prepared:

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Fiscal Impacts

Appropriation Required, Amendments in Packet

General Fund Impact

Fiscal Note Status

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/09/26.

No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill.

The Education Committee Report (03/11/26) includes an amendment to the bill requiring a local education provider to provide reasonable accommodation to a parent with a disability who is seeking appropriate access to programs or activities for parents in relation to that parent’s child. Legislative Council Staff and Joint Budget Committee Staff agree that this amendment does not affect the bill’s fiscal impact.

Amendments in This Packet

- J.001 Staff-prepared appropriation amendment
- L.006 Bill Sponsor amendment – changes fiscal impact and appropriation

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001

Staff amendment **J.001** (attached) appropriates a total of \$576,296 General Fund to the Department of Education for FY 2026-27. The appropriation reflects 3.7 FTE.

L.006

Bill Sponsor amendment **L.006** (attached) allows the Department of Education to accept gifts, grants, and donations for the execution of the provisions of section 22-29.5-114 of the bill, and makes that section contingent on the Department receiving sufficient funding to support the execution of the provisions of that section. Adoption of amendment **L.006** would eliminate the need for the \$576,296 General Fund appropriation. Legislative Council Staff and Joint Budget Committee Staff agree on the fiscal impact of this amendment.

If the Committee adopts **L.006**, it should not adopt **J.001**.

Points to Consider

The Joint Budget Committee has proposed a budget package for FY 2026-27 based on the March 2026 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$42.3 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 13.0 percent reserve associated with the placeholders.

General Fund Appropriation Placeholders for Other 2026 Legislation (\$ in millions)

Item	FY 2026-27
SB 26-149 (Pathways for Individuals with Mental Health Disorders)	\$25.9
Potential prison capacity supplemental	5.9
Applied behavioral analysis licensing	5.0
County Administration shared services	3.1
SB 26-042 (Revenue Classification TABOR)	2.3
Medicaid working group	0.5
HB 26-1331 (Modify 2026 Interim Committees)	-0.4
Total - Placeholders for other legislation	\$42.3

General Fund Impact

This bill requires a General Fund appropriation of \$576,296 for FY 2026-27, reducing the \$42.3 million set aside by the same amount.

Bill Sponsor amendment **L.006** allows the Department of Education to accept gifts, grants, and donations for the execution of the provisions of Section 22-29.5-114 of the bill, and makes that section contingent on the Department receiving sufficient funding to support the execution of the provisions of that section. Adoption of amendment **L.006** would eliminate the need for the \$576,296 General Fund appropriation.

Gifts, Grants, and Donations

Bill sponsor amendment **L.006** makes section 22-29.5-114 of the bill contingent on the Department receiving sufficient funding to support the execution of the provisions of that section. For implementation section 22-29.5-114, the bill requires expenditures of \$576,296 in FY 2026-27 and \$581,070 in FY 2027-28. If the necessary revenue from these sources is not realized, the implementation of that section of the bill is at risk. The future use of General Fund, or any other source of state funding, to implement a bill that is exclusively funded by gifts, grants, and donations is prohibited pursuant to Section 24-75-1305, C.R.S.

Is it the General Assembly's intent to fund this program exclusively through gifts, grants, and donations?