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

SB21-116 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1. Amend reengrossed bill, page 4, after line 18 insert:
   
   "(b) "COMMISSION" MEANS THE COLORADO COMMISSION OF INDIAN AFFAIRS, ESTABLISHED PURSUANT TO SECTION 24-44-102.".

2. Reletter succeeding paragraphs accordingly.

3. Page 5, line 3, after "MASCOT." insert "NOTWITHSTANDING THE DEFINITION OF THE TERM "AMERICAN INDIAN MASCOT" IN SUBSECTION (1) OF THIS SECTION, A PUBLIC SCHOOL THAT IS NAMED AFTER AN AMERICAN INDIAN TRIBE OR AMERICAN INDIAN INDIVIDUAL MAY USE THE TRIBE'S OR INDIVIDUAL'S NAME, BUT NOT AN IMAGE OR SYMBOL, ON THE PUBLIC SCHOOL'S LETTERHEAD.".

4. Page 5, line 14, after the period add "IF AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (2)(b)(I) BETWEEN A FEDERALLY RECOGNIZED INDIAN TRIBE AND A PUBLIC SCHOOL IS TERMINATED BY EITHER PARTY, THE PUBLIC SCHOOL HAS ONE YEAR FROM THE DATE OF TERMINATION TO DISCONTINUE ITS USE OF ITS AMERICAN INDIAN MASCOT BEFORE THE PENALTIES SET FORTH IN SUBSECTION (3) OF THIS SECTION APPLY.".

5. Page 6, line 4, after the period add "IF AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (2)(b)(III) BETWEEN A FEDERALLY RECOGNIZED INDIAN TRIBE AND A PUBLIC SCHOOL IS TERMINATED BY
EITHER PARTY, THE PUBLIC SCHOOL HAS ONE YEAR FROM THE DATE OF
TERMINATION TO DISCONTINUE ITS USE OF ITS AMERICAN INDIAN MASCOT
BEFORE THE PENALTIES SET FORTH IN SUBSECTION (3) OF THIS SECTION
APPLY.".

Page 6, after line 17 insert:

"(4) (a) No later than 30 days after the effective date of
this section, the commission shall identify each public school in
the state that is using an American Indian mascot and that does
not meet the criteria for an exemption as outlined in subsection
(2)(b) of this section. The commission shall post such information
on its website.

(b) In addition to posting on its website the information
concerning public schools that are using an American Indian
mascot, the commission, in coordination with the department of
education, shall notify the school district of a public school
identified by the commission pursuant to subsection (4)(a) of this
section of the requirements related to the use of American
Indian mascots, as set forth in subsection (2) of this section, as
well as the penalty for continued use of such mascots as
outlined in subsection (3) of this section. The commission, in
coordination with the department of education, shall also
provide the same notification to the charter school institute if
any institute schools are identified pursuant to subsection (4)(a)
of this section.

(c) When a public school identified pursuant to subsection
(4)(a) of this section discontinues its use of its American Indian
mascot prior to June 1, 2022, the public school shall notify its
school district, or, in the case of an institute charter school, its
authorizer, the commission, and the department of education of
such discontinuation.

(5) A public school that is identified to be in violation of
subsection (2) of this section for using an American Indian
mascot may apply to the department of education for a grant
through the "Building Excellent Schools Today Act", article
43.7 of title 22, to accomplish any structural changes that
might be necessary to come into compliance with this section.
The time required for making an application or for the awarding
of such grant does not impact the time requirement set forth in
subsection (2)(a) of this section.

SECTION 3. In Colorado Revised Statutes, 22-43.7-109, add
(5)(c.3) as follows:

22-43.7-109. Financial assistance for public school capital construction - application requirements - evaluation criteria - local match requirements - technology grants - career and technical education capital construction grants - rules - definition. (5) The board, taking into consideration the financial assistance priority assessment conducted pursuant to section 22-43.7-108, shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance:

(c.3) Projects that assist public schools to replace prohibited American Indian mascots as required by section 22-1-131 (2).

Renumber succeeding sections accordingly.

Page 8, strike lines 2 through 10 and substitute:

"SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety."

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