



Joint Budget Committee Staff

# Memorandum

To: Joint Budget Committee Members  
 From: Kelly Shen, JBC Staff (303-866-5434)  
 Date: Thursday, April 17, 2025  
 Subject: [JBC Potential Legislation – Packet 20](#)

This is the last set of non-orbital JBC bills that: (1) have a FY 2025-26 fiscal impact and (2) the JBC has sent to draft. There is one more bill that the JBC has sent to draft and is not ready for review, but it does not have a FY 2025-26 fiscal impact. It pertains to the judicial authority to raise fees.

Unless otherwise indicated by the JBC analyst, **these bills are seeking approval for introduction.** This includes:

- making a motion to approval the bill for introduction; and
- assigning sponsors.

The JBC has already granted permission for staff to make technical changes to all remaining JBC bills, including adding appropriations clauses.

## Potential Legislation

### *Higher Education*

LLS 25-1016 Auraria Higher Educ Center Approp (Lowe) .....P-1

### *Education*

LLS 25-1029 Postsecondary & Workforce Readiness Programs (Bickel) .....P-13

### *Public Health and Environment*

LLS 25-1052 Water Quality Permitting Efficiency (McLeer) .....P-47

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

DRAFT  
4/16/25

DRAFT

LLS NO. 25-1016.01 Caroline Martin x5902

COMMITTEE BILL

Joint Budget Committee

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**BILL TOPIC:** Auraria Higher Educ Center Approp

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**A BILL FOR AN ACT**

101 **CONCERNING REQUIREMENTS FOR MONEY APPROPRIATED TO THE**  
102 **DEPARTMENT OF HIGHER EDUCATION, AND, IN CONNECTION**  
103 **THEREWITH, MAKING ADJUSTMENTS TO APPROPRIATIONS MADE**  
104 **IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE 2025-26**  
105 **STATE FISCAL YEAR AND MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill imposes requirements related to money appropriated to the department of higher education to be used

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*

by the Auraria higher education center in the 2025-26 state fiscal year. Money appropriated for operational costs must be used as agreed upon by the constituent institutions in baseline service level agreements. Any service or performance level agreement that the Auraria higher education center enters into using money appropriated for the 2025-26 state fiscal year must:

- Be executed by all contracting parties no later than September 1, 2025;
- Clearly describe the services, service and staffing levels, and performance expectations that are contracted for; and
- Provide that, if costs for services exceed the prices provided for in the contract, those excessive costs will not be assumed or incurred until an additional contract is executed or the original contract is amended.

In the 2025-26 state fiscal year, the Auraria higher education center shall manage all resources related to baseline service level agreements and goals and shall present quarterly updates to the constituent institutions regarding baseline service level agreements and goals. For other services for the 2025-26 state fiscal year that are not already contracted for in the baseline service level agreements, the Auraria higher education center shall establish fee structures, and the constituent institutions shall enter into agreements with the Auraria higher education center for the provision of those services.

The bill requires the constituent organizations to contract with an independent third-party entity that shall conduct the Auraria comprehensive study (study). The constituent institutions and the Auraria higher education center shall agree upon which independent third-party entity will conduct the study before executing a contract to select the independent third-party entity. If the constituent institutions and the Auraria higher education center do not agree upon an independent third-party entity by August 1, 2025, the Colorado commission on higher education shall, no later than December 31, 2025, select the independent third-party entity from options proposed by the constituent institutions.

The study must examine the operations of the Auraria campus and the services provided to students by the constituent institutions and by the Auraria board of directors through the Auraria higher education center. The independent third-party entity shall present a report on the findings of the Auraria comprehensive study.

The Auraria comprehensive study must include the following:

- A review of plans and studies conducted in the past 5 years regarding the mission, vision, and development of the Auraria campus;
- An evaluation of the statutory design and mission of the Auraria campus;
- An evaluation of the current governance model of the

- Auraria campus;
- An evaluation of the operations and management structures under the current governance model of the Auraria campus;
- A comparison of the current governance model to alternative governance models which may yield greater efficiencies in service delivery; and
- An evaluation of the financial supports and structures of Auraria campus governance and operations.

The constituent institutions shall enter into a cost-sharing agreement to pay for the study using gifts, grants, and donations.

The bill reduces the general fund appropriation made in the annual general appropriation act for the 2025-26 state fiscal year to the department of higher education for the college opportunity fund program for fee-for-service contracts with state institutions by \$31,435,042. The bill appropriates \$31,135,042 from the general fund to the department of higher education for use by the Auraria higher education center.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 23-70-118 and  
3 23-70-119 as follows:

4           **23-70-118. Requirements for money that is appropriated to**  
5 **the department of higher education for use by the Auraria higher**  
6 **education center in the 2025-26 state fiscal year - repeal.** (1) ANY  
7 MONEY THAT THE GENERAL ASSEMBLY APPROPRIATES TO THE  
8 DEPARTMENT OF HIGHER EDUCATION FOR THE AURARIA HIGHER  
9 EDUCATION CENTER TO USE FOR OPERATIONAL COSTS IN THE 2025-26  
10 STATE FISCAL YEAR MUST BE USED AS AGREED UPON BY THE CONSTITUENT  
11 INSTITUTIONS IN BASELINE SERVICE LEVEL AGREEMENTS, INCLUDING  
12 OPERATIONAL COSTS ASSOCIATED WITH:

- 13           (a) BUILDING OPERATIONS AND MAINTENANCE;
- 14           (b) CUSTODIAL OR JANITORIAL SERVICES;
- 15           (c) THE AURARIA CAMPUS POLICE DEPARTMENT;
- 16           (d) BUSINESS SERVICES;

- 1 (e) CAMPUS PLANNING;  
2 (f) EVENTS MANAGEMENT IN SUPPORT OF UNIVERSITY- AND  
3 STUDENT-LED ACTIVITIES;  
4 (g) COMMUNICATIONS; AND  
5 (h) PUBLIC RELATIONS.

6 (2) ANY BASELINE SERVICE LEVEL AGREEMENT THAT THE  
7 AURARIA HIGHER EDUCATION CENTER ENTERS INTO USING MONEY  
8 APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE 2025-26 STATE  
9 FISCAL YEAR MUST:

10 (a) BE EXECUTED BY THE CONTRACTING PARTIES NO LATER THAN  
11 SEPTEMBER 1, 2025, UNTIL WHICH TIME AURARIA HIGHER EDUCATION  
12 CENTER AND THE CONSTITUENT INSTITUTIONS SHALL OPERATE ACCORDING  
13 TO EXISTING SERVICE LEVEL AGREEMENTS;

14 (b) CLEARLY DESCRIBE THE SERVICES, SERVICE AND STAFFING  
15 LEVELS, AND PERFORMANCE EXPECTATIONS THAT ARE CONTRACTED FOR;  
16 AND

17 (c) PROVIDE THAT, IF COSTS FOR SERVICES EXCEED THE PRICES  
18 PROVIDED FOR IN THE BASELINE SERVICE LEVEL AGREEMENTS, THOSE  
19 EXCESSIVE COSTS WILL NOT BE ASSUMED OR INCURRED UNTIL AN  
20 ADDITIONAL AGREEMENT THAT ADDRESSES THE EXCESSIVE COSTS IS  
21 EXECUTED OR UNTIL THE ORIGINAL BASELINE SERVICE LEVEL AGREEMENT  
22 IS AMENDED.

23 (3) IN THE 2025-26 STATE FISCAL YEAR, THE AURARIA HIGHER  
24 EDUCATION CENTER SHALL MANAGE ALL RESOURCES RELATED TO  
25 BASELINE SERVICE LEVEL AGREEMENTS AND GOALS AND SHALL PRESENT  
26 QUARTERLY UPDATES REGARDING BASELINE SERVICE LEVEL AGREEMENTS  
27 AND GOALS TO THE CONSTITUENT INSTITUTIONS.

1           (4) THE AURARIA HIGHER EDUCATION CENTER SHALL ESTABLISH  
2 FEE STRUCTURES FOR THE 2025-26 STATE FISCAL YEAR FOR ALL SERVICES  
3 THAT ARE NOT ALREADY PROVIDED FOR IN THE BASELINE SERVICE LEVEL  
4 AGREEMENTS. THE CONSTITUENT INSTITUTIONS MAY ENTER INTO  
5 ADDITIONAL AGREEMENTS WITH THE AURARIA HIGHER EDUCATION CENTER  
6 FOR SERVICES THAT ARE NOT PROVIDED FOR IN THE BASELINE SERVICE  
7 LEVEL AGREEMENTS, IN WHICH CASE THE AURARIA HIGHER EDUCATION  
8 CENTER SHALL EXPLAIN WHY THE ADDITIONAL CONTRACTED SERVICES DO  
9 NOT FALL WITHIN THE BASELINE SERVICE LEVEL AGREEMENTS. THE FEE  
10 STRUCTURES ESTABLISHED PURSUANT TO THIS SUBSECTION (4) MUST:

11           (a) CLEARLY DESCRIBE THE SERVICES FOR WHICH EACH FEE  
12 STRUCTURE IS ESTABLISHED; AND

13           (b) APPLY EACH FEE STRUCTURE CONSISTENTLY TO EACH  
14 CONSTITUENT INSTITUTION.

15           (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

16           **23-70-119. Auraria comprehensive study.** (1) THE  
17 CONSTITUENT INSTITUTIONS SHALL, THROUGH THEIR EXECUTIVE  
18 DIRECTORS AND IN CONSULTATION WITH THE AURARIA HIGHER  
19 EDUCATION CENTER, CONTRACT WITH AN INDEPENDENT THIRD-PARTY  
20 ENTITY THAT SHALL CONDUCT A STUDY, REFERRED TO IN THIS SECTION AS  
21 THE "AURARIA COMPREHENSIVE STUDY". THE CONSTITUENT INSTITUTIONS  
22 AND THE AURARIA HIGHER EDUCATION CENTER SHALL AGREE UPON WHICH  
23 INDEPENDENT THIRD-PARTY ENTITY WILL CONDUCT THE AURARIA  
24 COMPREHENSIVE STUDY BEFORE EXECUTING A CONTRACT TO SELECT THE  
25 INDEPENDENT THIRD-PARTY ENTITY. IF THE CONSTITUENT INSTITUTIONS  
26 AND THE AURARIA HIGHER EDUCATION CENTER DO NOT AGREE UPON AN  
27 INDEPENDENT THIRD-PARTY ENTITY BY AUGUST 1, 2025, THE COLORADO

1 COMMISSION ON HIGHER EDUCATION SHALL, NO LATER THAN AUGUST 31,  
2 2025, SELECT THE INDEPENDENT THIRD-PARTY ENTITY FROM OPTIONS  
3 PROPOSED BY THE CONSTITUENT INSTITUTIONS.

4 (2) THE AURARIA COMPREHENSIVE STUDY MUST EXAMINE:

5 (a) THE OPERATIONS OF THE AURARIA CAMPUS; AND

6 (b) THE SERVICES PROVIDED TO STUDENTS BY THE CONSTITUENT  
7 INSTITUTIONS AND BY THE AURARIA BOARD OF DIRECTORS THROUGH THE  
8 AURARIA HIGHER EDUCATION CENTER.

9 (3) THE INDEPENDENT THIRD-PARTY ENTITY SHALL PRESENT THE  
10 FINDINGS OF THE AURARIA COMPREHENSIVE STUDY IN A REPORT  
11 ADDRESSED TO THE CONSTITUENT INSTITUTIONS, THE JOINT BUDGET  
12 COMMITTEE, THE OFFICE OF STATE PLANNING AND BUDGETING, AND THE  
13 COLORADO COMMISSION ON HIGHER EDUCATION. THE REPORT MUST  
14 INCLUDE:

15 (a) FINDINGS RELATED TO THE STATUTORY DESIGN, GOVERNANCE,  
16 OPERATIONS, AND FINANCIAL STRUCTURE OF THE CURRENT SHARED  
17 AURARIA CAMPUS;

18 (b) RECOMMENDATIONS OF ANY STATUTORY OR OPERATIONAL  
19 CHANGES THAT THE INDEPENDENT THIRD-PARTY ENTITY BELIEVES WOULD  
20 YIELD MORE EFFICIENT, MISSION-ALIGNED SERVICES FOR THE AURARIA  
21 HIGHER EDUCATION CENTER, THE CONSTITUENT INSTITUTIONS, AND THE  
22 STUDENTS ATTENDING THE CONSTITUENT INSTITUTIONS;

23 (c) ESTIMATES OF THE FINANCIAL IMPACTS THAT THE  
24 RECOMMENDATIONS WOULD HAVE ON THE STATE AND THE CONSTITUENT  
25 INSTITUTIONS; AND

26 (d) FEEDBACK FROM EACH CONSTITUENT INSTITUTION RELATING  
27 TO THE RECOMMENDATIONS.

1           (4) THE AURARIA HIGHER EDUCATION CENTER AND THE  
2           CONSTITUENT INSTITUTIONS SHALL PARTICIPATE IN THE AURARIA  
3           COMPREHENSIVE STUDY AND ENGAGE IN AND RESPOND TO ANY INQUIRIES  
4           FROM THE INDEPENDENT THIRD-PARTY ENTITY, INCLUDING INQUIRIES  
5           RELATED TO PERSONNEL, BUSINESS DOCUMENTATION, FINANCIAL DATA,  
6           THE COORDINATION OF THE PROVISION OF STUDENT SERVICES, AND  
7           INTERNAL RECORDS RELATED TO THE FACILITY, OPERATIONS, AND  
8           DEVELOPMENT OF THE AURARIA CAMPUS. THE CONSTITUENT  
9           INSTITUTIONS AND THE AURARIA HIGHER EDUCATION CENTER SHALL  
10          CONVENE TO RECEIVE UPDATES RELATED TO THE AURARIA  
11          COMPREHENSIVE STUDY FROM THE INDEPENDENT THIRD-PARTY ENTITY AT  
12          LEAST TWICE DURING THE PERIOD OF THE AURARIA COMPREHENSIVE  
13          STUDY.

