

**-First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0461.01 Jason Gelender x4330

HOUSE BILL 17-1082

HOUSE SPONSORSHIP

Pabon,

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CLARIFICATION THAT FINANCIAL ASSISTANCE UNDER**
102 **THE "BUILDING EXCELLENT SCHOOLS TODAY ACT" INCLUDES**
103 **TECHNOLOGY GRANTS.**

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>.)

State law requires the first \$40 million of retail marijuana excise tax revenue annually collected to be credited to the public school capital construction assistance fund (assistance fund). **Sections 2 and 5** of the bill require the next \$5 million of retail marijuana excise tax revenue to be credited to a newly created technology grant account of the assistance

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

fund for the purpose of providing "Building Excellent Schools Today Act" (BEST) financial assistance in the form of technology grants to public schools as specified in **section 4**.

Sections 3 and 4 define the term "technology" for purposes of both the existing statute that gives high priority to BEST applications for projects that are designed to incorporate technology into the educational environment and the new technology grant program to include hardware, devices, or equipment necessary for individual student learning and classroom instruction, including access to electronic instructional materials, or necessary for professional use by a classroom teacher. For additional clarification, **section 1** amends the definition of "capital construction" used for purposes of BEST to include "technology", as defined in the bill.

Section 4 also requires the public school capital construction assistance board, when evaluating applications for BEST financial assistance, to consider the extent to which retail marijuana excise tax revenue credited to the public school capital construction assistance fund is derived from each county of the state.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-43.7-103, **amend**
3 introductory portion and (6) as follows:

4 **22-43.7-103. Definitions.** As used in this ~~article~~ ARTICLE 43.7,
5 unless the context otherwise requires:

6 (6) "Capital construction" has the same meaning as set forth in
7 section 24-30-1301 (2); ~~C.R.S.~~ EXCEPT THAT THE TERM ALSO INCLUDES
8 TECHNOLOGY, AS DEFINED IN SECTION 22-43.7-109 (5)(a)(I)(B).

9

10 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-107, **amend**
11 (2)(b) as follows:

12 **22-43.7-107. Public school facility construction guidelines -**
13 **establishment by board - use.** (2) The public school facility
14 construction guidelines shall identify and describe the capital
15 construction, renovation, and equipment needs in public school facilities

1 and means of addressing those needs that will provide educational and
2 safety benefits at a reasonable cost. In preparing the guidelines, the board
3 shall address the following considerations:

4 (b) Technology, including but not limited to telecommunications
5 and internet connectivity technology, ~~and~~ technology for individual
6 student learning and classroom instruction, AND TECHNOLOGY, AS
7 DEFINED IN SECTION 22-43.7-109 (5)(a)(I)(B), WHICH INCLUDES
8 HARDWARE, DEVICES, OR EQUIPMENT NECESSARY FOR INDIVIDUAL
9 STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING ACCESS
10 TO ELECTRONIC INSTRUCTIONAL MATERIALS, OR NECESSARY FOR
11 PROFESSIONAL USE BY A CLASSROOM TEACHER;

12 **SECTION 3.** In Colorado Revised Statutes, 22-43.7-109, **amend**
13 (5)(a)(I); and **add** (13) as follows:

14 **22-43.7-109. Financial assistance for public school capital**
15 **construction - application requirements - evaluation criteria - local**
16 **match requirements - technology grants - rules - definition.** (5) The
17 board, taking into consideration the financial assistance priority
18 assessment conducted pursuant to section 22-43.7-108, shall
19 prioritize applications that describe public school facility capital
20 construction projects deemed eligible for financial assistance based on the
21 following criteria, in descending order of importance:

22 (a) (I) (A) Projects that will address safety hazards or health
23 concerns at existing public school facilities, including concerns relating
24 to public school facility security, and projects that are designed to
25 incorporate technology into the educational environment.

26 (B) AS USED IN THIS SUBSECTION (5)(a)(I), "TECHNOLOGY" MEANS
27 HARDWARE, DEVICES, OR EQUIPMENT NECESSARY FOR INDIVIDUAL

1 STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING ACCESS
2 TO ELECTRONIC INSTRUCTIONAL MATERIALS, OR NECESSARY FOR
3 PROFESSIONAL USE BY A CLASSROOM TEACHER.

