

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 24, 2026
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB26-023 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 4 insert:

2 "SECTION 2. In Colorado Revised Statutes, 22-20-107.5, add
3 (1.5) as follows:

4 **22-20-107.5. District of residence of a child with a disability -**
5 **jurisdiction - rules.**

6 (1.5) THE STATE BOARD SHALL ADOPT RULES THAT ARE
7 NECESSARY TO DETERMINE A CHILD'S DISTRICT OF RESIDENCE FOR A
8 CIRCUMSTANCE THAT IS NOT DESCRIBED IN SUBSECTION (1) OF THIS
9 SECTION.

10 **SECTION 3.** In Colorado Revised Statutes, 22-20-114, amend
11 (1) introductory portion, (1)(a), (1)(b), and (1.3) as follows:

12 **22-20-114. Funding of programs - application for**
13 **reimbursement - rules - legislative declaration - definition.**

14 (1) Subject to ~~the provisions of subsection (3) of this section, for~~
15 ~~the 2005-06 budget year and each budget year thereafter~~ the total amount
16 appropriated to the department for the payment of costs incurred by
17 administrative units for the provision, OR EXPENSES RELATED TO THE
18 PROVISION, of special education programs must be distributed to each
19 administrative unit that provides, OR PAYS FOR THE PROVISION OF,
20 educational services for children with disabilities as follows:

21 (a) (I) ~~Five hundred thousand dollars to administrative units that~~
22 ~~enroll children with disabilities~~ FOR THE 2026-27 BUDGET YEAR AND
23 EACH BUDGET YEAR THEREAFTER, ONE MILLION DOLLARS TO FUND
24 REIMBURSEMENTS FOR ADMINISTRATIVE UNITS THAT PAY TUITION OR
25 EDUCATION EXPENSES THAT ENSURE A FREE APPROPRIATE PUBLIC
26 EDUCATION FOR A STUDENT IN OUT-OF-HOME PLACEMENT, AS DEFINED IN
27 SECTION 22-32-138 (1)(h), IF:

1 (A) ~~For whom tuition is paid by the administrative units for the~~
2 ~~children to receive educational services at approved facility schools; and~~
3 ~~THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;~~
4 (B) ~~For whom parental rights have been relinquished by the~~
5 ~~parents or terminated by a court, the parents of whom are incarcerated;~~
6 ~~the parents of whom cannot be located, the parents of whom reside out of~~
7 ~~the state but the department of human services has placed the children~~
8 ~~within the administrative unit, or children with disabilities who are legally~~
9 ~~emancipated. THE STUDENT DOES NOT HAVE A PARENT OR LEGAL~~
10 ~~GUARDIAN, AS DESCRIBED IN SECTION 22-20-103 (19.7)(a)(I), (19.7)(a)(II),~~
11 ~~OR (19.7)(a)(III), WHO IS AVAILABLE OR AUTHORIZED TO MAKE DECISIONS~~
12 ~~CONCERNING EDUCATION FOR THE STUDENT; AND~~
13 (C) THE STUDENT IS PLACED BY A PUBLIC AGENCY, AS DEFINED IN
14 SECTION 22-20-103 (20), IN A RESIDENTIAL CHILD CARE FACILITY OR
15 RESIDENTIAL TREATMENT FACILITY THAT IS LOCATED OUT OF STATE OR IN
16 AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402.
17 (II) ~~The moneys appropriated pursuant to subparagraph (I) of this~~
18 ~~paragraph (a) shall be distributed in each budget year to administrative~~
19 ~~units based upon each administrative unit's share of the aggregate number~~
20 ~~of children with disabilities who are specified in subparagraph (I) of this~~
21 ~~paragraph (a); except that an administrative unit shall not receive an~~
22 ~~amount that exceeds the aggregate amount of tuition paid by that~~
23 ~~administrative unit for the specified children with disabilities to receive~~
24 ~~educational services at approved facility schools during the immediately~~
25 ~~preceding budget year. For purposes of this paragraph (a), the number of~~
26 ~~children with disabilities that are specified in subparagraph (I) of this~~
27 ~~paragraph (a) shall be based upon the count taken in December of the~~
28 ~~immediately preceding budget year. IN THE 2026-27 BUDGET YEAR AND~~
29 ~~EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE~~
30 ~~THE APPROPRIATION DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION~~
31 ~~PURSUANT TO AN APPLICATION FOR REIMBURSEMENT PROCESS. THE STATE~~
32 ~~BOARD SHALL ADOPT RULES RELATED TO THE APPLICATION FOR~~
33 ~~REIMBURSEMENT PROCESS.~~
34 (b) ~~(I) For the budget years preceding the 2022-23 budget year, an~~
35 ~~amount equal to one thousand two hundred fifty dollars for each child~~
36 ~~with disabilities receiving special education services from the~~
37 ~~administrative unit;~~
38 (H) Except as specified in subsection (1.3) of this section, ~~for the~~
39 ~~2022-23 budget year and each budget year thereafter,~~ an amount equal to
40 one thousand seven hundred fifty dollars for each child with disabilities
41 receiving special education services from the administrative unit; and
42 (1.3) ~~For the 2024-25 budget year and budget years thereafter, The~~
43 ~~dollar amounts set forth in subsections (1)(b)(H) and (1)(c)(HH)~~