14          (5) THE AURARIA COMPREHENSIVE STUDY MUST INCLUDE THE  
15          FOLLOWING:

16           (a) A REVIEW OF PLANS AND STUDIES CONDUCTED IN THE PAST  
17           FIVE YEARS REGARDING THE MISSION, VISION, AND DEVELOPMENT OF THE  
18           AURARIA CAMPUS;

19           (b) AN EVALUATION OF THE STATUTORY DESIGN AND MISSION OF  
20           THE AURARIA CAMPUS, INCLUDING:

21           (I) AN ANALYSIS OF THE STATUTORY REQUIREMENTS AND POWERS  
22           OF THE AURARIA HIGHER EDUCATION CENTER AND THE CONSTITUENT  
23           INSTITUTIONS TO IDENTIFY WHETHER CURRENT ACTIVITIES ALIGN WITH  
24           PROVISIONS IN THE COLORADO REVISED STATUTES AND TO WHAT EXTENT  
25           THOSE PROVISIONS RESULT IN COST AND OPERATIONAL EFFICIENCIES FOR  
26           THE CONSTITUENT INSTITUTIONS;

27           (II) A DESCRIPTION AND ASSESSMENT OF THE CURRENT STATE OF



1 THE AURARIA HIGHER EDUCATION CENTER, INCLUDING THE CONTEXT OF  
2 THE CENTER'S SCOPE, CAPABILITIES, RESOURCES, PERFORMANCE, CULTURE,  
3 DEPENDENCIES, INFRASTRUCTURE, PERSONNEL, EXTERNAL INFLUENCES,  
4 AND OTHER RELEVANT ELEMENTS;

5 (III) TO WHAT EXTENT THE AURARIA HIGHER EDUCATION CENTER'S  
6 CURRENT DISPOSITION, AS DESCRIBED IN SUBSECTION (5)(b)(II) OF THIS  
7 SECTION, FACILITATES OR INHIBITS THE CENTER'S STATUTORY MISSION  
8 ALIGNMENT AND OPERATIONAL EFFICIENCIES;

9 (IV) A DESCRIPTION AND ASSESSMENT OF EACH CONSTITUENT  
10 INSTITUTION, INCLUDING THE INSTITUTIONS' EDUCATIONAL FOOTPRINT ON  
11 THE CAMPUS, THE FOOTPRINT OF AND ACCESS TO INSTITUTION-OWNED  
12 FACILITIES, AND OTHER COORDINATION AMONG THE CONSTITUENT  
13 INSTITUTIONS IN DELIVERING SERVICES TO STUDENTS;

14 (V) AN EVALUATION OF THE IMPACT ON AND SERVICE OF  
15 DISPLACED AURARIANS, DONE IN CONSULTATION WITH A DESIGNEE OF THE  
16 AURARIA BOARD OF DIRECTORS; AND

17 (VI) RECOMMENDATIONS OF POSSIBLE STATUTORY CHANGES THAT  
18 WOULD MORE CLEARLY DEFINE THE MISSION OF THE AURARIA CAMPUS  
19 AND DELINEATE THE DUTIES AND RESPONSIBILITIES OF EACH ENTITY IN  
20 SUPPORTING THE MISSION;

21 (c) AN EVALUATION OF THE CURRENT GOVERNANCE MODEL OF THE  
22 AURARIA CAMPUS, INCLUDING:

23 (I) AN ANALYSIS OF THE COMPOSITION OF THE AURARIA BOARD OF  
24 DIRECTORS, INCLUDING THE BOARD'S ABILITY TO FULFILL ITS STATUTORY  
25 PURPOSES, MITIGATE CONFLICTS OF INTEREST, AND ARBITRATE CAMPUS  
26 DISPUTES; AND

27 (II) AN ANALYSIS OF THE EXTENT TO WHICH A MODEL OF

1 GOVERNANCE SHARED BY THE CONSTITUENT INSTITUTIONS, AS OPPOSED  
2 TO GOVERNANCE BY THE AURARIA BOARD OF DIRECTORS, WOULD BE  
3 PRACTICABLE AND THE EXTENT TO WHICH A SHARED GOVERNANCE MODEL  
4 MIGHT YIELD GREATER MISSION ALIGNMENT AND MORE EFFICIENT  
5 DELIVERY OF SERVICES TO STUDENTS;

6 (d) AN EVALUATION OF THE OPERATIONS AND MANAGEMENT  
7 STRUCTURES UNDER THE CURRENT GOVERNANCE MODEL OF THE AURARIA  
8 CAMPUS, INCLUDING:

9 (I) AN ANALYSIS OF THE TIMELINESS AND COST OF CURRENT  
10 SERVICE DELIVERY AND FUNCTIONS; AND

11 (II) A REVIEW OF THE OPERATIONAL CONTROL AND FISCAL  
12 RESPONSIBILITY OF ALL AURARIA CAMPUS FACILITIES, INCLUDING THE  
13 EXTENT TO WHICH CURRENT OPERATIONS FULFILL THE MISSION OF THE  
14 CAMPUS AND YIELD THE MOST COST EFFECTIVE RESULTS FOR ALL PARTIES;

15 (e) A COMPARISON OF THE CURRENT GOVERNANCE MODEL OF THE  
16 AURARIA CAMPUS TO ALTERNATIVE GOVERNANCE MODELS WHICH MAY  
17 YIELD GREATER EFFICIENCIES IN SERVICE DELIVERY, INCLUDING:

18 (I) WHETHER EFFICIENCY COULD BE IMPROVED BY TRANSFERRING  
19 EXISTING FUNCTIONS SUCH AS CAMPUS SECURITY AND POLICING,  
20 FACILITIES MANAGEMENT, PARKING MANAGEMENT, LIBRARY SERVICES,  
21 HUMAN RESOURCES, INFORMATION TECHNOLOGY, PROCUREMENT, EVENTS  
22 MANAGEMENT, NONACADEMIC STUDENT SERVICES, AND RISK  
23 MANAGEMENT BETWEEN CONSTITUENT INSTITUTIONS OR THE AURARIA  
24 HIGHER EDUCATION CENTER;

25 (II) WHETHER EFFICIENCY COULD BE IMPROVED BY  
26 CONSOLIDATING EXISTING FUNCTIONS SUCH AS CAMPUS SECURITY AND  
27 POLICING, FACILITIES MANAGEMENT, PARKING MANAGEMENT, LIBRARY

1 SERVICES, HUMAN RESOURCES, INFORMATION TECHNOLOGY,  
2 PROCUREMENT, EVENTS MANAGEMENT, NONACADEMIC STUDENT  
3 SERVICES, AND RISK MANAGEMENT WITHIN CONSTITUENT INSTITUTIONS OR  
4 THE AURARIA HIGHER EDUCATION CENTER;

5 (III) WHETHER OPERATIONAL CONTROL AND FISCAL  
6 RESPONSIBILITY COULD BE IMPROVED FOR THE COLLECTIVE OR INDIVIDUAL  
7 CONSTITUENT INSTITUTIONS BY RESTRUCTURING FISCAL MANAGEMENT OF  
8 SOME OR ALL RESPONSIBILITIES; AND

9 (IV) WHETHER CERTAIN SERVICES WOULD BEST BE GOVERNED AND  
10 DELIVERED UNDER A CENTRALIZED, DECENTRALIZED, OR HYBRID  
11 GOVERNANCE MODEL; AND

12 (f) AN EVALUATION OF THE FINANCIAL SUPPORTS AND  
13 STRUCTURES OF AURARIA CAMPUS GOVERNANCE AND OPERATIONS,  
14 INCLUDING:

15 (I) AN ANALYSIS OF THE APPROPRIATE LEVEL OF BASELINE  
16 FUNDING FOR SERVICES DELIVERED ON THE AURARIA CAMPUS,  
17 ACCOUNTING FOR INFLATION AND OTHER DRIVERS OF COSTS SUCH AS  
18 INSURANCE;

19 (II) AN ANALYSIS OF ANY PUBLIC-PRIVATE DEVELOPMENTS  
20 PURSUANT TO SECTION 23-70-105.5 AND WHETHER AND THE EXTENT TO  
21 WHICH THE DEVELOPMENTS SUPPORT THE SUSTAINABILITY AND MISSION  
22 OF THE AURARIA CAMPUS;

23 (III) A REVIEW OF THE AURARIA HIGHER EDUCATION CENTER'S  
24 REVENUE STREAMS AND THE EXTENT TO WHICH ADDITIONAL REVENUE  
25 STREAMS, SUCH AS AUXILIARY SERVICES REVENUE AND FEE REVENUE,  
26 SHOULD SUPPORT THE DELIVERY OF SERVICES;

27 (IV) AN ANALYSIS OF FISCAL RESTRAINTS ON THE CONSTITUENT

1 INSTITUTIONS AND THE AURARIA HIGHER EDUCATION CENTER REGARDING  
2 THE PROVISION OF SERVICES, SUCH AS REVENUE GENERATION AND  
3 EXPENSE CHARACTERISTICS;

4 (V) AN ANALYSIS OF THE FISCAL IMPACTS OF PROPOSED CHANGES  
5 TO THE COLORADO STATE BUDGET; AND

6 (VI) AN ANALYSIS OF IMPACTS RELATED TO COLORADO'S  
7 DEMOGRAPHIC CHANGES, INCREASED COMPETITION, AND CHANGES TO THE  
8 HIGHER EDUCATION MARKET, INCLUDING THE CHANGES IN STUDENT  
9 EDUCATIONAL MODALITY AND THE DISTRIBUTION OF IN-PERSON, HYBRID,  
10 AND ONLINE STUDENTS.

11 (6) THE CONSTITUENT INSTITUTIONS MAY SEEK, ACCEPT, AND  
12 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES  
13 FOR THE PURPOSE OF FUNDING THE AURARIA COMPREHENSIVE STUDY. THE  
14 CONSTITUENT INSTITUTIONS SHALL ENTER INTO A COST-SHARING  
15 AGREEMENT TO PAY FOR THE AURARIA COMPREHENSIVE STUDY USING  
16 GIFTS, GRANTS, AND DONATIONS.

17 **SECTION 2. Appropriation - adjustments to 2025 long bill.**

18 (1) To implement this act, appropriations made in the annual general  
19 appropriation act for the 2025-26 state fiscal year to the department of  
20 higher education are adjusted as follows:

21 (a) The general fund appropriation for the college opportunity  
22 fund program for fee-for-service contracts with state institutions pursuant  
23 to section 23-18-303.5, C.R.S., is decreased by \$31,435,042;

24 (b) The reappropriated funds appropriations from fee-for-service  
25 contracts with state institutions pursuant to section 23-18-303.5, C.R.S.,  
26 under subsection (1)(a) of this section are decreased as follows:

27 **Governing Boards**

1 trustees of Metropolitan state university of Denver -\$15,623,129  
 2 regents of the university of Colorado -\$11,739,171  
 3 state board for community colleges and occupational  
 4 education state system community colleges -\$4,072,742

5 (c) The reappropriated funds appropriation for Auraria higher  
 6 education center administration is decreased by \$31,435,042. This amount  
 7 originates from the appropriations in the general appropriations act to the  
 8 governing boards for the state board for community colleges and  
 9 occupational education state system community colleges, the trustees of  
 10 Metropolitan state university of Denver, and the regents of the university  
 11 of Colorado.

12 **SECTION 3. Appropriation.** (1) For the 2025-26 state fiscal  
 13 year, \$31,435,042 is appropriated to the department of higher education  
 14 for use by the Auraria higher education center. This appropriation is from  
 15 the general fund. To implement this act, the department may use this  
 16 appropriation as follows:

- 17 (a) \$29,545,253 for operational costs; and
- 18 (b) \$1,889,789 for deferred maintenance projects.

19 **SECTION 4. Safety clause.** The general assembly finds,  
 20 determines, and declares that this act is necessary for the immediate  
 21 preservation of the public peace, health, or safety or for appropriations for  
 22 the support and maintenance of the departments of the state and state  
 23 institutions.

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

DRAFT  
4/16/25

DRAFT

LLS NO. 25-1029.01 Jacob Baus x2173

COMMITTEE BILL

Joint Budget Committee

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**BILL TOPIC:** Postsecondary & Workforce Readiness Programs

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**A BILL FOR AN ACT**

101 CONCERNING MEASURES TO REINVENT POSTSECONDARY AND  
102 WORKFORCE READINESS PROGRAMS.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill creates a postsecondary and workforce readiness funding model that includes 3 types of funding: Start-up funding, innovation grant funding, and sustain funding. The state board of education (state board) is authorized to adopt rules concerning these funding sources.

For the 2025-26 budget year through the 2027-28 budget year, the

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Dashes through the words indicate deletions from existing law.*

department of education (department) will determine each local education provider's start-up funding, which is used for eligible expenses that are associated with developing and implementing a postsecondary and workforce readiness program. Start-up funding gradually phases out and repeals after the 2027-28 budget year.

Beginning in the 2028-29 budget year, innovation grant funding is for eligible expenses that are associated with developing and implementing a postsecondary and workforce readiness program. Local education providers that are required to adopt a priority improvement plan or a turnaround plan, or authorize schools that are required to adopt a priority improvement plan or turnaround plan, for the current or prior budget year and demonstrate, or authorize a school that demonstrates, a low level of attainment on the postsecondary workforce readiness indicator for the prior school year are eligible for innovation grant funding.

Sustain funding is used to reimburse local education providers' expenses for students who, in the preceding budget year, successfully satisfied postsecondary credit, industry-recognized credential, or work-based learning requirements. For the 2026-27 budget year, of total sustain funding, a certain percentage is for reimbursing postsecondary credit attainment, reimbursing industry-recognized credentials, and reimbursing work-based learning. For the 2027-28 budget year, and budget years thereafter, the state board may adjust the percentages for these categories.

The bill repeals the accelerating students through concurrent enrollment program after the 2025-26 budget year. Upon passage, the bill repeals the:

- Concurrent enrollment expansion and innovation grant program;
- Career development success program;
- John W. Buckner automatic enrollment in advanced courses grant program.

The bill makes conforming amendments necessary to reflect these changes.

The bill requires the department to convene a working group that includes educators to make findings and recommendations concerning the teacher recruitment and preparation program and the pathways in early technology early college high schools.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** part 2 to article  
3 54 of title 22 as follows:

PART 2

POSTSECONDARY AND WORKFORCE READINESS FUNDING

**22-54-201. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
FINDS THAT:

(a) THE DEPARTMENT IS COMMITTED TO IMPROVING THE  
POSTSECONDARY AND WORKFORCE READINESS OPTIONS AND OUTCOMES  
FOR STUDENTS ACROSS THE STATE;

(b) POSTSECONDARY AND WORKFORCE READINESS OPPORTUNITIES  
INCREASE STUDENT ENGAGEMENT, DECREASE DROPOUT RATES, AND  
IMPROVE STUDENTS' LONG-TERM WORKFORCE OUTCOMES;

(c) THE COLORADO EVALUATION AND ACTION LAB, HOUSED AT  
THE UNIVERSITY OF DENVER, FOUND THAT CONCURRENT ENROLLMENT IS  
SHOWN TO BE HIGHLY EFFECTIVE IN INCREASING COLLEGE GRADUATION  
FOR COLORADO STUDENTS ACROSS VARIOUS DEMOGRAPHICS. STUDENTS  
WHO PARTICIPATE IN CONCURRENT ENROLLMENT ARE TWENTY-FIVE  
PERCENT MORE LIKELY TO ATTEND COLLEGE, ARE EIGHT PERCENT MORE  
LIKELY TO EARN A TWO-YEAR DEGREE ON TIME, ARE TEN PERCENT MORE  
LIKELY TO EARN A FOUR-YEAR DEGREE ON TIME, AND EARN HIGHER WAGES  
FIVE YEARS AFTER ENTERING THE WORKFORCE.