4 [REDACTED]

5 (13) FOR FISCAL YEAR 2018-19 AND FOR EACH SUCCEEDING FISCAL
6 YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO
7 THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE
8 AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL
9 ASSISTANCE IN THE FORM OF TECHNOLOGY [REDACTED] GRANTS. IN
10 CONJUNCTION WITH ITS ESTABLISHMENT OF AN ANNUAL FINANCIAL
11 ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION (2)(a) OF THIS
12 SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL POTENTIAL
13 APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS APPROPRIATE, THAT
14 IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR FINANCIAL ASSISTANCE
15 IN THE FORM OF TECHNOLOGY GRANTS. TO BE ELIGIBLE FOR A
16 TECHNOLOGY GRANT, AN APPLICANT FOR FINANCIAL ASSISTANCE MUST
17 APPLY SPECIFICALLY FOR SUCH A GRANT IN ACCORDANCE WITH THE
18 FINANCIAL ASSISTANCE TIMELINE ESTABLISHED BY THE BOARD PURSUANT
19 TO SUBSECTION (2)(a) OF THIS SECTION AND MUST SUBMIT AN APPLICATION
20 IN THE FORM PRESCRIBED BY THE BOARD PURSUANT TO SUBSECTION (4) OF
21 THIS SECTION. THE BOARD MAY AWARD A TECHNOLOGY GRANT TO FUND
22 TECHNOLOGY, INCLUDING BUT NOT LIMITED TO COMMUNICATIONS AND
23 INTERNET CONNECTIVITY TECHNOLOGY, TECHNOLOGY FOR INDIVIDUAL
24 STUDENT LEARNING AND CLASSROOM INSTRUCTION, AND TECHNOLOGY AS
25 DEFINED IN SUBSECTION (5)(a)(I)(B) OF THIS SECTION.

26 [REDACTED]

27 **SECTION 4.** In Colorado Revised Statutes, 22-43.7-111, **amend**

1 (1) introductory portion, (1)(a)(III), (1)(a)(IV), and (1)(d) introductory
2 portion as follows:

3 **22-43.7-111. Reporting requirements - auditing by state**
4 **auditor.** (1) No later than February 15, 2010, and no later than each
5 February 15 thereafter, the board shall present a written report to the
6 education and finance committees of the house of representatives and the
7 senate and the capital development committee, or any successor
8 committees, regarding the provision of financial assistance to applicants
9 pursuant to this ~~article~~ ARTICLE 43.7. The report must include, at a
10 minimum:

11 (a) An accounting of the financial assistance provided through the
12 prior fiscal year that includes:

13 (III) A list of the public school facility capital construction
14 projects for which financial assistance has been provided, ~~including~~
15 WHICH MUST INCLUDE A SUBLIST OF PROJECTS FOR WHICH FINANCIAL
16 ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF TECHNOLOGY GRANTS
17 PURSUANT TO SECTION 22-43.7-109 (13), a brief description of each
18 project, a statement of the amount and type of financial assistance
19 provided for each project and, where applicable, the amount of financial
20 assistance committed to be provided for but not yet provided for each
21 project, a statement of the amount of matching moneys provided by the
22 applicant for each project and, where applicable, the amount of matching
23 moneys committed to be provided by the applicant but not yet provided
24 for each project, and a summary of the reasons of the board and the state
25 board for providing financial assistance for the project; and

26 (IV) A list of the public school facility capital construction
27 projects for which financial assistance has been provided during the prior

1 fiscal year, including WHICH MUST INCLUDE A SUBLIST OF PROJECTS FOR
2 WHICH FINANCIAL ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF
3 TECHNOLOGY GRANTS PURSUANT TO SECTION 22-43.7-109 (13), a brief
4 description of each project, a statement of the amount and type of
5 financial assistance provided for each project, and a statement of the
6 amount of matching moneys provided by the applicant for each project.

7 (d) A list of the financial assistance applications for public school
8 facility capital construction that were denied financial assistance during
9 the prior fiscal year, WHICH MUST INCLUDE A SUBLIST OF DENIED
10 APPLICATIONS FOR PROJECTS FOR WHICH FINANCIAL ASSISTANCE IN THE
11 FORM OF TECHNOLOGY GRANTS WAS REQUESTED PURSUANT TO SECTION
12 22-43.7-109 (13), that includes for each project:

13 **SECTION 5. Applicability.** This act applies to applications for
14 financial assistance considered by the public school capital construction
15 assistance board on or after the effective date of this act.

16 **SECTION 6. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.