

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

PREAMENDED

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

LLS NO. 20-0659.01 Julie Pelegrin x2700

SENATE BILL 20-089

SENATE SPONSORSHIP

Danielson and Garcia,

HOUSE SPONSORSHIP

Gonzales-Gutierrez,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING FUNDING ASSISTANCE TO INCREASE THE MINIMUM**
102 **AMOUNTS PAID TO PERSONS EMPLOYED BY LOCAL EDUCATION**
103 **PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

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 creates the educator pay raise program (program) to provide funding to school districts and charter schools to assist them in increasing their minimum teacher salaries to the district required

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.

minimum teacher salary amount specified in the bill and the minimum hourly wage paid to other employees to the district required minimum hourly wage amount specified in the bill. A school district or charter school that seeks to participate in the program must submit an application to the department of education (department) that meets the requirements specified in the bill. A school district or charter school may choose to participate to increase minimum teacher salaries or the minimum hourly wage, or both. The department shall review the applications and recommend to the state board of education (state board) those applicants that should be selected to participate in the program. In selecting program participants, the department and the state board must prioritize those applicants that demonstrate the greatest financial need. The bill specifies criteria to apply in determining the prioritization. As a condition of participating in the program, each participant seeking to increase teacher salaries must increase its minimum teacher salary to the district required minimum teacher salary amount and each participant seeking to increase the hourly wage must increase its minimum hourly wage to the district required minimum hourly wage amount. In the first year in which a school district or charter school participates, the amount required for the increases is paid through the program. In the second and subsequent years of participation, each program participant is required to contribute an increasing amount of matching money while the amount that the program participant receives is decreased over time. The department determines the amount of matching money and the amount that a program participant receives based on schedules for increasing teacher salaries and schedules for increasing the hourly wage adopted by rule of the state board. A program participant may continue participating in the program so long as the participant meets the matching money requirement and continues to qualify for the program. A program participant no longer qualifies for the program when the department determines that the participant has sufficient resources to pay the district required minimum teacher salary amount or the district required minimum hourly wage amount or both, as applicable, without assistance.

The bill creates the educator pay raise fund (fund), which consists of the greater of 10% or \$15 million of the gross income annually earned on the public school lands and any other money that the general assembly may appropriate or transfer to the fund.

Beginning in the 2022 regular legislative session, the department shall include in its annual report to the joint education committee information concerning implementation of the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 55.5 to

1 title 22 as follows:

2 **ARTICLE 55.5**

3 **Educator Pay Raise Funding**

4 **22-55.5-101. Legislative declaration.** (1) THE GENERAL
5 ASSEMBLY FINDS THAT:

6 (a) RESEARCH DEMONSTRATES THAT, WHEN CONSIDERING THE
7 ELEMENTS OF THE EDUCATION SYSTEM WITHIN PUBLIC SCHOOLS, THE
8 CLASSROOM TEACHER HAS THE MOST SIGNIFICANT EFFECT ON A STUDENT'S
9 LEARNING AND ACADEMIC GROWTH;

10 (b) EACH ADULT WORKING WITHIN A SCHOOL AND INTERACTING
11 WITH STUDENTS HAS THE POTENTIAL TO POSITIVELY INFLUENCE THE
12 STUDENTS WITHIN THE SCHOOL AND INCREASE LEARNING AND ACADEMIC
13 GROWTH;

14 (c) FOR THE 2017-18 SCHOOL YEAR, THE NATIONAL EDUCATION
15 ASSOCIATION REPORTED THAT COLORADO HAD AN AVERAGE STARTING
16 TEACHER SALARY OF ABOUT THIRTY-THREE THOUSAND FOUR HUNDRED
17 DOLLARS, AND THE NATIONAL AVERAGE STARTING TEACHING SALARY WAS
18 ABOUT THIRTY-NINE THOUSAND DOLLARS;