(d) IT IS THE DEPARTMENT'S GOAL THAT FOR THE HIGH SCHOOL  
GRADUATING CLASS OF 2029, AND FOR EACH HIGH SCHOOL GRADUATING  
CLASS THEREAFTER, ONE HUNDRED PERCENT OF HIGH SCHOOL GRADUATES  
WILL HAVE ACHIEVED AT LEAST ONE OF THE FOLLOWING:

- (I) EARNED A QUALITY, IN-DEMAND NON-DEGREE CREDENTIAL;
- (II) EARNED TWELVE POSTSECONDARY CREDITS THAT COUNT  
TOWARD A POSTSECONDARY CREDENTIAL; OR
- (III) PARTICIPATED IN AT LEAST ONE HIGH-QUALITY WORK-BASED



1 LEARNING OPPORTUNITY;

2 (e) IN ORDER TO ACHIEVE THE GOAL DESCRIBED IN SUBSECTION  
3 (1)(d) OF THIS SECTION, THE SECONDARY, POSTSECONDARY, AND  
4 WORK-BASED LEARNING INTEGRATION TASK FORCE RECOMMENDED  
5 STREAMLINING POSTSECONDARY AND WORKFORCE READINESS  
6 PROGRAMMING AND FUNDING TO INCREASE ACCESS TO POSTSECONDARY  
7 CREDIT, INDUSTRY-RECOGNIZED CREDENTIALS, AND WORK-BASED  
8 LEARNING, COMMONLY REFERRED TO AS THE "BIG THREE", BY MITIGATING  
9 BARRIERS AND OFFERING PROGRAMMING THAT SUPPORTS ACHIEVEMENT  
10 IN THE BIG THREE;

11 (f) THE POSTSECONDARY AND WORKFORCE READINESS FINANCIAL  
12 STUDY FOUND THAT STUDENT ACCESS TO EXISTING POSTSECONDARY AND  
13 WORKFORCE READINESS PROGRAMS IS INEQUITABLE, WITH ONLY  
14 FIFTY-FOUR PERCENT OF THE STATE'S ONE HUNDRED SEVENTY-EIGHT  
15 SCHOOL DISTRICTS PARTICIPATING IN THE FUNDED PROGRAMS INCLUDED  
16 IN THE STUDY;

17 (g) STUDENT INDIVIDUAL CAREER AND ACADEMIC PLANS PROVIDE  
18 A PROCESS AND PORTFOLIO FOR STUDENTS TO EXPLORE THEIR INTERESTS  
19 AND VARIOUS POSTSECONDARY CAREER AND EDUCATIONAL  
20 OPPORTUNITIES ACROSS THE BIG THREE; AND

21 (h) IN ADDITION TO THE STUDENT INDIVIDUAL CAREER AND  
22 ACADEMIC PLANS DESCRIBED IN SUBSECTION (1)(g) OF THIS SECTION,  
23 EDUCATORS PLAY A CRUCIAL ROLE IN HELPING STUDENTS MEET STUDENTS'  
24 POSTSECONDARY WORKFORCE AND READINESS GOALS AND ACHIEVING  
25 SUCCESS IN THE BIG THREE.

26 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

27 (a) IT IS BENEFICIAL TO CONSOLIDATE EIGHT OF THE CURRENT

1 POSTSECONDARY AND WORKFORCE READINESS PROGRAMS THAT THE  
2 DEPARTMENT ADMINISTERS INTO THREE FUNDING STREAMS FOR THE  
3 PURPOSE OF BUILDING CAPACITY TO IMPLEMENT AND EXPAND ACCESS TO  
4 VALUABLE POSTSECONDARY AND WORKFORCE READINESS PROGRAMS FOR  
5 STUDENTS;

6 (b) IT IS BENEFICIAL FOR LOCAL EDUCATION PROVIDERS TO  
7 RECEIVE FLEXIBILITY WITH RESPECT TO THEIR FUNDING TO ESTABLISH OR  
8 INCREASE STUDENT PARTICIPATION IN OPPORTUNITIES FOR  
9 POSTSECONDARY CREDIT ATTAINMENT, INDUSTRY-RECOGNIZED  
10 CREDENTIALS, AND WORK-BASED LEARNING AND TO ENABLE SCALING  
11 EFFECTIVE AND INNOVATIVE PRACTICES IN THE BIG THREE; AND

12 (c) FUNDING RECIPIENTS ARE ENCOURAGED TO CONSIDER WAYS IN  
13 WHICH TO COLLABORATE AND LEVERAGE ECONOMIES OF SCALE ACROSS  
14 LOCAL EDUCATION PROVIDERS TO EXPAND ACCESS FOR STUDENTS.

15 **22-54-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION,  
18 CREATED IN SECTION 24-1-115.

19 (2) "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS AN INDUSTRY  
20 CERTIFICATION AND A NONDEGREE CREDENTIAL, AS BOTH ARE DEFINED IN  
21 SECTION 23-5-145.8, THAT SATISFY THE REQUIREMENTS DEVELOPED  
22 PURSUANT TO SECTION 23-5-145.6 (2) AND IDENTIFIED IN THE MOST  
23 RECENT ANNUAL COLORADO TALENT PIPELINE REPORT PREPARED  
24 PURSUANT TO SECTION 24-46.3-103 (3).

25 (3) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A  
26 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART  
27 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY

1 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE  
2 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED  
3 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT  
4 OPERATES ONE OR MORE PUBLIC SCHOOLS.

5 (4) "POSTSECONDARY AND WORKFORCE READINESS INNOVATION  
6 GRANT PROGRAM" OR "INNOVATION GRANT PROGRAM" MEANS THE  
7 POSTSECONDARY AND WORKFORCE READINESS INNOVATION GRANT  
8 PROGRAM CREATED IN SECTION 22-54-204. <{*The bill repeals the John*  
9 *W. Buckner automatic enrollment in advanced courses grant program.*  
10 *Would you like to re-purpose the Buckner name in this legislation?*  
11 *CDE suggested applying it to this grant program.*>

12 (5) "POSTSECONDARY AND WORKFORCE READINESS START-UP  
13 FUNDING" OR "START-UP FUNDING" MEANS FUNDING PURSUANT TO  
14 SECTION 22-54-203.

15 (6) "POSTSECONDARY AND WORKFORCE READINESS SUSTAIN  
16 FUNDING" OR "SUSTAIN FUNDING" MEANS FUNDING PURSUANT TO SECTION  
17 22-54-205.

18 (7) "POSTSECONDARY CREDIT ATTAINMENT" MEANS A  
19 TRANSFERRABLE COLLEGE CREDIT THAT MAY BE ATTAINED WHILE A  
20 STUDENT IS IN HIGH SCHOOL, IN ALIGNMENT WITH THE COLORADO  
21 COMMISSION ON HIGHER EDUCATION ADMISSIONS STANDARDS SET FORTH  
22 IN SECTION 23-1-113, WHICH MAY INCLUDE THE SUCCESSFUL COMPLETION  
23 OF A CONCURRENT ENROLLMENT COURSE AS DESCRIBED IN SECTIONS  
24 22-35-103 AND 22-35-104 (5)(b), A SUFFICIENT SCORE AS DETERMINED BY  
25 THE STATE BOARD OF EDUCATION ON AN END-OF-COURSE ADVANCED  
26 PLACEMENT EXAM, OR A SUFFICIENT SCORE IN AN INTERNATIONAL  
27 BACCALAUREATE COURSE.

1 (8) "WORK-BASED LEARNING" MEANS DEMONSTRATING LEARNING  
2 THROUGH WORK OR AT WORK, CONSISTENT WITH THE WORK-BASED  
3 LEARNING QUALITY EXPECTATIONS ESTABLISHED PURSUANT TO SECTION  
4 8-83-602 (5). "WORK-BASED LEARNING" INCLUDES THE SAME MEANING AS  
5 SET FORTH IN SECTION 8-83-601.

6 **22-54-203. Start-up funding - rules - repeal.** (1) FOR THE  
7 2025-26 BUDGET YEAR THROUGH THE 2027-28 BUDGET YEAR, THE  
8 DEPARTMENT SHALL USE THIS SECTION TO DETERMINE EACH LOCAL  
9 EDUCATION PROVIDER'S POSTSECONDARY AND WORKFORCE READINESS  
10 START-UP FUNDING.

11 (2) (a) A LOCAL EDUCATION PROVIDER'S START-UP FUNDING IS  
12 DETERMINED BY A FORMULA DEVELOPED OR ADOPTED BY THE STATE  
13 BOARD.

14 (b) THE STATE BOARD SHALL DEVELOP OR ADOPT A FORMULA TO  
15 DETERMINE A LOCAL EDUCATION PROVIDER'S START-UP FUNDING. THE  
16 PURPOSE OF THE FORMULA IS TO ENHANCE EQUITY IN ACCESS TO  
17 POSTSECONDARY AND WORKFORCE READINESS PROGRAMS BY ALLOCATING  
18 FUNDS TO LOCAL EDUCATION PROVIDERS WHOSE CHARACTERISTICS ARE  
19 CONSIDERED BY THE FORMULA'S FACTORS AND DEMONSTRATE THE NEED  
20 FOR RESOURCES TO ACHIEVE EQUITY THROUGH DEVELOPING AND  
21 IMPLEMENTING POSTSECONDARY AND WORKFORCE READINESS PROGRAMS.  
22 AT A MINIMUM, THE FORMULA MUST INCLUDE FACTORS THAT REFLECT THE  
23 LOCAL EDUCATION PROVIDER'S:

24 (I) PARTICIPATION IN POSTSECONDARY AND WORKFORCE  
25 READINESS OPPORTUNITIES;

26 (II) PERCENTAGE OF STUDENTS WHO ARE ENROLLED IN GRADES  
27 NINE THROUGH TWELVE AND ARE ELIGIBLE FOR FREE OR REDUCED-PRICE

1 LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "RICHARD B.  
2 RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;

3 (III) CHRONIC ABSENTEEISM RATE OF STUDENTS WHO ARE  
4 ENROLLED IN GRADES NINE THROUGH TWELVE;

5 (IV) HIGH SCHOOL GRADUATION RATE; AND

6 (V) DROPOUT RATE, EXCLUDING STUDENTS WHO ARE OR WERE  
7 ENROLLED IN AN ALTERNATIVE SCHOOL.

8 (c) THE STATE BOARD SHALL ESTABLISH A MINIMUM NUMBER OF  
9 STUDENTS AND A MAXIMUM NUMBER OF STUDENTS TO BE USED AS A PART  
10 OF THE STUDENT COUNT IN DETERMINING START-UP FUNDING SO THAT,  
11 NOTWITHSTANDING THE LOCAL EDUCATION PROVIDER'S ACTUAL STUDENT  
12 COUNT USED FOR PURPOSES OF DETERMINING START-UP FUNDING, A LOCAL  
13 EDUCATION PROVIDER'S STUDENT COUNT IS NOT LESS THAN THE MINIMUM  
14 NUMBER OR MORE THAN THE MAXIMUM NUMBER. THE PURPOSE OF  
15 ESTABLISHING A MINIMUM NUMBER OF STUDENTS AND A MAXIMUM  
16 NUMBER OF STUDENTS IS TO ENSURE THAT START-UP FUNDING IS NOT  
17 DISPROPORTIONATELY DISTRIBUTED.

18 (d) THE DATA USED FOR EACH FACTOR OF THE FORMULA MUST BE  
19 THE MOST RECENT DATA VALIDATED BY THE DEPARTMENT.

20 (e) THE FORMULA MAY APPLY A DIFFERENT WEIGHT TO EACH  
21 FACTOR.

22 (f) THE DEPARTMENT SHALL CALCULATE AND DISTRIBUTE THE  
23 START-UP FUNDS DETERMINED PURSUANT TO THIS SECTION.

24 (3) (a) A LOCAL EDUCATION PROVIDER SHALL USE START-UP  
25 FUNDING FOR ELIGIBLE EXPENSES THAT ARE ASSOCIATED WITH  
26 DEVELOPING AND IMPLEMENTING A POSTSECONDARY AND WORKFORCE  
27 READINESS PROGRAM THAT ALIGNS WITH THE STATE'S WORKFORCE

1 DEMANDS OR PRIORITIES AND SUPPORTS STUDENTS IN SUCCESSFULLY  
2 EARNING POSTSECONDARY CREDIT OR INDUSTRY-RECOGNIZED  
3 CREDENTIALS, OR SUCCESSFULLY COMPLETING WORK-BASED LEARNING  
4 REQUIREMENTS. CATEGORIES OF ELIGIBLE EXPENSES INCLUDE, BUT ARE  
5 NOT LIMITED TO:

- 6 (I) PROGRAM PLANNING AND DESIGN;
- 7 (II) COURSE MATERIALS, TECHNOLOGY, AND EQUIPMENT;
- 8 (III) PROFESSIONAL DEVELOPMENT, CERTIFICATION,  
9 AUTHORIZATION, OR LICENSURE;
- 10 (IV) CONTRACTING WITH AN ENTITY OR HIRING SCHOOL STAFF TO  
11 SUPPORT THE DEVELOPMENT AND IMPLEMENTATION OF A POSTSECONDARY  
12 AND WORKFORCE READINESS PROGRAM;
- 13 (V) INDIVIDUAL CAREER AND ACADEMIC PLAN RESOURCES, AS  
14 DESCRIBED IN SECTION 22-2-136, AND SUPPORTS, INCLUDING ACADEMIC  
15 AND CAREER ADVISING AND EXPLORATION; AND
- 16 (VI) COSTS ASSOCIATED WITH CONCURRENT ENROLLMENT.

17 (b) LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO  
18 COLLABORATE WITH EACH OTHER TO MAXIMIZE ECONOMIES OF SCALE AND  
19 EXPAND STUDENT ACCESS TO A POSTSECONDARY AND WORKFORCE  
20 READINESS PROGRAM.

21 (4) THE STATE BOARD SHALL ADOPT RULES GOVERNING:

22 (a) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR A LOCAL  
23 EDUCATION PROVIDER TO RECEIVE START-UP FUNDING PURSUANT TO THIS  
24 SECTION. ELIGIBILITY REQUIREMENTS MAY VARY BASED ON THE TYPE OF  
25 LOCAL EDUCATION PROVIDER.