1 SUBSECTIONS (1)(b) AND (1)(c)(III) of this section are annually increased
2 by the rate of inflation. The amounts must be rounded to the nearest
3 dollar. As used in this subsection (1.3), "inflation" means the annual
4 percentage change in the United States department of labor bureau of
5 labor statistics consumer price index for Denver-Aurora-Lakewood for
6 all items paid by all urban consumers, or its applicable successor index.

7 **SECTION 4.** In Colorado Revised Statutes, 22-82.9-205, **amend**
8 (1), (2), (3), and (4); and **add** (6) as follows:

9 **22-82.9-205. Local food purchasing grant - amount - advisory**
10 **committee - verification of invoices - definition.**

11 (1) (a) Subject to subsection (5) of this section, each participating
12 school food authority OR CHARTER SCHOOL THAT OPERATES UNDER A
13 PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY that commits to
14 operating an advisory committee as described in subsection (3) of this
15 section is eligible to receive a local food purchasing grant pursuant to this
16 section to purchase Colorado grown, raised, or processed products. It is
17 the general assembly's intent that these grants be used primarily to support
18 small- and medium-sized farms and ranches.

19 (b) On or before August 1 of the first full budget year in which
20 this section is effective as provided in subsection (5) of this section and
21 on or before August 1 of each budget year thereafter, each participating
22 ~~school food authority~~ GRANTEE shall track and report to the department
23 for the preceding budget year:

24 (I) The total amount spent in purchasing all products used in
25 preparing meals and how much of that total was attributable to the local
26 food purchasing grant the participating ~~school food authority~~ GRANTEE
27 received;

28 (II) The total amount spent to purchase Colorado grown, raised,
29 or processed products and how much of that total was attributable to the
30 local food purchasing grant the participating ~~school food authority~~
31 GRANTEE received;

32 (III) The total amount spent to purchase value-added processed
33 products and how much of that total was attributable to the local food
34 purchasing grant the participating ~~school food authority~~ GRANTEE
35 received; and

36 (IV) The total number of eligible meals the participating ~~school~~
37 ~~food authority~~ GRANTEE provided to students.

38 (2) (a) Subject to subsection (2)(b) of this section, at the beginning
39 of each budget year the department, subject to available appropriations,
40 shall distribute to each participating ~~school food authority~~ GRANTEE that
41 is eligible to receive a grant pursuant to this section an amount established
42 pursuant to section 22-82.9-211 (3). The participating ~~school food~~
43 ~~authority~~ GRANTEE shall use the money received pursuant to this section

1 to purchase only Colorado grown, raised, or processed products and as
2 provided in subsection (3)(b) of this section and shall not use more than
3 twenty-five percent of the amount received to purchase value-added
4 processed products. In addition, a ~~school food authority~~ PARTICIPATING
5 GRANTEE may use up to ten percent of the money received pursuant to
6 this section to pay allowable costs, as identified by rules of the state
7 board, incurred in complying with this section.