19 (d) IN 2018-19, SCHOOL DISTRICTS AND CHARTER SCHOOLS IN
20 COLORADO PAID A MINIMUM TEACHER SALARY THAT RANGED FROM A LOW
21 OF ABOUT TEN THOUSAND DOLLARS TO A HIGH OF ABOUT FORTY-THREE
22 THOUSAND DOLLARS;

23 (e) FOR THE 2018-19 SCHOOL YEAR, OF THE ONE HUNDRED
24 SEVENTY-EIGHT SCHOOL DISTRICTS IN THE STATE, ALL BUT FOUR
25 REPORTED A MINIMUM TEACHER SALARY OF LESS THAN FORTY THOUSAND
26 DOLLARS;

27 (f) MANY OF THESE SCHOOL DISTRICTS ARE RURAL SCHOOL

1 DISTRICTS WITH LOW ASSESSED PROPERTY VALUE AND THEREFORE
2 LIMITED ABILITY TO RAISE LOCAL PROPERTY TAX REVENUE;

3 (g) IN 2018-19, SCHOOL DISTRICTS AND CHARTER SCHOOLS IN
4 COLORADO PAID A MINIMUM SALARY THAT:

5 (I) FOR PARAPROFESSIONALS, RANGED FROM A LOW OF ABOUT
6 EIGHT THOUSAND DOLLARS TO A HIGH OF ABOUT TWENTY-EIGHT
7 THOUSAND DOLLARS, WHICH CALCULATES TO A FULL-TIME EQUIVALENT
8 HOURLY WAGE OF \$3.85 TO \$13.46;

9 (II) FOR CUSTODIANS, RANGED FROM A LOW OF ABOUT TWELVE
10 THOUSAND DOLLARS TO A HIGH OF ABOUT FORTY-ONE THOUSAND
11 DOLLARS, WHICH CALCULATES TO A FULL-TIME EQUIVALENT HOURLY
12 WAGE OF \$5.77 TO \$19.71;

13 (III) FOR FOOD SERVICE WORKERS, RANGED FROM A LOW OF ABOUT
14 TEN THOUSAND DOLLARS TO A HIGH OF ABOUT FORTY-NINE THOUSAND
15 DOLLARS, WHICH CALCULATES TO A FULL-TIME EQUIVALENT HOURLY
16 WAGE OF \$4.81 TO \$23.56; AND

17 (IV) FOR SCHOOL SECRETARIES AND OFFICE WORKERS, RANGED
18 FROM A LOW OF ABOUT NINE THOUSAND DOLLARS TO A HIGH OF ABOUT
19 NINETY-TWO THOUSAND DOLLARS, WHICH CALCULATES TO A FULL-TIME
20 EQUIVALENT HOURLY WAGE OF \$4.33 TO \$44.23; AND

21 (h) THE TOTAL PROGRAM AMOUNT CALCULATED FOR EACH SCHOOL
22 DISTRICT PURSUANT TO SECTION 22-54-104, WHICH REPRESENTS THE
23 FINANCIAL BASE OF SUPPORT FOR EACH SCHOOL DISTRICT, HAS BEEN
24 REDUCED FOR MOST SCHOOL DISTRICTS BY THE BUDGET STABILIZATION
25 FACTOR EACH BUDGET YEAR SINCE THE 2010-11 BUDGET YEAR, FURTHER
26 RESTRICTING THE ABILITY OF SOME SCHOOL DISTRICTS TO INCREASE THEIR
27 MINIMUM TEACHER SALARIES AND THE MINIMUM HOURLY WAGE FOR

1 OTHER EMPLOYEES.

2 (2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY TO
3 ESTABLISH A FUNDING SOURCE TO ASSIST SCHOOL DISTRICTS AND
4 CHARTER SCHOOLS IN INCREASING THE MINIMUM SALARY PAID TO
5 TEACHERS AND THE MINIMUM HOURLY WAGE PAID TO NONLICENSED
6 EMPLOYEES. IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT
7 THE FUNDING BE AVAILABLE FIRST TO SCHOOL DISTRICTS AND CHARTER
8 SCHOOLS THAT HAVE THE GREATEST DIFFICULTY IN INCREASING TEACHER
9 SALARIES AND THE HOURLY WAGE DUE TO SIGNIFICANT FINANCIAL NEED.