26 (b) THE FORMULA DEVELOPED OR ADOPTED PURSUANT TO  
27 SUBSECTION (2) OF THIS SECTION;

1 (c) CATEGORIES OF ELIGIBLE EXPENSES AND ELIGIBLE EXPENSES  
2 WITHIN THE CATEGORIES;

3 (d) ELIGIBILITY FOR, AND DISTRIBUTION OF, FUNDING FOR ELIGIBLE  
4 EXPENSES WITHIN THE CATEGORIES DESCRIBED IN SUBSECTION (3) OF THIS  
5 SECTION. ELIGIBILITY MAY REQUIRE SATISFACTION OF CERTAIN  
6 CONDITIONS. ELIGIBILITY AND DISTRIBUTION RATES MAY BE CATEGORIZED  
7 OR LIMITED BASED ON LOCAL-EDUCATION-PROVIDER-SPECIFIC FEATURES  
8 OR OTHER FEATURES AS SPECIFIED BY STATE BOARD RULE.

9 (e) REQUIREMENTS OF LOCAL EDUCATION PROVIDERS THAT  
10 RECEIVE FUNDING PURSUANT TO THIS SECTION; AND

11 (f) ANY OTHER RULES DEEMED NECESSARY BY THE STATE BOARD  
12 FOR THE PURPOSES OF THIS SECTION.

13 (5) THE DEPARTMENT MAY NOT USE MORE THAN SEVEN PERCENT  
14 OF THE TOTAL AMOUNT OF START-UP FUNDING IN THE 2025-26 BUDGET  
15 YEAR TO OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN  
16 ADMINISTERING START-UP FUNDING. THE DEPARTMENT MAY NOT USE  
17 MORE THAN FIVE PERCENT OF THE TOTAL AMOUNT OF START-UP FUNDING  
18 IN THE 2026-27 BUDGET YEAR THROUGH THE 2027-28 BUDGET YEAR TO  
19 OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN ADMINISTERING  
20 START-UP FUNDING.

21 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2029.

22 **22-54-204. Postsecondary and workforce readiness innovation**  
23 **grant program - creation - funding - rules.** (1) BEGINNING IN THE  
24 2028-29 BUDGET YEAR, THE POSTSECONDARY AND WORKFORCE  
25 READINESS INNOVATION GRANT PROGRAM IS CREATED IN THE  
26 DEPARTMENT TO PROVIDE GRANTS TO LOCAL EDUCATION PROVIDERS  
27 THAT:

1 (a) ARE REQUIRED TO ADOPT A PRIORITY IMPROVEMENT PLAN OR  
2 A TURNAROUND PLAN, OR AUTHORIZE SCHOOLS THAT ARE REQUIRED TO  
3 ADOPT A PRIORITY IMPROVEMENT PLAN OR A TURNAROUND PLAN, FOR THE  
4 CURRENT OR PRIOR SCHOOL YEAR; AND

5 (b) DEMONSTRATE, OR AUTHORIZE A SCHOOL THAT  
6 DEMONSTRATES, A LOW LEVEL OF ATTAINMENT ON THE POSTSECONDARY  
7 AND WORKFORCE READINESS INDICATOR FOR THE PRIOR SCHOOL YEAR.

8 (2) (a) THE LOCAL EDUCATION PROVIDER SHALL USE INNOVATION  
9 GRANT PROGRAM FUNDING FOR ELIGIBLE EXPENSES ASSOCIATED WITH  
10 DEVELOPING AND IMPLEMENTING A POSTSECONDARY AND WORKFORCE  
11 READINESS PROGRAM THAT ALIGNS WITH THE STATE'S WORKFORCE  
12 DEMANDS OR PRIORITIES AND SUPPORTS STUDENTS IN SUCCESSFULLY  
13 EARNING POSTSECONDARY CREDIT OR INDUSTRY-RECOGNIZED  
14 CREDENTIALS, OR SUCCESSFULLY COMPLETING WORK-BASED LEARNING  
15 REQUIREMENTS. CATEGORIES OF ELIGIBLE EXPENSES INCLUDE:

16 (I) PROGRAM PLANNING AND DESIGN;

17 (II) COURSE MATERIALS, TECHNOLOGY, AND EQUIPMENT;

18 (III) PROFESSIONAL DEVELOPMENT, CERTIFICATION,  
19 AUTHORIZATION, OR LICENSURE;

20 (IV) CONTRACTING WITH AN ENTITY OR HIRING SCHOOL STAFF TO  
21 SUPPORT THE DEVELOPMENT AND IMPLEMENTATION OF A POSTSECONDARY  
22 AND WORKFORCE READINESS PROGRAM;

23 (V) INDIVIDUAL CAREER AND ACADEMIC PLAN RESOURCES, AS  
24 DESCRIBED IN SECTION 22-2-136, AND SUPPORTS, INCLUDING ACADEMIC  
25 AND CAREER ADVISING AND EXPLORATION; AND

26 (VI) COSTS ASSOCIATED WITH CONCURRENT ENROLLMENT.

27 (b) LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO



1 COLLABORATE WITH EACH OTHER TO MAXIMIZE ECONOMIES OF SCALE AND  
2 EXPAND STUDENT ACCESS TO A POSTSECONDARY AND WORKFORCE  
3 READINESS PROGRAM.

4 (3) (a) THE DEPARTMENT SHALL ADMINISTER THE INNOVATION  
5 GRANT PROGRAM, INCLUDING REVIEWING THE APPLICATIONS RECEIVED  
6 PURSUANT TO THIS SECTION.

7 (b) THE DEPARTMENT SHALL MAKE GRANT AWARD  
8 DETERMINATIONS.

9 (c) IN MAKING GRANT AWARD DETERMINATIONS, THE DEPARTMENT  
10 SHALL CONSIDER:

11 (I) WHETHER THE LOCAL EDUCATION PROVIDER IS REQUIRED TO  
12 ADOPT A PRIORITY IMPROVEMENT PLAN OR A TURNAROUND PLAN FOR THE  
13 CURRENT OR PRIOR SCHOOL YEAR;

14 (II) THE CONCENTRATION OF SCHOOLS OF A SCHOOL DISTRICT, OR  
15 THE CONCENTRATION OF INSTITUTE CHARTER SCHOOLS OF THE STATE  
16 CHARTER SCHOOL INSTITUTE, THAT MUST IMPLEMENT A PRIORITY  
17 IMPROVEMENT PLAN OR A TURNAROUND PLAN;

18 (III) WHETHER THE LOCAL EDUCATION PROVIDER HAS BEEN  
19 IDENTIFIED UNDER THE STATE ACCOUNTABILITY SYSTEM AS DECLINING IN  
20 PERFORMANCE; AND

21 (IV) THE LOCAL EDUCATION PROVIDER'S LEVEL OF ATTAINMENT  
22 ON THE POSTSECONDARY AND WORKFORCE READINESS INDICATOR, AS  
23 DESCRIBED IN SECTION 22-11-204, IN THE PRIOR YEAR.

24 (d) IN MAKING GRANT AWARD DETERMINATIONS, THE  
25 DEPARTMENT MAY CONSIDER AND PRIORITIZE GRANT AWARDS TO LOCAL  
26 EDUCATION PROVIDERS THAT HAVE A HIGHER THAN AVERAGE  
27 PERCENTAGE OF STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS AND

1 A HIGHER THAN AVERAGE PERCENTAGE OF STUDENTS WHO ARE ENROLLED  
2 IN GRADES NINE THROUGH TWELVE AND ARE ELIGIBLE FOR FREE OR  
3 REDUCED-PRICE LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL  
4 "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC.  
5 1751 ET SEQ.

6 (e) SUBJECT TO AVAILABLE FUNDING BASED ON ANNUAL  
7 APPROPRIATIONS, EACH GRANT AWARDED MAY CONTINUE FOR UP TO  
8 THREE BUDGET YEARS. THE DEPARTMENT SHALL ANNUALLY REVIEW EACH  
9 GRANT RECIPIENT'S USE OF THE GRANT AWARD AND MAY RESCIND  
10 REMAINING GRANT FUNDS IF THE DEPARTMENT FINDS THAT THE GRANT  
11 RECIPIENT IS NOT MAKING ADEQUATE PROGRESS TOWARD ACHIEVING THE  
12 GOALS OF THE INTENDED USE OF THE GRANT AWARD.

13 (4) THE STATE BOARD MAY ADOPT RULES GOVERNING:

14 (a) APPLICATION REQUIREMENTS;

15 (b) ADDITIONAL ELIGIBILITY AND PRIORITIZATION REQUIREMENTS  
16 FOR A LOCAL EDUCATION PROVIDER TO RECEIVE FUNDING PURSUANT TO  
17 THIS SECTION;

18 (c) ELIGIBLE EXPENSES WITHIN THE CATEGORIES DESCRIBED IN  
19 SUBSECTION (2) OF THIS SECTION;

20 (d) REQUIREMENTS OF LOCAL EDUCATION PROVIDERS THAT  
21 RECEIVE FUNDING PURSUANT TO THIS SECTION; AND

22 (e) ANY OTHER RULES DEEMED NECESSARY BY THE STATE BOARD  
23 FOR THE PURPOSES OF THIS SECTION.

24 (5) (a) THE DEPARTMENT MAY USE NOT MORE THAN FIVE PERCENT  
25 OF THE TOTAL AMOUNT OF INNOVATION GRANT PROGRAM FUNDING TO  
26 OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN ADMINISTERING  
27 THE INNOVATION GRANT PROGRAM.

1 (b) OF THE MONEY ANNUALLY APPROPRIATED FOR THE  
2 INNOVATION GRANT PROGRAM, THE DEPARTMENT MAY EXPEND AN  
3 AMOUNT THAT IS NECESSARY TO ENTER INTO ONE OR MORE CONTRACTS  
4 WITH A PUBLIC OR PRIVATE ENTITY TO PROVIDE THE USES DESCRIBED IN  
5 SUBSECTION (2)(a) OF THIS SECTION TO MULTIPLE LOCAL EDUCATION  
6 PROVIDERS THAT ARE ELIGIBLE FOR AN INNOVATION GRANT. THE ENTITY  
7 SHALL USE RESEARCH-BASED STRATEGIES AND HAVE A PROVEN RECORD  
8 OF SUCCESS WORKING WITH SCHOOLS UNDER SIMILAR CIRCUMSTANCES.

9 **22-54-205. Sustain funding - rules - repeal.** (1) FOR THE  
10 2026-27 BUDGET YEAR, AND EACH BUDGET YEAR THEREAFTER, THE  
11 DEPARTMENT SHALL USE THIS SECTION TO DETERMINE EACH LOCAL  
12 EDUCATION PROVIDER'S POSTSECONDARY AND WORKFORCE READINESS  
13 SUSTAIN FUNDING. EACH LOCAL EDUCATION PROVIDER SHALL PROVIDE  
14 DATA TO THE DEPARTMENT TO INFORM THE DEPARTMENT OF EACH LOCAL  
15 EDUCATION PROVIDER'S SUSTAIN FUNDING AMOUNT.

16 (2) (a) A LOCAL EDUCATION PROVIDER IS ELIGIBLE TO RECEIVE  
17 REIMBURSEMENT FOR STUDENTS WHO, IN THE PRECEDING BUDGET YEAR,  
18 SUCCESSFULLY SATISFIED POSTSECONDARY CREDIT, RECEIVED AN  
19 INDUSTRY-RECOGNIZED CREDENTIAL, OR SATISFIED WORK-BASED  
20 LEARNING REQUIREMENTS AS SPECIFIED BY STATE BOARD RULE. A LOCAL  
21 EDUCATION PROVIDER IS ELIGIBLE TO RECEIVE MULTIPLE  
22 REIMBURSEMENTS FOR ONE STUDENT. A LOCAL EDUCATION PROVIDER IS  
23 ELIGIBLE FOR REIMBURSEMENT FOR STUDENTS WHO ARE ENROLLED IN A  
24 P-TECH SCHOOL OR PARTICIPATING IN A TREP PROGRAM.

25 (b) (I) FOR THE 2026-27 BUDGET YEAR, THE DEPARTMENT SHALL  
26 DIVIDE THE TOTAL AMOUNT OF SUSTAIN FUNDING FOR REIMBURSEMENT  
27 INTO THE FOLLOWING CATEGORIES:

1 (A) TWENTY PERCENT OF THE TOTAL AMOUNT OF SUSTAIN  
2 FUNDING FOR REIMBURSEMENT FOR POSTSECONDARY CREDIT  
3 ATTAINMENT;

4 (B) FORTY PERCENT OF THE TOTAL AMOUNT OF SUSTAIN FUNDING  
5 FOR REIMBURSEMENT FOR INDUSTRY-RECOGNIZED CREDENTIALS EARNED;

6 (C) THIRTY-FIVE PERCENT OF THE TOTAL AMOUNT OF SUSTAIN  
7 FUNDING FOR REIMBURSEMENT FOR WORK-BASED LEARNING; AND

8 (D) FIVE PERCENT OF THE TOTAL AMOUNT OF SUSTAIN FUNDING TO  
9 OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN ADMINISTERING  
10 THE SUSTAIN FUNDING.

11 (II) NOTWITHSTANDING SUBSECTION (2)(b)(I) OF THIS SECTION, IF  
12 MONEY THAT IS ALLOCATED TO A CATEGORY IS NOT EXPENDED BECAUSE  
13 OF INSUFFICIENT DEMAND, THE MONEY MAY BE REALLOCATED TO  
14 ANOTHER CATEGORY TO SATISFY THAT CATEGORY'S DEMAND.

15 (III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JULY 1,  
16 2028.

17 (c) (I) FOR THE 2027-28 BUDGET YEAR, AND EACH BUDGET YEAR  
18 THEREAFTER, THE STATE BOARD SHALL DETERMINE THE PERCENTAGES OF  
19 THE TOTAL AMOUNT OF SUSTAIN FUNDING FOR REIMBURSEMENT ASSIGNED  
20 TO THE POSTSECONDARY CREDIT ATTAINMENT, INDUSTRY-RECOGNIZED  
21 CREDENTIALS, AND WORK-BASED LEARNING CATEGORIES, EXCEPT THAT  
22 THE FIVE PERCENT OF THE TOTAL AMOUNT OF SUSTAIN FUNDING TO OFFSET  
23 THE DIRECT AND INDIRECT COSTS INCURRED IN ADMINISTERING THE  
24 SUSTAIN FUNDING MUST NOT BE CHANGED. THE PERCENTAGES FOR EACH  
25 CATEGORY ARE DETERMINED BY STATE BOARD RULE.