8 (b) At the beginning of each budget year, each participating
9 ~~school food authority~~ GRANTEE shall submit to the department an estimate
10 of the amount it expects to spend to purchase Colorado grown, raised, or
11 processed products for the budget year; a description of the items and
12 amounts it expects to purchase; and a list of the suppliers from which it
13 expects to purchase the items. If, based on the information provided, the
14 department determines that a participating ~~school food authority~~ GRANTEE
15 is unlikely to spend the full amount of the grant described in subsection
16 (2)(a) of this section, the department shall reduce the amount of the grant
17 accordingly. The department shall distribute to other participating ~~school~~
18 ~~food authorities~~ GRANTEES that are eligible to receive grants pursuant to
19 this section any amount that is retained pursuant to this subsection (2)(b).
20 The department shall distribute the additional amounts to the participating
21 ~~school food authorities~~ GRANTEES for which the grant amount calculated
22 pursuant to subsection (2)(a) of this section is less than twenty-five
23 thousand dollars, prioritized based on the highest identified student
24 percentages and greatest financial need.

25 (3) (a) To receive a local food purchasing grant pursuant to this
26 section, a participating ~~school food authority~~ GRANTEE must have or
27 establish an advisory committee made up of students and parents of
28 students enrolled in the public schools served by the participating school
29 food authority. In selecting students and parents to serve on the advisory
30 committee, the participating ~~school food authority~~ GRANTEE shall ensure
31 that the membership of the advisory committee reflects the racial, ethnic,
32 and socioeconomic demographics of the student population enrolled by
33 the participating ~~school food authority~~ GRANTEE. The advisory committee
34 shall advise the participating ~~school food authority~~ GRANTEE concerning
35 the selection of foods to ensure that meals are culturally relevant, healthy,
36 and appealing to all ages of the student population.

37 (b) A participating ~~school food authority~~ GRANTEE may use up to
38 twelve percent of the amount received pursuant to subsection (2) of this
39 section to support implementation of the advisory committee required in
40 subsection (3)(a) of this section.

41 (c) A ~~school food authority~~ GRANTEE that provided one million or
42 fewer lunches in the 2023-24 school year may, subject to approval by the
43 department, work with other ~~school food authorities~~ GRANTEES to

1 implement an advisory committee that collaborates with multiple school
2 food authorities.

3 (d) An advisory committee established pursuant to this subsection
4 (3) is not limited to, but may:

5 (I) Schedule and hold meetings as necessary for the advisory
6 committee to have ongoing collaboration with the participating ~~school~~
7 ~~food authority~~ GRANTEE and achieve the advisory committee's goals;

8 (II) Through student surveys or other methods as necessary, gather
9 student feedback on meals and meal preferences;

10 (III) Suggest the types of purchases of local ingredients to the
11 ~~school food authority~~ GRANTEE that would support local farmers and
12 ranchers in the school food authority's region;

13 (IV) Inform the school food authority of recipes that are both
14 nutritious and reflect the cultures of the student population enrolled by the
15 participating ~~school food authority~~ GRANTEE;

16 (V) Taste test healthy meal options;

17 (VI) Develop solutions to reduce food waste;

18 (VII) Assist the ~~school food authority~~ GRANTEE in developing
19 plans to support more scratch cooking;

20 (VIII) Assist the ~~school food authority~~ PARTICIPATING GRANTEE
21 in obtaining the necessary resources to provide meals that are culturally
22 relevant, healthy, and appealing to all ages of the student population;

23 (IX) Inform the ~~school food authority~~ GRANTEE of, and assist in
24 the implementation of, strategies to maximize the collection and
25 completion of household income application forms for national school
26 lunch programs;

27 (X) Evaluate the effectiveness of the advisory committee in
28 supporting the ~~school food authority~~ PARTICIPATING GRANTEE in
29 improving meal quality and student satisfaction with the meals provided
30 by the ~~school food authority~~ GRANTEE; and

31 (XI) Learn from a ~~school food authority~~ GRANTEE about the
32 logistics of local food procurement, menu requirements, and operational
33 management to support the advisory committee in suggesting realistic and
34 attainable changes to school meals.

35 (e) A ~~school food authority~~ GRANTEE may contract with an
36 external nonprofit organization to convene and facilitate an advisory
37 committee pursuant to this subsection (3).

38 (4) The department shall annually require a selected group of
39 participating ~~school food authorities~~ GRANTEES that received a grant
40 pursuant to this section in the preceding budget year to submit to the
41 department a representative sample of the invoices for the products
42 purchased using the grant money. No later than September 1 of the
43 second budget year in which this section is effective as provided in

1 subsection (5) of this section, and no later than September 1 of each year
2 thereafter, the department shall review the invoices to verify that the
3 products purchased met the requirements specified in this section. If the
4 department finds that a participating school food authority used a
5 significant portion of the grant money, as determined by rule of the state
6 board, to purchase products that did not meet the requirements of this
7 section, the participating ~~school food authority~~ GRANTEE is ineligible to
8 receive a grant pursuant to this section for the next budget year following
9 the budget year in which the department completes the review.