10 **22-55.5-102. Definitions.** AS USED IN THIS ARTICLE 55.5, UNLESS
11 THE CONTEXT OTHERWISE REQUIRES:

12 (1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
13 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
14 TITLE 22 OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE
15 CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF
16 THIS TITLE 22.

17 (2) "COST OF LIVING FACTOR" MEANS A SCHOOL DISTRICT'S COST
18 OF LIVING, AS CERTIFIED TO THE DEPARTMENT EVERY TWO YEARS BY THE
19 LEGISLATIVE COUNCIL STAFF PURSUANT TO SECTION 22-54-104
20 (5)(c)(III)(A), DIVIDED BY THE LOWEST COST OF LIVING FOR A SCHOOL
21 DISTRICT IN THE STATE, AS CERTIFIED TO THE DEPARTMENT BY THE
22 LEGISLATIVE COUNCIL STAFF FOR THE SAME CERTIFICATION PERIOD.

23 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
24 CREATED IN SECTION 24-1-115.

25 (4) "DISTRICT REQUIRED MINIMUM HOURLY WAGE AMOUNT"
26 MEANS, FOR EACH SCHOOL DISTRICT AND ANY CHARTER SCHOOL LOCATED
27 WITHIN THE SCHOOL DISTRICT, FIFTEEN DOLLARS PER HOUR, ADJUSTED

1 ANNUALLY BEGINNING JULY 1, 2021, BY THE ANNUAL PERCENTAGE
2 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF
3 LABOR STATISTICS CONSUMER PRICE INDEX FOR
4 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN
5 CONSUMERS, OR ITS SUCCESSOR INDEX, MULTIPLIED BY THE SCHOOL
6 DISTRICT'S COST OF LIVING FACTOR FOR THE APPLICABLE BUDGET YEAR.

7 (5) "DISTRICT REQUIRED MINIMUM TEACHER SALARY AMOUNT"
8 MEANS, FOR EACH SCHOOL DISTRICT AND ANY CHARTER SCHOOL LOCATED
9 WITHIN THE SCHOOL DISTRICT, AN ANNUAL SALARY OF FORTY THOUSAND
10 DOLLARS, ADJUSTED ANNUALLY BEGINNING JULY 1, 2021, BY THE ANNUAL
11 PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S
12 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR
13 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN
14 CONSUMERS, OR ITS SUCCESSOR INDEX, MULTIPLIED BY THE SCHOOL
15 DISTRICT'S COST OF LIVING FACTOR FOR THE APPLICABLE BUDGET YEAR.

16 (6) "EDUCATOR" MEANS A TEACHER EMPLOYED BY A SCHOOL
17 DISTRICT OR CHARTER SCHOOL OR AN EMPLOYEE OF A SCHOOL DISTRICT OR
18 A CHARTER SCHOOL.

19 (7) "EMPLOYEE" MEANS A PERSON EMPLOYED BY A SCHOOL
20 DISTRICT OR CHARTER SCHOOL WHO PROVIDES PARAPROFESSIONAL
21 SERVICES, CLERICAL SERVICES, CUSTODIAL AND MAINTENANCE SERVICES,
22 FOOD SERVICES, TRANSPORTATION SERVICES, TECHNICAL SERVICES,
23 SKILLED TRADE SERVICES, SECURITY SERVICES, OR HEALTH AND STUDENT
24 SERVICES.

25 (8) "FUND" MEANS THE EDUCATOR PAY RAISE FUND CREATED IN
26 SECTION 22-55.5-105.