26 (II) IN DETERMINING THE PERCENTAGES OF THE TOTAL AMOUNT OF  
27 SUSTAIN FUNDING FOR REIMBURSEMENT ASSIGNED TO EACH CATEGORY

1 PURSUANT TO SUBSECTION (2)(c)(I) OF THIS SECTION, THE STATE BOARD  
2 SHALL CONSIDER THE AVAILABILITY OF POSTSECONDARY AND WORKFORCE  
3 READINESS OPPORTUNITIES OFFERED BY LOCAL EDUCATION PROVIDERS,  
4 STUDENT PARTICIPATION, AND EVIDENCE OF STUDENT OUTCOMES.

5 (III) NOTWITHSTANDING SUBSECTION (2)(c)(I) OF THIS SECTION,  
6 IF MONEY THAT IS ALLOCATED TO A CATEGORY IS NOT EXPENDED BECAUSE  
7 OF INSUFFICIENT DEMAND, THE MONEY MAY BE REALLOCATED TO  
8 ANOTHER CATEGORY TO SATISFY THAT CATEGORY'S DEMAND.

9 (d) A LOCAL EDUCATION PROVIDER MAY RECEIVE FUNDING FROM  
10 ONE OR MULTIPLE CATEGORIES DESCRIBED IN SUBSECTION (2)(b)(I) OF  
11 THIS SECTION IN EACH BUDGET YEAR; EXCEPT THAT IN A BUDGET YEAR  
12 WHEN THE GENERAL ASSEMBLY DOES NOT APPROPRIATE A SUFFICIENT  
13 AMOUNT TO FULLY FUND THE DISTRIBUTIONS REQUIRED PURSUANT TO THIS  
14 SECTION, THE DEPARTMENT SHALL REDUCE THE AMOUNT OF EACH  
15 ELIGIBLE LOCAL EDUCATION PROVIDER'S DISTRIBUTION BY A  
16 PROPORTIONATE PERCENTAGE OF THE AMOUNT REQUIRED TO FULLY FUND  
17 THE DISTRIBUTIONS REQUIRED PURSUANT TO THIS SECTION.

18 (3) (a) A LOCAL EDUCATION PROVIDER SHALL USE SUSTAIN  
19 FUNDING FOR EXPENSES THAT ARE ASSOCIATED WITH MAINTAINING AND  
20 EXPANDING ITS POSTSECONDARY AND WORKFORCE READINESS PROGRAM  
21 THAT ALIGNS WITH THE STATE'S WORKFORCE DEMANDS OR PRIORITIES.  
22 CATEGORIES OF ELIGIBLE EXPENSES INCLUDE, BUT ARE NOT LIMITED TO:

- 23 (I) PROGRAM PLANNING AND DESIGN;
- 24 (II) COURSE MATERIALS, TECHNOLOGY, AND EQUIPMENT;
- 25 (III) PROFESSIONAL DEVELOPMENT, CERTIFICATION,  
26 AUTHORIZATION, OR LICENSURE;
- 27 (IV) CONTRACTING WITH AN ENTITY OR HIRING SCHOOL STAFF TO

1 SUPPORT THE DEVELOPMENT AND IMPLEMENTATION OF A POSTSECONDARY  
2 AND WORKFORCE READINESS PROGRAM;

3 (V) INDIVIDUAL CAREER AND ACADEMIC PLAN RESOURCES, AS  
4 DESCRIBED IN SECTION 22-2-136, AND SUPPORTS, INCLUDING ACADEMIC  
5 AND CAREER ADVISING AND EXPLORATION;

6 (VI) COSTS ASSOCIATED WITH CONCURRENT ENROLLMENT; AND

7 (VII) WAGES FOR EMPLOYED APPRENTICES PARTICIPATING IN  
8 REGISTERED APPRENTICESHIPS.

9 (b) LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO  
10 COLLABORATE WITH EACH OTHER TO MAXIMIZE ECONOMIES OF SCALE AND  
11 EXPAND STUDENT ACCESS TO A POSTSECONDARY AND WORKFORCE  
12 READINESS PROGRAM.

13 (4) THE STATE BOARD SHALL ADOPT RULES GOVERNING:

14 (a) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR A LOCAL  
15 EDUCATION PROVIDER TO RECEIVE FUNDING PURSUANT TO THIS SECTION,  
16 INCLUDING CRITERIA THAT CONSTITUTE A STUDENT'S SUCCESSFUL  
17 SATISFACTION OF POSTSECONDARY CREDIT, INDUSTRY-RECOGNIZED  
18 CREDENTIAL, OR WORK-BASED LEARNING REQUIREMENTS. ELIGIBILITY  
19 REQUIREMENTS MAY VARY BASED ON THE TYPE OF LOCAL EDUCATION  
20 PROVIDER.

21 (b) CATEGORIES OF ELIGIBLE EXPENSES, AND ELIGIBLE EXPENSES  
22 WITHIN THE CATEGORIES;

23 (c) REIMBURSEMENT ELIGIBILITY AND RATES, INCLUDING LIMITS  
24 ON A LOCAL EDUCATION PROVIDER'S ANNUAL TOTAL REIMBURSEMENT AND  
25 ANNUAL REIMBURSEMENT FROM ONE OR MULTIPLE CATEGORIES, BASED ON  
26 LOCAL-EDUCATION-PROVIDER-SPECIFIC FEATURES OR OTHER FEATURES;

27 (d) REQUIREMENTS OF A LOCAL EDUCATION PROVIDER THAT

1 RECEIVES FUNDING PURSUANT TO THIS SECTION; AND

2 (e) ANY OTHER RULES DEEMED NECESSARY BY THE STATE BOARD  
3 FOR THE PURPOSES OF THIS SECTION.

4 (5) (a) A SCHOOL DISTRICT THAT AUTHORIZES A CHARTER SCHOOL  
5 SHALL FORWARD TO THE DISTRICT CHARTER SCHOOL AN AMOUNT EQUAL  
6 TO ONE HUNDRED PERCENT OF THE SUSTAIN FUNDING AMOUNT THAT THE  
7 SCHOOL DISTRICT RECEIVES FOR A STUDENT WHO IS ENROLLED IN THE  
8 DISTRICT CHARTER SCHOOL AND WHO SATISFIES THE CRITERIA THAT  
9 CONSTITUTE THE STUDENT'S SUCCESSFUL SATISFACTION OF  
10 POSTSECONDARY CREDIT, INDUSTRY-RECOGNIZED CREDENTIAL, OR  
11 WORK-BASED LEARNING REQUIREMENTS.

12 (b) THE STATE CHARTER SCHOOL INSTITUTE SHALL FORWARD TO  
13 AN INSTITUTE CHARTER SCHOOL AN AMOUNT EQUAL TO ONE HUNDRED  
14 PERCENT OF THE SUSTAIN FUNDING AMOUNT THAT THE STATE CHARTER  
15 SCHOOL INSTITUTE RECEIVES FOR A STUDENT WHO IS ENROLLED IN THE  
16 INSTITUTE CHARTER SCHOOL AND WHO SATISFIES THE CRITERIA THAT  
17 CONSTITUTE THE STUDENT'S SUCCESSFUL SATISFACTION OF  
18 POSTSECONDARY CREDIT, INDUSTRY-RECOGNIZED CREDENTIAL, OR  
19 WORK-BASED LEARNING REQUIREMENTS.

20 **22-54-206. Qualified industry credentials.** (1) ON OR BEFORE  
21 JANUARY 30, 2026, AND ON OR BEFORE JANUARY 30 EACH YEAR  
22 THEREAFTER, THE DEPARTMENT AND THE WORK FORCE DEVELOPMENT  
23 COUNCIL, IN COLLABORATION WITH THE DEPARTMENT OF HIGHER  
24 EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE  
25 COLORADO COMMUNITY COLLEGE SYSTEM, AND THE COLORADO OFFICE  
26 OF ECONOMIC DEVELOPMENT SHALL JOINTLY DEVELOP, AND PUBLISH ON  
27 THE DEPARTMENT'S AND THE WORK FORCE DEVELOPMENT COUNCIL'S

1 WEBSITES, A LIST OF THE QUALIFIED INDUSTRY CREDENTIALS THAT MEET  
2 THE QUALITY STANDARDS REQUIRED PURSUANT TO SECTION 23-5-145.8  
3 (2)(c) FOR THE NEXT SCHOOL YEAR. AT LEAST ANNUALLY, THE  
4 DEPARTMENT AND THE WORK FORCE DEVELOPMENT COUNCIL, IN  
5 COLLABORATION WITH THE DEPARTMENT OF HIGHER EDUCATION, THE  
6 DEPARTMENT OF LABOR AND EMPLOYMENT, THE COLORADO COMMUNITY  
7 COLLEGE SYSTEM, AND THE COLORADO OFFICE OF ECONOMIC  
8 DEVELOPMENT SHALL IDENTIFY AND REVIEW THE QUALIFIED INDUSTRY  
9 CREDENTIALS BY IDENTIFYING THE JOBS INCLUDED IN THE COLORADO  
10 TALENT REPORT, PREPARED PURSUANT TO SECTION 24-46.3-103, WITH THE  
11 GREATEST REGIONAL AND STATE DEMAND, INCLUDING HIGH-SKILL,  
12 HIGH-WAGE JOBS IN IN-DEMAND INDUSTRIES, AND, AFTER CONSULTATION  
13 WITH RELEVANT INDUSTRIES, IDENTIFYING THE QUALIFIED INDUSTRY  
14 CREDENTIALS THAT HAVE LABOR MARKET VALUE AND ARE LIKELY TO  
15 LEAD TO THE IDENTIFIED JOBS. ANY QUALIFIED INDUSTRY CREDENTIAL  
16 THAT THE DEPARTMENT AND THE WORK FORCE DEVELOPMENT COUNCIL  
17 JOINTLY DETERMINE DO NOT DEMONSTRATE LABOR MARKET VALUE MAY  
18 BE REMOVED FROM THE DEPARTMENT'S AND THE WORK FORCE  
19 DEVELOPMENT COUNCIL'S WEBSITES.

20 (2) (a) EACH LOCAL EDUCATION PROVIDER SHALL REGULARLY  
21 COMMUNICATE TO ALL MIDDLE AND HIGH SCHOOL STUDENTS AND THE  
22 STUDENTS' FAMILIES:

23 (I) THE AVAILABILITY OF CONCURRENT ENROLLMENT PROGRAMS;  
24 AND

25 (II) THE AVAILABILITY OF INDUSTRY CREDENTIAL AND  
26 WORK-BASED LEARNING PROGRAMS AND THE BENEFITS A STUDENT  
27 RECEIVES AS A RESULT OF SUCCESSFULLY COMPLETING ONE OF THESE



1 PROGRAMS OR COURSES.

2 (b) TO THE EXTENT POSSIBLE, ALL COMMUNICATIONS ISSUED  
3 PURSUANT TO THIS SUBSECTION (2) MUST BE PROVIDED IN A LANGUAGE  
4 THAT THE STUDENTS AND THE STUDENTS' FAMILIES UNDERSTAND. THE  
5 GOAL OF THE COMMUNICATIONS MUST BE TO INCREASE PARTICIPATION IN,  
6 AND COMPLETION OF, INDUSTRY-RECOGNIZED CREDENTIALS.

7 **22-54-207. Gifts, grants, and donations.** THE DEPARTMENT MAY  
8 SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE  
9 OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 2.

10 **SECTION 2.** In Colorado Revised Statutes, 22-35-108, **amend**  
11 (2)(c); and **add** (8) and (9) as follows:

12 **22-35-108. Accelerating students through concurrent**  
13 **enrollment program - objectives - non-tuition expenses - rules -**  
14 **repeal.** (2) (c) For the 2025-26 state fiscal year, ~~and each state fiscal year~~  
15 ~~thereafter~~, the local education provider shall not designate a total number  
16 of ASCENT program participants that is greater than the total number of  
17 ASCENT program participants that it designated in the 2024-25 state  
18 fiscal year.

19 (8) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE LOCAL  
20 EDUCATION PROVIDER SHALL NOT DESIGNATE A QUALIFIED STUDENT AS AN  
21 ASCENT PROGRAM PARTICIPANT FOR THE 2026-27 STATE FISCAL YEAR OR  
22 ANY STATE FISCAL YEAR THEREAFTER.

23 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2029.

24 **SECTION 3.** In Colorado Revised Statutes, 22-35-108.5, **repeal**  
25 (2)(b)(II) as follows:

26 **22-35-108.5. Teacher recruitment education and preparation**  
27 **(TREP) program - objectives - selection criteria - rules - definition -**

1 **repeal.** (2) (b) (II) ~~The general assembly shall annually fund each~~  
2 ~~potential TREP program participant at the same per-pupil rate as~~  
3 ~~determined by the ASCENT program as described in section 22-35-108.~~  
4 ~~For the 2022-23 budget year, the general assembly shall appropriate~~  
5 ~~funding for no more than two hundred TREP program participants.~~

6 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-112.2,  
7 **amend** (2)(b); and **repeal** (1)(b) as follows:

8 **22-30.5-112.2. Charter schools - at-risk supplemental aid -**  
9 **definitions - legislative declaration.** (1) As used in this section, unless  
10 the context otherwise requires:

11 (b) ~~"ASCENT program" means the accelerating students through~~  
12 ~~concurrent enrollment program created in section 22-35-108.~~

13 (2) (b) (I) Each qualifying school district must receive at-risk  
14 supplemental aid if the percentage of at-risk pupils in a district charter  
15 school authorized by the qualifying school district prior to July 1, 2004,  
16 is less than the percentage of at-risk pupils in the qualifying school  
17 district. The amount of the school district's at-risk supplemental aid is  
18 equal to the difference between one hundred percent of district per pupil  
19 revenues and one hundred percent of adjusted district per pupil revenues  
20 for each pupil enrolled in the district charter school, not including online  
21 pupils or pupils enrolled in the ~~ASCENT~~ or TREP program.

22 (II) Each district charter school in a qualifying school district that  
23 was initially authorized prior to July 1, 2004, must receive at-risk  
24 supplemental aid if the percentage of at-risk students in the district charter  
25 school exceeds the percentage of at-risk pupils in the qualifying school  
26 district. The amount of the district charter school's at-risk supplemental  
27 aid is equal to the difference between one hundred percent of adjusted

1 district per pupil revenues and one hundred percent of district per pupil  
2 revenues for each pupil enrolled in the district charter school, not  
3 including online pupils or pupils enrolled in the ~~ASCENT~~ or TREP  
4 program. A school district shall pass through one hundred percent of a  
5 district charter school's at-risk supplemental aid to the district charter  
6 school.

7 (III) Each district charter school in a school district that is not a  
8 qualifying district and whose percentage of at-risk pupils exceeds the  
9 percentage of at-risk pupils in the chartering school district must receive  
10 at-risk supplemental aid. The amount of the district charter school's  
11 at-risk supplemental aid is equal to the difference between one hundred  
12 percent of adjusted district per pupil revenues and one hundred percent  
13 of district per pupil revenues for each pupil enrolled in the district charter  
14 school, not including online pupils or pupils enrolled in the ~~ASCENT~~ or  
15 TREP program. A school district shall pass through one hundred percent  
16 of a district charter school's at-risk supplemental aid to the district charter  
17 school.

