

## CHAPTER 108

---

**EDUCATION - PUBLIC SCHOOLS**


---

## SENATE BILL 17-076

BY SENATOR(S) Priola, Crowder, Holbert, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., Grantham;  
also REPRESENTATIVE(S) Coleman, Becker K., Gray, Herod, Kraft-Tharp, Lontine, Melton, Michaelson Jenet, Mitsch Bush,  
Pettersen, Rosenthal, Valdez.

**AN ACT****CONCERNING AUTHORITY TO SPEND MONEY IN THE PUBLIC SCHOOL PERFORMANCE FUND.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 22-11-605 as follows:

**22-11-605. School awards program fund - creation - contributions.** (1) The department is hereby authorized to receive ~~MAY ACCEPT AND EXPEND~~ gifts, grants, and donations from any source, public or private, to ~~fund~~ **MAKE** financial awards ~~AND PURCHASE TANGIBLE ITEMS OF RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO AWARD to public schools pursuant to the program established in THE PROVISIONS OF this part 6. The department is further authorized to receive gifts, grants, and donations from any source, public or private, to fund tangible items of recognition, such as banners or trophies, to be awarded to public schools that are identified as eligible to receive such financial awards.~~ The department shall transmit all public and private gifts, grants, and donations received pursuant to this section to the state treasurer who shall credit the same, in addition to any appropriations made by the general assembly, ~~and the amount transferred pursuant to subsection (3) of this section,~~ to the school awards program fund, which is hereby created in the state treasury and referred to in this section as the "fund".

(2) ~~Moneys in~~ **SUBJECT TO ANNUAL APPROPRIATION,** THE DEPARTMENT MAY EXPEND MONEY THAT IS APPROPRIATED TO the fund ~~shall be subject to annual appropriation by the general assembly to the department for purposes of making~~ **TO** ~~MAKE~~ financial awards and ~~funding~~ **PURCHASE** tangible items of recognition, such as banners or trophies, TO AWARD TO PUBLIC SCHOOLS pursuant to the provisions of this part 6. ~~At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain in the fund and shall not be credited or transferred to the~~

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~general fund or any other fund. However, In accordance with section 24-36-114, C.R.S., THE STATE TREASURER SHALL CREDIT all interest derived from the deposit and investment of moneys MONEY in the fund shall be credited to the general fund. Any moneys THE DEPARTMENT SHALL USE ANY MONEY CREDITED OR APPROPRIATED to the fund shall be used exclusively for awards and items of recognition and shall not be used USE THE MONEY to pay for the expenses of the department in administering the program established in this part 6.~~

~~(3) Repealed.~~

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 4, 2017