27 (9) "PROGRAM PARTICIPANT" MEANS A SCHOOL DISTRICT OR

1 CHARTER SCHOOL THAT THE STATE BOARD SELECTS TO PARTICIPATE IN
2 THE EDUCATOR PAY RAISE PROGRAM.

3 (10) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
4 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
5 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. "SCHOOL
6 DISTRICT" ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED
7 PURSUANT TO ARTICLE 5 OF THIS TITLE 22 IF IT IS OPERATING A PUBLIC
8 SCHOOL.

9 (11) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
10 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

11 (12) "TEACHER" MEANS AN INDIVIDUAL WHO IS EMPLOYED BY A
12 SCHOOL DISTRICT OR A CHARTER SCHOOL TO INSTRUCT, DIRECT, OR
13 SUPERVISE THE INSTRUCTIONAL PROGRAM OR TO PROVIDE SERVICES AS A
14 SCHOOL NURSE AND WHO MAY HOLD A TEACHER'S LICENSE OR A SPECIAL
15 SERVICES LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF THIS TITLE 22.
16 "TEACHER" DOES NOT INCLUDE A PERSON WHO HOLDS AN AUTHORIZATION
17 ISSUED PURSUANT TO SECTION 22-60.5-111 OR WHO HOLDS A PRINCIPAL
18 OR AN ADMINISTRATOR LICENSE AND IS EMPLOYED AS A PRINCIPAL OF A
19 SCHOOL OR AN ADMINISTRATIVE OFFICER OF A SCHOOL DISTRICT.

20 (12) "TOTAL PROGRAM FUNDING" MEANS:

21 (a) FOR A SCHOOL DISTRICT, THE AMOUNT OF TOTAL PROGRAM
22 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
23 FOR THE SCHOOL DISTRICT;

24 (b) FOR A CHARTER SCHOOL THAT IS AUTHORIZED BY A SCHOOL
25 DISTRICT, THE AMOUNT OF TOTAL PROGRAM FUNDING CALCULATED
26 ANNUALLY PURSUANT TO SECTION 22-54-104 (2) FOR THE AUTHORIZING
27 SCHOOL DISTRICT; AND

1 (c) FOR AN INSTITUTE CHARTER SCHOOL OR A SCHOOL OPERATED
2 BY A BOARD OF COOPERATIVE SERVICES, THE AMOUNT OF TOTAL PROGRAM
3 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
4 FOR THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS LOCATED.

5 **22-55.5-103. Educator pay raise program - created -**
6 **applications - criteria - rules.** (1) THERE IS CREATED IN THE
7 DEPARTMENT THE EDUCATOR PAY RAISE PROGRAM TO PROVIDE FINANCIAL
8 SUPPORT FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS TO INCREASE THE
9 MINIMUM ANNUAL TEACHER SALARY TO THE DISTRICT REQUIRED MINIMUM
10 TEACHER SALARY AMOUNT AND TO INCREASE THE MINIMUM HOURLY
11 EMPLOYEE WAGE TO THE DISTRICT REQUIRED MINIMUM HOURLY WAGE
12 AMOUNT. THE DEPARTMENT SHALL ADMINISTER THE EDUCATOR PAY RAISE
13 PROGRAM BY REVIEWING APPLICATIONS RECOMMENDING PROGRAM
14 PARTICIPANTS TO THE STATE BOARD, WHICH SHALL SELECT THE PROGRAM
15 PARTICIPANTS, TAKING INTO CONSIDERATION THE DEPARTMENT'S
16 RECOMMENDATIONS. ON JULY 1, 2021, AND ANNUALLY THEREAFTER, THE
17 DEPARTMENT SHALL PUBLISH FOR EACH SCHOOL DISTRICT IN THE STATE
18 THE DISTRICT REQUIRED MINIMUM TEACHER SALARY AMOUNT AND THE
19 DISTRICT REQUIRED MINIMUM HOURLY WAGE AMOUNT ON THE
20 DEPARTMENT'S WEBSITE. THE STATE BOARD SHALL PROMULGATE RULES
21 AS NECESSARY TO IMPLEMENT THE EDUCATOR PAY RAISE PROGRAM.