18 **SECTION 5.** In Colorado Revised Statutes, 22-30.5-513, **amend**  
19 (4.5)(b) as follows:

20 **22-30.5-513. Institute charter schools - funding - at-risk**  
21 **supplemental aid - legislative declaration - definitions.** (4.5) (b) The  
22 institute charter school's at-risk supplemental aid is equal to one-half of  
23 the difference between one hundred percent of the accounting district's  
24 per pupil revenues and one hundred percent of the accounting district's  
25 adjusted per pupil revenues for each pupil enrolled in the district charter  
26 school, not including online pupils or pupils enrolled in the ~~ASCENT~~ or  
27 TREP program.

1           **SECTION 6.** In Colorado Revised Statutes, 22-35-102, **repeal** (3)  
2 as follows:

3           **22-35-102. Legislative declaration.** (3) ~~The general assembly~~  
4 ~~further finds and declares its intention that the administrative costs~~  
5 ~~incurred by the department of education in its implementation of the~~  
6 ~~accelerating students through concurrent enrollment program created in~~  
7 ~~section 22-35-108 shall be supported by federal funds available for~~  
8 ~~government services pursuant to section 14002 of Title XIV of the federal~~  
9 ~~"American Recovery and Reinvestment Act of 2009", Public Law 111-5~~  
10 ~~of the one hundred eleventh United States Congress.~~

11           **SECTION 7.** In Colorado Revised Statutes, 22-35-103, **repeal**  
12 (1.5) as follows:

13           **22-35-103. Definitions.** As used in this article 35, unless the  
14 context otherwise requires:

15           (1.5) ~~"ASCENT program" means the accelerating students~~  
16 ~~through concurrent enrollment program created in section 22-35-108.~~

17           **SECTION 8.** In Colorado Revised Statutes, 22-35-104, **amend**  
18 (1)(a)(III), (1)(d) introductory portion, and (1)(e) as follows:

19           **22-35-104. Enrollment in an institution of higher education -**  
20 **cooperative agreement.** (1) (a) (III) Except as described in subsections  
21 (1)(c) and (1)(d) of this section and ~~sections 22-35-108 and SECTION~~  
22 ~~22-35-109~~, a local education provider shall not limit the number of  
23 postsecondary courses, including academic courses and career and  
24 technical education courses, ~~which~~ THAT may include ~~course work~~  
25 COURSEWORK related to apprenticeship programs or internship programs,  
26 in which a qualified student may concurrently enroll during the ninth,  
27 tenth, eleventh, or twelfth grade, except to the degree that the local

1 education provider is unable to provide access to the postsecondary  
2 courses due to technological capacity.

3 (d) Notwithstanding the provisions of subsection (1)(a) of this  
4 section, if a qualified student is not a participant in the ~~ASCENT or TREP~~  
5 program and has not satisfied the minimum requirements for graduation  
6 established by ~~his or her~~ THE QUALIFIED STUDENT'S local education  
7 provider by the end of ~~his or her~~ THEIR twelfth-grade year and is therefore  
8 retained by the local education provider for additional instruction, the  
9 qualified student ~~shall~~ MUST not concurrently enroll in postsecondary  
10 courses, including academic or career and technical education courses,  
11 ~~which~~ THAT may include ~~course work~~ COURSEWORK related to  
12 apprenticeship programs or internship programs, that are worth more than  
13 a total of nine credit hours, including gateway courses, as defined in  
14 section 23-1-113 (11)(b.5), with additional supports through supplemental  
15 academic instruction, as defined in section 23-1-113 (11)(e). Furthermore,  
16 the qualified student ~~shall~~ MUST not concurrently enroll in more than:

17 (e) Except as described in ~~paragraphs (c) and (d) of this~~  
18 ~~subsection (1)~~ SUBSECTIONS (1)(c) AND (1)(d) OF THIS SECTION and  
19 ~~sections 22-35-108 and~~ SECTION 22-35-109, the state board by rule shall  
20 not limit the number of postsecondary courses, including academic  
21 courses and career and technical education courses, ~~which~~ THAT may  
22 include ~~course work~~ COURSEWORK related to apprenticeship programs or  
23 internship programs, in which a qualified student may concurrently enroll  
24 during the ninth, tenth, eleventh, or twelfth grade.

25 **SECTION 9.** In Colorado Revised Statutes, 22-35-107, **amend**  
26 (6)(a), (6)(e), and (7) introductory portion; and **repeal** (6)(d) and (7)(a)  
27 as follows:

1           **22-35-107. Concurrent enrollment advisory board - created -**  
2           **membership - duties - reports - repeal.** (6) The board has the following  
3           duties:

4           (a) Establishing guidelines for the administration of ~~the ASCENT~~  
5           ~~program pursuant to section 22-35-108 (4) and the TREP program~~  
6           pursuant to section 22-35-108.5 (4);

7           ~~(d) On or before December 1, 2022, considering and making~~  
8           ~~recommendations to the state board and the education committees of the~~  
9           ~~house of representatives and senate, or any successor committees,~~  
10          ~~regarding the feasibility of a waiver process whereby a local education~~  
11          ~~provider, on behalf of a qualified student, could apply to the department~~  
12          ~~for a waiver of certain provisions of section 22-35-108, which waiver~~  
13          ~~would allow the local education provider to designate the student as an~~  
14          ~~ASCENT program participant in the second year following the year in~~  
15          ~~which the qualified student was enrolled in the twelfth grade of the local~~  
16          ~~education provider so long as the qualifying student:~~

17          ~~(I) Was so designated in the year directly following the year in~~  
18          ~~which the qualified student was enrolled in the twelfth grade of the local~~  
19          ~~education provider;~~

20          ~~(II) Requires fifteen or fewer credit hours of postsecondary course~~  
21          ~~work to achieve a postsecondary credential; and~~

22          ~~(III) Is eligible for free or reduced-price lunch pursuant to the~~  
23          ~~federal "Richard B. Russell National School Lunch Act", 42 U.S.C. sec.~~  
24          ~~1751 et seq.;~~

25          (e) Submitting to the state board for its approval or disapproval  
26          recommendations made pursuant to ~~paragraphs (c) and (d) of this~~  
27          ~~subsection (6) SUBSECTION (6)(c) OF THIS SECTION;~~

1 (7) On or before December 1, 2010, and on or before December  
2 1 each year thereafter, the board shall prepare a report and submit it to the  
3 state board and the commission. The report, at a minimum, ~~shall~~ MUST  
4 include:

5 (a) ~~Any guidelines that the board has established pursuant to~~  
6 ~~paragraph (a) of subsection (6) of this section; and~~

7 **SECTION 10.** In Colorado Revised Statutes, 22-35-113, **amend**  
8 (1)(a) as follows:

9 **22-35-113. Concurrent enrollment - website.** (1) By July 1,  
10 2020, the department of education and the department of higher  
11 education, with advice from the state board, shall make available to the  
12 public a concurrent enrollment website to provide information to students,  
13 parents, and legal guardians concerning concurrent enrollment options  
14 and requirements. The departments must ensure that the website is clear,  
15 easy to navigate, and generally user-friendly. In addition, the website  
16 must, at a minimum:

17 (a) Clearly explain, differentiate, compare, and contrast  
18 concurrent enrollment; dual enrollment programs; early college; ~~the~~  
19 ~~ASCENT program;~~ the TREP program; p-tech high schools, as defined  
20 in section 22-35.3-102; international baccalaureate programs; and  
21 advanced placement courses;

22 **SECTION 11.** In Colorado Revised Statutes, 22-35-115, **add** (8)  
23 as follows:

24 **22-35-115. Postsecondary and workforce readiness programs**  
25 **- financial study - funding - reports - legislative declaration -**  
26 **definitions - repeal.** (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1,  
27 2026.

1           **SECTION 12.** In Colorado Revised Statutes, **add** 22-35-116 as  
2 follows:

3           **22-35-116. Teacher recruitment and preparation (TREP)**  
4 **program and pathways in early technology early college high schools**  
5 **(p-tech) working group - report - repeal.** (1) ON OR BEFORE JANUARY  
6 8, 2026, THE DEPARTMENT SHALL CONVENE A WORKING GROUP THAT  
7 INCLUDES EDUCATORS TO MAKE THE FINDINGS AND RECOMMENDATIONS  
8 CONCERNING THE TEACHER RECRUITMENT AND PREPARATION PROGRAM,  
9 CREATED IN SECTION 22-35-108.5, AND THE PATHWAYS IN TECHNOLOGY  
10 EARLY COLLEGE HIGH SCHOOLS, CREATED IN PART 1 OF ARTICLE 35.3 OF  
11 THIS TITLE 22. AT A MINIMUM, THE FINDINGS AND RECOMMENDATIONS  
12 MUST INCLUDE STATUTORY OR REGULATORY CHANGES THAT:

13           (a) EXPAND ACCESS TO THE TEACHER RECRUITMENT AND  
14 PREPARATION PROGRAM AND PATHWAYS IN TECHNOLOGY EARLY COLLEGE  
15 HIGH SCHOOLS;

16           (b) CREATE EFFICIENCIES WITHIN THE TEACHER RECRUITMENT AND  
17 PREPARATION PROGRAM AND PATHWAYS IN TECHNOLOGY EARLY COLLEGE  
18 HIGH SCHOOLS; AND

19           (c) IMPROVE SHORT-TERM AND LONG-TERM STUDENT OUTCOMES  
20 FOR THOSE STUDENTS WHO PARTICIPATE IN THE TEACHER RECRUITMENT  
21 AND PREPARATION PROGRAM OR ARE ENROLLED IN A PATHWAYS IN  
22 TECHNOLOGY EARLY COLLEGE HIGH SCHOOL.

23           (2) ON OR BEFORE OCTOBER 15, 2027, THE WORKING GROUP SHALL  
24 REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE STATE BOARD.

25           (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

26           **SECTION 13.** In Colorado Revised Statutes, 22-35.3-103,  
27 **amend** (4) as follows:



1           **22-35.3-103. Pathways in technology early college high schools**  
2   **- design - requirements - approval.** (4) A p-tech school is subject to the  
3 state assessment requirements specified in section 22-7-1006.3 and the  
4 accountability requirements specified in article 11 of this title 22. In  
5 addition, the commissioner and the executive director may establish  
6 indicators for measuring the performance of each p-tech school, which  
7 indicators may include the ability of students who graduate from a p-tech  
8 school to obtain employment in the field or to pursue additional  
9 postsecondary education in the field, as well as any relevant performance  
10 indicators established for the concurrent enrollment ~~ASCENT~~, and TREP  
11 programs.

12           **SECTION 14.** In Colorado Revised Statutes, 22-54-103, **amend**  
13 (5.2); and **repeal** (1.4) as follows:

14           **22-54-103. Definitions.** As used in this article 54, unless the  
15 context otherwise requires:

16           (1.4) ~~"ASCENT program" means the accelerating students~~  
17 ~~through concurrent enrollment program created in section 22-35-108.~~

18           (5.2) "District extended high school pupil enrollment" means the  
19 number of pupils, on the pupil enrollment count day within the applicable  
20 budget year, who are concurrently enrolled in a postsecondary course,  
21 including an academic course or a career and technical education course,  
22 as a participant in ~~the ASCENT program~~ or the TREP program and the  
23 number of pupils, on the pupil enrollment count day within the applicable  
24 budget year, who are enrolled in grade thirteen or fourteen in a p-tech  
25 school. A pupil enrolled in a p-tech school pursuant to article 35.3 of this  
26 title 22 must be included in the district extended high school pupil  
27 enrollment as a full-time student. ~~An ASCENT program participant or A~~

1 TREP program participant who is enrolled in at least twelve credit hours  
2 of postsecondary courses, including academic courses and career and  
3 technical education courses, as of the pupil enrollment count day of the  
4 applicable budget year must be included in the district extended high  
5 school pupil enrollment as a full-time pupil. ~~An ASCENT program~~  
6 ~~participant or~~ A TREP program participant who is enrolled in less than  
7 twelve credit hours of postsecondary courses, including academic courses  
8 and career and technical education courses, as of the pupil enrollment  
9 count day of the applicable budget year must be included in the district  
10 extended high school pupil enrollment as a part-time pupil.

11 **SECTION 15.** In Colorado Revised Statutes, 22-54-103.5,  
12 **amend** (8)(a); and **add** (8)(c) as follows:

13 **22-54-103.5. District total program - rules - legislative**  
14 **declaration - repeal.** (8) **District extended high school funding.** (a) A  
15 district's extended high school funding is:

16 (District extended high school pupil enrollment x \$~~9,588~~ \$10,480,  
17 or an amount determined pursuant subsection (8)(b) of this  
18 section).

19 (c) (I) NOTWITHSTANDING SUBSECTIONS (8)(a) AND (8)(b) OF THIS  
20 SECTION, FOR THE 2025-26 BUDGET YEAR, THE DOLLAR AMOUNT THAT IS  
21 MULTIPLIED BY THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS  
22 INCLUDED IN THE DISTRICT'S HIGH SCHOOL PUPIL ENROLLMENT WHO ARE  
23 THE DISTRICT'S ASCENT PROGRAM PARTICIPANTS IS SEVEN THOUSAND  
24 ONE HUNDRED FOUR DOLLARS (\$7,104).

25 (II) THIS SUBSECTION (8)(c) IS REPEALED, EFFECTIVE JULY 1, 2028.

26 **SECTION 16.** In Colorado Revised Statutes, 22-54-104, **amend**  
27 (4.7)(a) and (4.7)(d); and **add** (4.7)(e) as follows:

1           **22-54-104. District total program - legislative declaration -**  
2 **definitions - repeal.** (4.7) (a) For the ~~2024-25~~ 2025-26 budget year and  
3 budget years thereafter, a district's extended high school funding ~~shall be~~  
4 ~~determined in accordance with the following formula~~ IS:

5           (District extended high school pupil enrollment x ~~\$6,135~~ \$10,480,  
6           or an amount determined pursuant to subsection (4)(d) of this  
7           section).

