

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 19-0107.01 Richard Sweetman x4333

**HOUSE BILL 19-1008**

**HOUSE SPONSORSHIP**

**Kraft-Tharp and Larson**, Soper, Becker, Beckman, Bird, Buckner, Buentello, Caraveo, Carver, Catlin, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Geitner, Gonzales-Gutierrez, Gray, Hansen, Hooton, Jackson, Kennedy, Kipp, Lontine, McCluskie, McKean, McLachlan, Melton, Michaelson Jenet, Mullica, Neville, Pelton, Rich, Roberts, Saine, Sandridge, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Valdez D., Van Winkle, Weissman, Williams D.

**SENATE SPONSORSHIP**

**Todd and Lundeen**,

**House Committees**  
Education

**Senate Committees**  
Education

**A BILL FOR AN ACT**

101 **CONCERNING THE PROVISION OF GRANTS FOR CAREER AND TECHNICAL**  
102 **EDUCATION CAPITAL CONSTRUCTION THROUGH THE "BUILDING**  
103 **EXCELLENT SCHOOLS TODAY ACT".**

**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>.)*

The bill amends the "Building Excellent Schools Today Act" to allow the public school capital construction assistance board (board) to provide grants to support career and technical education capital construction, which is defined as:

! New construction or retrofitting of public school facilities

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

SENATE  
2nd Reading Unamended  
February 19, 2019

HOUSE  
3rd Reading Unamended  
January 28, 2019

HOUSE  
Amended 2nd Reading  
January 25, 2019

for certain career and technical education programs; and  
! Equipment necessary for individual student learning and  
classroom instruction, including equipment that provides  
access to instructional materials or that is necessary for  
professional use by a classroom teacher.

The bill requires the board to report annually to the capital  
development committee and to the education and finance committees of  
the house of representatives and the senate, or to any successor  
committees, concerning the issuance and denial of career and technical  
education capital construction grants during the preceding year.

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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 (6); and **add** (6.7) as follows:

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

6 (6) "Capital construction" has the same meaning as set forth in  
7 section 24-30-1301 (2); except that the term also includes technology, as  
8 defined in section 22-43.7-109 (5)(a)(I)(B), AND CAREER AND TECHNICAL  
9 EDUCATION CAPITAL CONSTRUCTION.

10 (6.7) "CAREER AND TECHNICAL EDUCATION CAPITAL  
11 CONSTRUCTION" MEANS:

12 (a) NEW CONSTRUCTION OR RETROFITTING OF PUBLIC SCHOOL  
13 FACILITIES FOR CAREER AND TECHNICAL EDUCATION PROGRAMS THAT  
14 SATISFY THE STANDARDS PRESCRIBED IN SECTION 23-8-103 (2); AND

15 (b) EQUIPMENT NECESSARY FOR INDIVIDUAL STUDENT LEARNING  
16 AND CLASSROOM INSTRUCTION, INCLUDING EQUIPMENT THAT PROVIDES  
17 ACCESS TO INSTRUCTIONAL MATERIALS OR THAT IS NECESSARY FOR  
18 PROFESSIONAL USE BY A CLASSROOM TEACHER.

19 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-109, **amend**  
20 (5)(b); and **add** (5)(b.5) and (14) as follows:

1           **22-43.7-109. Financial assistance for public school capital**  
2           **construction - application requirements - evaluation criteria - local**  
3           **match requirements - technology grants - career and technical**  
4           **education capital construction grants - rules - definition.** (5) The  
5 board, taking into consideration the financial assistance priority  
6 assessment conducted pursuant to section 22-43.7-108, shall prioritize  
7 applications that describe public school facility capital construction  
8 projects deemed eligible for financial assistance based on the following  
9 criteria, in descending order of importance:

10           (b) Projects that will relieve overcrowding in public school  
11 facilities, including but not limited to projects that will allow students to  
12 move from temporary instructional facilities into permanent facilities; ~~and~~

13           (b.5) PROJECTS THAT WILL PROVIDE CAREER AND TECHNICAL  
14 EDUCATION CAPITAL CONSTRUCTION IN PUBLIC SCHOOL FACILITIES; AND

15           (14) FOR FISCAL YEAR 2019-20 AND FOR EACH SUCCEEDING FISCAL  
16 YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO  
17 THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE  
18 AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL  
19 ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL  
20 CONSTRUCTION GRANTS. IN CONJUNCTION WITH ITS ESTABLISHMENT OF AN  
21 ANNUAL FINANCIAL ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION  
22 (2)(a) OF THIS SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL  
23 POTENTIAL APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS  
24 APPROPRIATE, THAT IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR  
25 FINANCIAL ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL  
26 EDUCATION CAPITAL CONSTRUCTION GRANTS. TO BE ELIGIBLE FOR A  
27 CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANT, AN