22 (2) A SCHOOL DISTRICT OR CHARTER SCHOOL MAY APPLY TO
23 PARTICIPATE IN THE EDUCATOR PAY RAISE PROGRAM BY SUBMITTING AN
24 APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH PROCEDURES
25 AND TIME LINES ESTABLISHED BY RULE OF THE STATE BOARD. IF AN
26 APPLICANT IS SUBJECT TO A COLLECTIVE BARGAINING AGREEMENT OR A
27 MEET AND CONFER AGREEMENT, THE APPLICANT MUST WORK WITH THE

1 EDUCATOR REPRESENTATIVES IN WRITING THE APPLICATION AND
2 DEMONSTRATE THAT THE EDUCATOR REPRESENTATIVES AGREE WITH THE
3 PLANS INCLUDED IN THE APPLICATION. AT A MINIMUM, THE APPLICATION
4 MUST SPECIFY:

5 (a) WHETHER THE APPLICANT SEEKS TO PARTICIPATE TO INCREASE
6 TEACHER SALARIES, EMPLOYEE WAGES, OR BOTH;

7 (b) THE APPLICANT'S BUDGET FOR EACH OF THE THREE PRECEDING
8 BUDGET YEARS, INCLUDING:

9 (I) THE AMOUNT THAT THE APPLICANT RECEIVES IN STATE SHARE
10 OF TOTAL PROGRAM PURSUANT TO ARTICLE 54 OF THIS TITLE 22; THE
11 AMOUNT OF ADDITIONAL REVENUE THE APPLICANT RECEIVES FROM
12 PROPERTY TAX MILL LEVIES APPROVED PURSUANT TO SECTIONS 22-40-102
13 (1.5) AND (1.7), 22-54-107.5, 22-54-108, 22-54-108.5, AND 22-54-108.7;

14 THE AMOUNT THE APPLICANT RECEIVES FROM PUBLIC OR PRIVATE
15 GIFTS, GRANTS, OR DONATIONS, INCLUDING ANY AMOUNT RECEIVED FROM
16 A CHARITABLE OR FUNDRAISING ORGANIZATION; AND, IF THE APPLICANT
17 IS A CHARTER SCHOOL THAT IS A MEMBER OF A NETWORK OF CHARTER
18 SCHOOLS, THE AMOUNT THE APPLICANT RECEIVES FROM THE CHARTER
19 SCHOOL NETWORK;

20 (II) IF THE APPLICANT SEEKS TO INCREASE TEACHER SALARIES, THE
21 AMOUNT ALLOCATED TO TEACHER SALARIES AS A DOLLAR AMOUNT AND
22 AS A PERCENTAGE OF THE OVERALL BUDGET;

23 (III) IF THE APPLICANT SEEKS TO INCREASE EMPLOYEE WAGES, THE
24 AMOUNT ALLOCATED TO EMPLOYEE WAGES, REPORTED FOR EACH TYPE OF
25 EMPLOYEE AS A DOLLAR AMOUNT AND AS A PERCENTAGE OF THE OVERALL
26 BUDGET;

27 (IV) THE AMOUNT AND PURPOSE OF RESERVES, OTHER THAN THE

1 RESERVES REQUIRED BY SECTION 20(5) OF ARTICLE X OF THE STATE
2 CONSTITUTION, THAT THE APPLICANT MAINTAINED EACH BUDGET YEAR;
3 AND

4 (V) THE AMOUNT OF ANY UNEXPENDED AND UNCOMMITTED
5 AMOUNTS CARRIED OVER FROM ONE BUDGET YEAR TO THE NEXT BUDGET
6 YEAR;

7 (c) FOR THE PRECEDING THREE BUDGET YEARS, THE APPLICANT'S
8 RATIO OF ADMINISTRATORS TO TEACHERS;