8           (d) For the ~~2024-25~~ 2025-26 budget year, and each budget year  
9           thereafter, the dollar amount set forth in subsection (4.7)(a) of this section  
10          must be increased by the percentage by which the statewide base per pupil  
11          funding for that budget year, as specified in subsection (5)(a) of this  
12          section, is increased over the statewide base per pupil funding for the  
13          2007-08 budget year, as specified in subsection (5)(a)(XIV) of this  
14          section. ~~except that the dollar amount that is multiplied by the number of~~  
15 ~~full-time equivalent students included in the district's extended high~~  
16 ~~school pupil enrollment who are the district's ASCENT program~~  
17 ~~participants must not increase or exceed the dollar amount during the~~  
18 ~~2023-24 budget year. The amount must be rounded to the nearest dollar.~~

19          (e) (I) NOTWITHSTANDING SUBSECTIONS (4.7)(a) AND (4.7)(d) OF  
20 THIS SECTION, FOR THE 2025-26 BUDGET YEAR, THE DOLLAR AMOUNT  
21 THAT IS MULTIPLIED BY THE NUMBER OF FULL-TIME EQUIVALENT  
22 STUDENTS INCLUDED IN THE DISTRICT'S HIGH SCHOOL PUPIL ENROLLMENT  
23 WHO ARE THE DISTRICT'S ASCENT PROGRAM PARTICIPANTS IS SEVEN  
24 THOUSAND ONE HUNDRED FOUR DOLLARS (\$7,104).

25          (II) THIS SUBSECTION (4.7)(e) IS REPEALED, EFFECTIVE JULY 1,  
26 2028.

27           **SECTION 17.** In Colorado Revised Statutes, 23-1-135, **amend**

1 (3)(b)(I) as follows:

2 **23-1-135. Department directive - undergraduate degree and**  
3 **certificate programs - annual return on investment report - definition**  
4 **- repeal.** (3) (b) The return on investment report must include  
5 information concerning the undergraduate degree and certificate  
6 programs offered at each institution including, at a minimum:

7 (I) The number of students enrolled in the undergraduate degree  
8 or certificate program and the number of degrees and certificates awarded  
9 annually for the program; specifically identifying the number of high  
10 school students enrolled and the number of degrees and certificates  
11 awarded; ~~through the career development success program created in~~  
12 ~~section 22-54-138;~~

13 **SECTION 18.** In Colorado Revised Statutes, 23-5-145.6, **amend**  
14 (3)(b) as follows:

15 **23-5-145.6. Opportunities for credential attainment - fund -**  
16 **report - definitions - repeal.** (3) By January 1, 2024, the department, in  
17 consultation with the representatives described in section 23-5-145.5 (5),  
18 shall facilitate the creation of stackable credential pathways for at least  
19 three growing industries identified by the most recent Colorado talent  
20 report. By January 1, 2025, the department, in consultation with the  
21 representatives described in section 23-5-145.5 (5), shall facilitate the  
22 creation of stackable credential pathways for at least two additional  
23 growing industries identified by the most recent Colorado talent report.  
24 The department shall facilitate the creation of at least two stackable  
25 credential pathways for each industry. The stackable credential pathways  
26 must include:

27 (b) An inventory of credentials that are a part of the pathway,

1 offered by accredited and nonaccredited providers, including training and  
2 industry credential providers, high schools, ~~programs recognized by the~~  
3 ~~career development success program pursuant to section 22-54-138,~~  
4 ~~postsecondary institutions,~~ and nonprofit organizations;

5 **SECTION 19.** In Colorado Revised Statutes, 23-5-145.8, **amend**  
6 (2)(c) as follows:

7 **23-5-145.8. Credential quality standards - report - definitions.**

8 (2) (c) Beginning January 1, 2026, and annually thereafter, the  
9 department, in collaboration with the Colorado work force development  
10 council, the department of education, the department of labor and  
11 employment, and the Colorado office of economic development, shall  
12 evaluate nondegree credentials offered through state-recognized programs  
13 to ensure the credentials meet the quality standards set forth in the quality  
14 nondegree credentials framework. State-recognized programs that are  
15 required to ensure nondegree credential offerings meet the quality  
16 standards set forth in the quality nondegree credentials framework  
17 include, but are not limited to,

18 ~~(I) The career development success program created pursuant to~~  
19 ~~section 22-54-138; and~~

20 ~~(H) the stackable credential pathways identified pursuant to~~  
21 ~~section 23-5-145.6 (3).~~

22 **SECTION 20.** In Colorado Revised Statutes, 23-18-202, **amend**  
23 (5)(c)(III) as follows:

24 **23-18-202. College opportunity fund - appropriations -**  
25 **payment of stipends - reimbursement - report - repeal.**

26 (5) (c) (III) For an eligible undergraduate student who has completed one  
27 or more college courses while enrolled in high school pursuant to the

1 "Concurrent Enrollment Programs Act", article 35 of title 22, ~~or while~~  
2 ~~designated as an ASCENT program participant pursuant to section~~  
3 ~~22-35-108~~ or as a TREP program participant pursuant to section  
4 22-35-108.5, or while enrolled in a pathways in technology early college  
5 high school pursuant to article 35.3 of title 22, all college-level credit  
6 hours earned by the student while so enrolled do not count against the  
7 lifetime limitation described in subsection (5)(c)(I) of this section.

8 **SECTION 21.** In Colorado Revised Statutes, 24-46.3-602,  
9 **amend** (4) as follows:

10 **24-46.3-602. Definitions.** As used in this part 6 and part 7 of this  
11 article 46.3, unless the context otherwise requires:

12 (4) "Industry-recognized credential" means ~~a credential through~~  
13 ~~a program or offering qualified under the career development success~~  
14 ~~program pursuant to section 22-54-138~~ AN "INDUSTRY CERTIFICATION",  
15 WHICH HAS THE SAME MEANING SET FORTH IN SECTION 23-5-145.8, AND  
16 A "NONDEGREE CREDENTIAL", WHICH HAS THE SAME MEANING SET FORTH  
17 IN SECTION 23-5-145.8, THAT SATISFY THE REQUIREMENTS DEVELOPED  
18 PURSUANT TO SECTION 23-5-145.6 (2) AND ARE IDENTIFIED IN THE MOST  
19 RECENT ANNUAL COLORADO TALENT PIPELINE REPORT PREPARED  
20 PURSUANT TO SECTION 24-46.3-103 (3).

21 **SECTION 22.** In Colorado Revised Statutes, 26.5-6-103, **amend**  
22 (5) as follows:

23 **26.5-6-103. Pathways to the classroom and retention strategies**  
24 **for early childhood educators - standards - alignment across agencies**  
25 **- report - rules.** (5) The department, the department of higher education,  
26 and the department of education shall develop resources to support local  
27 communities to increase concurrent enrollment opportunities for high

1 school students or other nontraditional students to earn higher education  
2 credits and degrees that allow them to serve as early childhood educators  
3 and shall support career pathways for high school students earning  
4 college credits toward becoming early childhood educators, including  
5 concurrent enrollment, career and technical education, ~~the ASCENT~~  
6 ~~program~~, and other career pathways.

7 **SECTION 23.** In Colorado Revised Statutes, **repeal** 22-35-114,  
8 22-54-138, and part 2 of article 95.5 of title 22.

9 <{*Appropriations Clause*}>

10 **SECTION 24. Effective date.** This act takes effect upon passage;  
11 except that sections 4, 5, 6, 7, 8, 9, 10, 13, 14, 20, and 22 of this act take  
12 effect July 1, 2026.

13 **SECTION 25. Safety clause.** The general assembly finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, or safety or for appropriations  
16 for the support and maintenance of the departments of the state and state  
17 institutions.

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

DRAFT  
4/17/25

DRAFT

LLS NO. 25-1052.01 Richard Sweetman x4333

COMMITTEE BILL

Joint Budget Committee

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**BILL TOPIC:** Water Quality Permitting Efficiency

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**A BILL FOR AN ACT**

101 CONCERNING THE PROCESS BY WHICH THE DIVISION OF  
102 ADMINISTRATION IN THE DEPARTMENT OF PUBLIC HEALTH AND  
103 ENVIRONMENT ISSUES PERMITS RELATING TO WATER QUALITY.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** Current law requires the division of administration (division) within the department of public health and environment to report annually to the water quality control commission (commission) and to include in the report any regulatory or legislative recommendations the division may have. The bill requires the report to

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*



also include:

- Information on the division's timing in considering and issuing water quality permits (permits); and
- For the report submitted in 2026, a detailed discussion of how the division has prioritized reducing the permit backlog, implemented recommendations from water quality permittees (permittee) for permitting efficiency, and increased safe drinking water program inspections.

The bill requires the division, upon receipt of an application to modify a permit, to limit its review and its approval or denial of the application to the scope of the specific requests contained in the application.

The bill requires the commission to adopt rules on or before December 31, 2026, that establish procedures whereby the division, prior to giving public notice of a complete permit application for an individual permit and the division's preliminary analysis of the application, may provide a period of public notice and review of a preliminary draft prepared by the division. If a period of public notice and review is required by rules of the commission, the period of public notice and review may not exceed 14 days, and the purpose of the review is limited to identifying errors in the division's preliminary draft.

On or before December 31, 2027, the division must propose rules to the commission that establish a time frame during which the division will either grant or deny applications for each type of permitting action. On or before June 30, 2028, the commission must adopt rules based on the division's proposal. The rules must establish the time frames for permitting actions.

The bill requires the division to consider current debt service on existing local government water infrastructure when developing schedules of compliance for new effluent limits in local government permits. Any schedule of compliance for new effluent limits in local government permits must, consistent with state and federal law, consider the local government's financial capability to repay existing debt on water infrastructure or to fund water infrastructure upgrades before requiring new water infrastructure upgrades. To the extent allowable under federal law, the division may issue compliance schedules in a local government permit for a new effluent limit in excess of 20 years.

The bill states that, on and after May 1, 2026, after an application for permit modification or permit renewal has been pending before the division for 60 days, or for any application for permit modification or permit renewal that is pending before the division as of May 1, 2026, or if the division informs an applicant that the division will not process an application for preliminary effluent limitations, the applicant and the division may mutually agree to use a qualified and independent nongovernmental contractor (contractor) under the direction of the

division to provide the division with technical assistance in completing the permit action. The division shall maintain a list of at least 3 qualified nongovernmental contractors for this purpose.

An applicant shall bear the contractor's costs for any technical assistance provided by the contractor and shall pay the contractor for such costs. The division may charge an applicant an additional fee in an amount not exceeding 10% of the contract amount for contract administration, technical review, and additional permit processing, which fee is credited to the clean water cash fund. The division may, before issuing its final permit action, require the applicant to fully pay this fee and any contractor costs. The division shall provide oversight to ensure that contractors provide technical assistance in accordance with the terms of their contracts.

The bill requires the division, upon a permittee's request, to make available to the permittee all documents, data, and information the division relied upon in developing the permittee's permit modification or permit renewal, except to the extent that such materials are protected by an applicable privilege or exception.

The bill makes the following transfers of money:

- On July 1, 2025, \$111,000 from the water quality improvement fund to the drinking water cash fund;
- On July 1, 2025, \$3,518,564 from the perfluoroalkyl and polyfluoroalkyl substances cash fund to the clean water cash fund;
- On July 1, 2026, \$3,002,435 from the perfluoroalkyl and polyfluoroalkyl substances cash fund to the clean water cash fund; and
- On July 1, 2026, \$516,129 dollars from the perfluoroalkyl and polyfluoroalkyl substances cash fund to the drinking water cash fund.

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

2           **SECTION 1.** In Colorado Revised Statutes, 25-8-305, **amend**  
3 (2)(f) and (4)(b); and **add** (2)(h) and (4)(c) as follows:

4           **25-8-305. Annual report - repeal.** (2) The annual report  
5 described in subsection (1) of this section must include information on the  
6 division's:

7           (f) Ratio of general fund appropriations to cash fund  
8 appropriations that were authorized for the state fiscal year immediately

1 preceding the date of the report; and

2 (h) TIMING IN CONSIDERING AND ISSUING PERMITS, INCLUDING THE  
3 NUMBER OF YEARS ADMINISTRATIVELY CONTINUED PERMITS HAVE BEEN  
4 PENDING, CATEGORIZED BY YEARS PENDING, AND A NARRATIVE  
5 DESCRIPTION OF THE DIVISION'S PLAN FOR PROCESSING ADMINISTRATIVELY  
6 CONTINUED PERMITS THAT HAVE BEEN ADMINISTRATIVELY CONTINUED  
7 FOR LONGER THAN FIVE YEARS.

8 (4) (b) ~~This subsection (4) is repealed, effective July 1, 2026~~ THE  
9 REPORT THAT THE DIVISION SUBMITS IN 2026 MUST INCLUDE A DETAILED  
10 DISCUSSION OF HOW THE DIVISION HAS PRIORITIZED REDUCING THE WATER  
11 QUALITY PERMIT BACKLOG, IMPLEMENTED RECOMMENDATIONS FROM  
12 PERMITTEES FOR PERMITTING EFFICIENCY, AND INCREASED THE NUMBER  
13 OF SAFE DRINKING WATER PROGRAM INSPECTIONS.

14 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2027.

15 **SECTION 2.** In Colorado Revised Statutes, 25-8-501, **amend** (2)  
16 as follows:

17 **25-8-501. Permits required for discharge of pollutants -**  
18 **administration.** (2) (a) The division shall examine applications for and  
19 may issue, suspend, revoke, modify, deny, and otherwise administer  
20 permits for the discharge of pollutants into state waters and for the use  
21 and disposal of biosolids. ~~Such~~ THE administration shall be in accordance  
22 with ~~the provisions of this article~~ ARTICLE 8 and ~~regulations promulgated~~  
23 RULES ADOPTED by the commission. Until modified pursuant to this  
24 ~~article~~ ARTICLE 8, final permits shall be governed by their existing  
25 limitations.

26 (b) UPON RECEIPT OF AN APPLICATION TO MODIFY A PERMIT, THE  
27 DIVISION SHALL LIMIT ITS REVIEW AND, AS APPROPRIATE, ITS APPROVAL OR

1 DENIAL OF THE APPLICATION, TO THE SCOPE OF THE SPECIFIC REQUESTS  
2 CONTAINED IN THE APPLICATION.

3 **SECTION 3.** In Colorado Revised Statutes, 25-8-502, **add** (3)(d)  
4 and (7) as follows:

5 **25-8-502. Application - definitions - fees - funds created -**  
6 **public participation - rules - repeal.** (3) (d) ON OR BEFORE DECEMBER  
7 31, 2026, THE COMMISSION SHALL ADOPT RULES ESTABLISHING  
8 PROCEDURES WHEREBY THE DIVISION, PRIOR TO GIVING PUBLIC NOTICE OF  
9 A COMPLETE PERMIT APPLICATION FOR AN INDIVIDUAL PERMIT AND THE  
10 DIVISION'S PRELIMINARY ANALYSIS OF THE APPLICATION PURSUANT TO  
11 SUBSECTION (3)(b) OF THIS SECTION, MAY PROVIDE A PERIOD OF PUBLIC  
12 NOTICE AND REVIEW OF A PRELIMINARY DRAFT PREPARED BY THE  
13 DIVISION. IF A PERIOD OF PUBLIC NOTICE AND REVIEW IS REQUIRED BY  
14 RULES OF THE COMMISSION, THE PERIOD OF PUBLIC NOTICE AND REVIEW  
15 MAY NOT EXCEED FOURTEEN DAYS, AND THE PURPOSE OF THE REVIEW IS  
16 LIMITED TO IDENTIFYING ERRORS IN THE DIVISION'S PRELIMINARY DRAFT.  
17 THE DIVISION SHALL MAKE AVAILABLE ON THE DIVISION'S PUBLIC WEBSITE  
18 ANY DOCUMENTS PROVIDED BY THE DIVISION DURING A PERIOD OF PUBLIC  
19 NOTICE AND REVIEW.