10 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES, "GRANTEE" MEANS A PARTICIPATING SCHOOL FOOD AUTHORITY
12 OR CHARTER SCHOOL THAT OPERATES UNDER A PARTICIPATING SCHOOL
13 FOOD AUTHORITY DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT IS
14 ELIGIBLE FOR AND RECEIVES A LOCAL FOOD PURCHASING GRANT PROGRAM
15 PURSUANT TO THIS SECTION.

16 **SECTION 5.** In Colorado Revised Statutes, 22-82.9-206, **amend**
17 (1) as follows:

18 **22-82.9-206. School meals food preparation and service**
19 **employees - wage increase or stipend.**

20 (1) Subject to subsection (2) of this section, in addition to the
21 amounts received pursuant to sections 22-82.9-204 and 22-82.9-205, a
22 participating school food authority OR CHARTER SCHOOL THAT OPERATES
23 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY may receive
24 an amount described in section 22-82.9-211 (3), so long as the
25 participating school food authority OR CHARTER SCHOOL THAT OPERATES
26 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY uses one
27 hundred percent of the amount received pursuant to this section to
28 increase wages or provide stipends for individuals whom the participating
29 school food authority employs to directly prepare and serve food for
30 school meals. To receive the amount described in this section, a
31 participating school food authority OR CHARTER SCHOOL THAT OPERATES
32 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY must submit
33 documentation to the department as required by rules of the state board
34 to demonstrate that the increase in wages or provision of stipends using
35 the amount received pursuant to this section is implemented for the
36 budget year in which the amount is received.

37 **SECTION 6. Appropriation.** For the 2025-26 state fiscal year,
38 \$3,755,558 is appropriated to the department of education. This
39 appropriation is from the state education fund created in section 17 (4)(a)
40 of article IX of the state constitution. To implement this act, the
41 department may use this appropriation for state share of districts' total
42 program funding.

43 **SECTION 7. Appropriation.** For the 2026-27 state fiscal year,

1 \$5,375,404 is appropriated to the department of education. This
2 appropriation is from the state education fund created in section 17 (4)(a)
3 of article IX of the state constitution. To implement this act, the
4 department may use this appropriation for state share of districts' total
5 program funding.

6 **SECTION 8. Appropriation - adjustments to 2026 long bill.**

7 (1) To implement this act, the appropriation from the state education
8 fund created in section 17 (4)(a) of article IX of the state constitution for
9 use by student pathways for postsecondary workforce readiness
10 administration is decreased by \$267,424;

11 (2) Subsection (1) of this section does not require a reduction of
12 an appropriation in the annual general appropriation act for the 2026-27
13 state fiscal year if:

14 (a) The amount of the state education fund appropriation made in
15 the annual general appropriation act for the 2026-27 state fiscal year to
16 the department of education for use by student pathways for
17 postsecondary workforce readiness administration is less than the amount
18 of the adjustment required in subsection (1) of this section; or

19 (b) The annual general appropriation act for the 2026-27 state
20 fiscal year does not include an appropriation to the department of
21 education for use by student pathways for postsecondary workforce
22 readiness administration.

23 **SECTION 9. Appropriation.** For the 2026-27 state fiscal year,
24 \$267,424 is appropriated to the department of education for use by
25 student pathways. This appropriation is from the state education fund
26 created in section 17 (4)(a) of article IX of the state constitution. To
27 implement this act, the division may use this appropriation for
28 postsecondary workforce readiness sustain for LEPs.

29 **SECTION 10. Effective date.** This act takes effect upon passage;
30 except that section 4 of this act takes effect only if the annual general
31 appropriation act for the 2026-27 state fiscal year becomes law, in which
32 case section 4 takes effect upon the effective date of this act or of the
33 annual general appropriation act for state fiscal year 2026-27, whichever
34 is later."

35 Renumber succeeding section accordingly.

36 Page 1, line 101, strike "SCHOOLS." and substitute "SCHOOLS, AND, IN
37 CONNECTION THEREWITH, MAKING AND REDUCING AN
38 APPROPRIATION."

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