1 APPLICANT FOR FINANCIAL ASSISTANCE MUST APPLY SPECIFICALLY FOR  
2 THAT GRANT IN ACCORDANCE WITH THE FINANCIAL ASSISTANCE TIMELINE  
3 ESTABLISHED BY THE BOARD PURSUANT TO SUBSECTION (2)(a) OF THIS  
4 SECTION AND MUST SUBMIT AN APPLICATION IN THE FORM PRESCRIBED BY  
5 THE BOARD PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE BOARD  
6 MAY AWARD CAREER AND TECHNICAL EDUCATION CAPITAL  
7 CONSTRUCTION GRANTS TO FUND CAREER AND TECHNICAL EDUCATION  
8 CAPITAL CONSTRUCTION PROJECTS. IN AWARDING GRANTS, THE BOARD  
9 SHALL CONSIDER WHETHER EACH GRANT APPLICATION DESCRIBES A  
10 CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION PROJECT  
11 THAT CONCERNS A PROFESSIONAL FIELD THAT IS IDENTIFIED AS A KEY  
12 INDUSTRY IN THE MOST RECENT ANNUAL COLORADO TALENT REPORT  
13 PRODUCED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL PURSUANT  
14 TO SECTION 24-46.3-103 (3). NOTHING IN THIS SUBSECTION (14) PROHIBITS  
15 THE BOARD FROM CONSIDERING OTHER FACTORS IN AWARDING AND  
16 DENYING CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION  
17 GRANTS.

18 **SECTION 3.** In Colorado Revised Statutes, 22-43.7-111, **amend**  
19 (1)(a)(III), (1)(a)(IV), and (1)(d) introductory portion as follows:

20 **22-43.7-111. Reporting requirements - auditing by state**  
21 **auditor.** (1) Notwithstanding section 24-1-136 (11)(a)(I), no later than  
22 February 15, 2010, and no later than each February 15 thereafter, the  
23 board shall present a written report to the education and finance  
24 committees of the house of representatives and the senate and the capital  
25 development committee, or any successor committees, regarding the  
26 provision of financial assistance to applicants pursuant to this article 43.7.  
27 The report must include, at a minimum:

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

3 (III) A list of the public school facility capital construction  
4 projects for which financial assistance has been provided, which must  
5 include:

6 (A) A sublist of projects for which financial assistance has been  
7 provided in the form of technology grants pursuant to section 22-43.7-109  
8 (13);

9 (B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE  
10 HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION  
11 CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

12 (C) A brief description of each project;

13 (D) A statement of the amount and type of financial assistance  
14 provided for each project and, where applicable, the amount of financial  
15 assistance committed to be provided for but not yet provided for each  
16 project;

17 (E) A statement of the amount of matching ~~moneys~~ MONEY  
18 provided by the applicant for each project and, where applicable, the  
19 amount of matching ~~moneys~~ MONEY committed to be provided by the  
20 applicant but not yet provided for each project; and

21 (F) A summary of the reasons of the board and the state board for  
22 providing financial assistance for the project; and

23 (IV) A list of the public school facility capital construction  
24 projects for which financial assistance has been provided during the prior  
25 fiscal year, which must include:

26 (A) A sublist of projects for which financial assistance has been  
27 provided in the form of technology grants pursuant to section 22-43.7-109

1 (13);

2 (B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE  
3 HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION  
4 CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

5 (C) A brief description of each project;

6 (D) A statement of the amount and type of financial assistance  
7 provided for each project; and

8 (E) A statement of the amount of matching ~~moneys~~ MONEY  
9 provided by the applicant for each project.

10 (d) A list of the financial assistance applications for public school  
11 facility capital construction that were denied financial assistance during  
12 the prior fiscal year, which must include a sublist of denied applications  
13 for projects for which financial assistance in the form of technology  
14 grants was requested pursuant to section 22-43.7-109 (13) AND A SUBLIST  
15 OF DENIED APPLICATIONS FOR WHICH FINANCIAL ASSISTANCE IN THE FORM  
16 OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS  
17 WAS REQUESTED PURSUANT TO SECTION 22-43.7-109 (14), AND that  
18 includes for each project:

19 **SECTION 4. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly (August  
22 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
23 referendum petition is filed pursuant to section 1 (3) of article V of the  
24 state constitution against this act or an item, section, or part of this act  
25 within such period, then the act, item, section, or part will not take effect  
26 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.