20 (7) (a) ON OR BEFORE DECEMBER 31, 2027, THE DIVISION SHALL  
21 PROPOSE RULES TO THE COMMISSION THAT ESTABLISH A TIME FRAME  
22 DURING WHICH THE DIVISION WILL EITHER GRANT OR DENY APPLICATIONS  
23 FOR EACH TYPE OF PERMITTING ACTION. ON OR BEFORE JUNE 30, 2028,  
24 THE COMMISSION SHALL ADOPT RULES BASED ON THE DIVISION'S  
25 PROPOSAL. THE RULES MUST ESTABLISH THE TIME FRAMES FOR  
26 PERMITTING ACTIONS, INCLUDING:

27 (I) THE ISSUANCE OF NEW INDIVIDUAL PERMITS AND NEW GENERAL

1 PERMITS;

2 (II) THE RENEWAL OF GENERAL PERMITS AND INDIVIDUAL PERMITS;

3 (III) THE GRANTING OR DENYING OF REQUESTS FOR PERMIT  
4 MODIFICATIONS; AND

5 (IV) THE DETERMINATION OF PRELIMINARY EFFLUENT  
6 LIMITATIONS.

7 (b) (I) THE DIVISION SHALL BEGIN THE PROCESS TO CREATE A  
8 PROPOSAL OF TIME FRAMES FOR PERMITTING ACTIONS FOR THE PURPOSES  
9 OF SUBSECTION (7)(a) OF THIS SECTION ON OR BEFORE AUGUST 1, 2025.

10 (II) THIS SUBSECTION (7)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

11 **SECTION 4.** In Colorado Revised Statutes, 25-8-503, **add** (10)  
12 as follows:

13 **25-8-503. Permits - when required and when prohibited -**  
14 **variances - definition.** (10) (a) THE DIVISION SHALL CONSIDER CURRENT  
15 DEBT SERVICE ON EXISTING LOCAL GOVERNMENT WATER INFRASTRUCTURE  
16 WHEN DEVELOPING SCHEDULES OF COMPLIANCE FOR NEW EFFLUENT LIMITS  
17 IN LOCAL GOVERNMENT PERMITS.

18 (b) ANY SCHEDULE OF COMPLIANCE THAT THE DIVISION DEVELOPS  
19 FOR NEW EFFLUENT LIMITS IN LOCAL GOVERNMENT PERMITS MUST,  
20 CONSISTENT WITH STATE AND FEDERAL LAW, CONSIDER THE LOCAL  
21 GOVERNMENT'S FINANCIAL CAPABILITY TO REPAY EXISTING DEBT ON  
22 WATER INFRASTRUCTURE OR TO FUND WATER INFRASTRUCTURE UPGRADES  
23 BEFORE REQUIRING NEW WATER INFRASTRUCTURE UPGRADES. TO THE  
24 EXTENT ALLOWABLE UNDER FEDERAL LAW, THE DIVISION MAY ESTABLISH  
25 COMPLIANCE SCHEDULES IN A LOCAL GOVERNMENT PERMIT FOR A NEW  
26 EFFLUENT LIMIT IN EXCESS OF TWENTY YEARS.

27 (c) AS USED IN THIS SUBSECTION (10), "WATER INFRASTRUCTURE"

1 INCLUDES WASTEWATER TREATMENT INFRASTRUCTURE, DRINKING WATER  
2 TREATMENT INFRASTRUCTURE, AND RAW WATER INFRASTRUCTURE.

3 **SECTION 5.** In Colorado Revised Statutes, **add 25-8-503.7** as  
4 follows:

5 **25-8-503.7. Use of qualified and independent contractors -**  
6 **powers and duties of the division - fees - definitions.** (1) ON AND  
7 AFTER MAY 1, 2026, AN APPLICANT AND THE DIVISION MAY MUTUALLY  
8 AGREE TO USE A QUALIFIED AND INDEPENDENT NONGOVERNMENTAL  
9 CONTRACTOR UNDER THE DIRECTION OF THE DIVISION TO PROVIDE THE  
10 DIVISION WITH TECHNICAL ASSISTANCE IN COMPLETING THE PERMIT  
11 ACTION IF:

12 (a) AN APPLICATION FOR PERMIT MODIFICATION OR PERMIT  
13 RENEWAL HAS BEEN PENDING BEFORE THE DIVISION FOR SIXTY DAYS;

14 (b) AN APPLICATION FOR PERMIT MODIFICATION OR PERMIT  
15 RENEWAL IS PENDING BEFORE THE DIVISION AS OF MAY 1, 2026; OR

16 (c) THE DIVISION INFORMS AN APPLICANT THAT THE DIVISION WILL  
17 NOT PROCESS AN APPLICATION FOR PRELIMINARY EFFLUENT LIMITATIONS.

18 (2) A CONTRACTOR THAT PROVIDES TECHNICAL ASSISTANCE  
19 PURSUANT TO THIS SECTION MAY ASSIST THE DIVISION WITH SOME OR ALL  
20 OF THE FOLLOWING, AT THE DIVISION'S DISCRETION:

21 (a) PREPARING THE DIVISION'S PROPOSED PERMIT ACTION;

22 (b) PREPARING THE DIVISION'S RESPONSES TO PUBLIC COMMENTS  
23 RECEIVED ON THE PROPOSED PERMIT ACTION, IF ANY;

24 (c) PREPARING THE DIVISION'S FINAL PERMIT ACTION;

25 (d) AIDING IN THE DIVISION'S DEFENSE OF THE FINAL PERMIT  
26 ACTION IN ANY ADMINISTRATIVE ADJUDICATORY PROCEEDINGS; AND

27 (e) AIDING IN THE DIVISION'S DEFENSE OF THE FINAL PERMIT

1 ACTION IN ANY JUDICIAL PROCEEDINGS.

2 (3) THE APPLICANT SHALL BEAR THE CONTRACTOR'S COSTS FOR  
3 ANY TECHNICAL ASSISTANCE PROVIDED PURSUANT TO THIS SECTION AND  
4 SHALL REMIT PAYMENT FOR THE COSTS DIRECTLY TO THE CONTRACTOR.  
5 THE DIVISION MAY CHARGE THE APPLICANT AN ADDITIONAL FEE IN AN  
6 AMOUNT NOT EXCEEDING TEN PERCENT OF THE CONTRACT AMOUNT FOR  
7 CONTRACT ADMINISTRATION, TECHNICAL REVIEW, AND ADDITIONAL  
8 PERMIT PROCESSING. MONEY COLLECTED AS AN ADDITIONAL FEE SHALL  
9 BE CREDITED TO THE CLEAN WATER CASH FUND CREATED IN SECTION  
10 25-8-210. THE DIVISION MAY, BEFORE ISSUING ITS FINAL PERMIT ACTION,  
11 REQUIRE THE APPLICANT TO FULLY PAY THE ADDITIONAL FEE AND ANY  
12 CONTRACTOR COSTS.

13 (4) (a) THE DIVISION, IN ITS SOLE DISCRETION, SHALL PROVIDE  
14 OVERSIGHT TO ENSURE THAT CONTRACTORS PROVIDE TECHNICAL  
15 ASSISTANCE IN ACCORDANCE WITH THE TERMS OF THEIR CONTRACTS. THE  
16 DIVISION MAY REQUIRE A CONTRACTOR'S TECHNICAL ASSISTANCE TO  
17 CONFORM TO ALL COMMISSION RULES, DIVISION POLICIES, AND DIVISION  
18 PRACTICES APPLICABLE TO THE PERMIT ACTION IN QUESTION.

19 (b) THE DIVISION MAY DEEM SOME OR ALL OF THE CONTRACTOR'S  
20 TECHNICAL ASSISTANCE AS UNACCEPTABLE AND MAY REJECT, REQUIRE  
21 CORRECTION OF, OR DENY APPROVAL FOR SUCH ASSISTANCE. THE  
22 DIVISION'S REJECTION, REQUIRED CORRECTION, OR DENIAL OF APPROVAL  
23 OF A CONTRACTOR'S TECHNICAL ASSISTANCE IS NOT SUBJECT TO JUDICIAL  
24 OR ADMINISTRATIVE REVIEW AND DOES NOT RELIEVE AN APPLICANT OF  
25 THE OBLIGATION TO PAY THE CONTRACTOR'S COSTS FOR SUCH TECHNICAL  
26 ASSISTANCE.

27 (c) THE DIVISION'S USE OF CONTRACTORS PURSUANT TO THIS

1 SECTION DOES NOT RELIEVE THE DIVISION OF ITS OBLIGATIONS UNDER THIS  
2 ARTICLE 8.

3 (d) THE DIVISION IS NOT SUBJECT TO THE REQUIREMENTS OF THE  
4 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, IN SELECTING  
5 OR CONTRACTING WITH THE CONTRACTORS.

6 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
7 REQUIRES:

8 (a) "CONFLICT OF INTEREST" MEANS A DIRECT AND SUBSTANTIAL  
9 PERSONAL OR FINANCIAL INTEREST IN THE OUTCOME OF A PERMIT OR  
10 PERMIT ACTION SUCH THAT A CONTRACTOR IS UNABLE TO FULFILL ITS  
11 DUTY TO REMAIN FAIR, IMPARTIAL, OR OBJECTIVE.

12 (b) "INDEPENDENT" MEANS HAVING NO CONFLICT OF INTEREST  
13 WITH A PERMITTEE.

14 (c) "QUALIFIED" MEANS HAVING SUBSTANTIAL PROFESSIONAL  
15 EDUCATION, TRAINING, OR EXPERIENCE IN WATER QUALITY PERMITTING.

16 **SECTION 6.** In Colorado Revised Statutes, 25-8-210, **add**  
17 (4)(a)(I.2) as follows:

18 **25-8-210. Fees established administratively - rules -**  
19 **shareholding requirement - phase-in period - clean water cash fund**  
20 **- creation - repeal.** (4) (a) The clean water cash fund is created in the  
21 state treasury. The fund consists of:

22 (I.2) FEES COLLECTED PURSUANT TO SECTION 25-8-503.7 (3);

23 **SECTION 7.** In Colorado Revised Statutes, **add** 25-8-503.8 as  
24 follows:

25 **25-8-503.8. Documents, information, and data utilized in**  
26 **developing permits.** UPON A PERMITTEE'S REQUEST, THE DIVISION SHALL  
27 MAKE AVAILABLE TO THE PERMITTEE ALL DOCUMENTS, DATA, AND



1 INFORMATION THE DIVISION RELIED UPON IN DEVELOPING THE PERMITTEE'S  
2 PERMIT MODIFICATION OR PERMIT, INCLUDING ANY MODEL, TOOL, OR  
3 TABULAR WORKSHEET AND ANY FORMULAS, MACROS, METADATA, AND  
4 CALCULATIONS CONTAINED IN SUCH MATERIALS, EXCEPT TO THE EXTENT  
5 THAT THE DOCUMENTS, DATA, AND INFORMATION ARE PROTECTED BY AN  
6 APPLICABLE PRIVILEGE, SUCH AS THE ATTORNEY-CLIENT PRIVILEGE OR THE  
7 DELIBERATIVE-PROCESS PRIVILEGE, OR ARE SUBJECT TO AN EXCEPTION  
8 FROM DISCLOSURE SET FORTH IN SECTION 24-72-204.

9 **SECTION 8.** In Colorado Revised Statutes, 25-8-608, **amend**  
10 (1.8) as follows:

11 **25-8-608. Civil penalties - rules - fund created - temporary**  
12 **moratorium on penalties for minor violations - definitions - repeal.**

13 (1.8) (a) Notwithstanding any provision of subsection (1.5) or (1.7) of  
14 this section to the contrary, on ~~April 20, 2009~~, JULY 1, 2025, the state  
15 treasurer shall ~~deduct seven hundred thousand dollars~~ TRANSFER ONE  
16 HUNDRED ELEVEN THOUSAND DOLLARS from the water quality  
17 improvement fund ~~and transfer such sum~~ to the ~~general fund~~ DRINKING  
18 WATER CASH FUND CREATED IN SECTION 25-1.5-209 (2).

19 (b) THIS SUBSECTION (1.8) IS REPEALED, EFFECTIVE AUGUST 1,  
20 2026.

21 **SECTION 9.** In Colorado Revised Statutes, 8-20-206.5, **add**  
22 (7)(d) as follows:

23 **8-20-206.5. Environmental response surcharge - liquefied**  
24 **petroleum gas and natural gas inspection fund - perfluoroalkyl and**  
25 **polyfluoroalkyl substances cash fund - hazardous materials**  
26 **infrastructure cash fund - fuels impact reduction grant program -**  
27 **definitions - repeal.** (7) (d) (I) NOTWITHSTANDING SUBSECTION (7)(c)

1 OF THIS SECTION, THE STATE TREASURER SHALL TRANSFER THE  
2 FOLLOWING AMOUNTS FROM THE FUND ON THE FOLLOWING DATES:

3 (A) ON JULY 1, 2025, THREE MILLION FIVE HUNDRED EIGHTEEN  
4 THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS TO THE CLEAN WATER  
5 CASH FUND CREATED IN SECTION 25-8-210;

6 (B) ON JULY 1, 2026, THREE MILLION TWO THOUSAND FOUR  
7 HUNDRED THIRTY-FIVE DOLLARS TO THE CLEAN WATER CASH FUND  
8 CREATED IN SECTION 25-8-210; AND

9 (C) ON JULY 1, 2026, FIVE HUNDRED SIXTEEN THOUSAND ONE  
10 HUNDRED TWENTY-NINE DOLLARS TO THE DRINKING WATER CASH FUND  
11 CREATED IN SECTION 25-1.5-209 (2).

12 (II) THIS SUBSECTION (7)(d) IS REPEALED, EFFECTIVE JULY 1, 2028.

13 **SECTION 10. Safety clause.** The general assembly finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, or safety or for appropriations for  
16 the support and maintenance of the departments of the state and state  
17 institutions.