9 (d) WHETHER THE APPLICANT OPERATES UNDER A COLLECTIVE
10 BARGAINING AGREEMENT AND, IF SO, THE LAST TIME EDUCATOR SALARIES
11 WERE NEGOTIATED;

12 (e) IF THE APPLICANT SEEKS TO INCREASE TEACHER SALARIES:

13 (I) THE NUMBER OF TEACHERS THAT THE APPLICANT EMPLOYED IN
14 EACH OF THE PRECEDING THREE SCHOOL YEARS AND THE AMOUNT OF THE
15 SALARY PAID TO EACH TEACHER;

16 (II) THE NUMBER OF TEACHING VACANCIES THAT THE APPLICANT
17 HAS BEEN UNABLE TO FILL FOR LONGER THAN ONE BUDGET YEAR; AND

18 (III) THE APPLICANT'S PLAN FOR INCREASING THE MINIMUM
19 TEACHER SALARY, INCLUDING INCREASING THE AMOUNT OF THE BUDGET
20 ALLOCATED TO TEACHER SALARIES, INCREASING THE AMOUNT OF FUNDING
21 RECEIVED FOR OPERATING EXPENSES, AND ADDRESSING THE IMPACT OF
22 INCREASING MINIMUM SALARIES ON THE SALARY SCHEDULE FOR ALL OF
23 THE APPLICANT'S TEACHERS;

24 (f) IF THE APPLICANT SEEKS TO INCREASE EMPLOYEE WAGES:

25 (I) THE NUMBER OF EMPLOYEES, REPORTED BY TYPE OF EMPLOYEE,
26 THAT THE APPLICANT EMPLOYED IN EACH OF THE PRECEDING THREE
27 SCHOOL YEARS AND THE HOURLY WAGE PAID TO EACH EMPLOYEE;

1 (II) THE NUMBER OF EMPLOYEE VACANCIES, REPORTED BY TYPE OF
2 EMPLOYEE, THAT THE APPLICANT HAS BEEN UNABLE TO FILL FOR LONGER
3 THAN ONE BUDGET YEAR; AND

4 (III) THE APPLICANT'S PLAN FOR INCREASING THE MINIMUM
5 EMPLOYEE HOURLY WAGE, INCLUDING INCREASING THE AMOUNT OF THE
6 BUDGET ALLOCATED TO EMPLOYEE WAGES, INCREASING THE AMOUNT OF
7 FUNDING RECEIVED FOR OPERATING EXPENSES, AND ADDRESSING THE
8 IMPACT OF INCREASING THE MINIMUM HOURLY WAGE ON THE HOURLY
9 WAGES FOR ALL OF THE APPLICANT'S EMPLOYEES;

10 (g) THE SOURCE OF FUNDING THAT THE APPLICANT PLANS TO USE
11 FOR THE MATCHING AMOUNT REQUIRED OF EACH PROGRAM PARTICIPANT
12 PURSUANT TO SECTION 22-55.5-104;

13 (h) THE APPLICANT'S PLAN FOR FUNDING THE INCREASING
14 MATCHING AMOUNT REQUIRED PURSUANT TO SECTION 22-55.5-104 AND
15 FOR SUSTAINING THE SALARY AND WAGE INCREASES, INCLUDING
16 INCREASES FOR EDUCATORS RECEIVING MORE THAN THE MINIMUM SALARY
17 OR HOURLY WAGE, AFTER THE APPLICANT NO LONGER RECEIVES MONEY
18 THROUGH THE PROGRAM; AND

19 (i) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE
20 STATE BOARD.

21 (3) (a) IN RECOMMENDING APPLICANTS AND SELECTING PROGRAM
22 PARTICIPANTS, THE DEPARTMENT AND THE STATE BOARD SHALL SELECT
23 FIRST THOSE APPLICANTS THAT ARE IN EXTREME FINANCIAL NEED. AN
24 APPLICANT IS DEEMED TO BE IN EXTREME FINANCIAL NEED IF:

25 (I) THE APPLICANT REALIZES THE FULL AMOUNT OF REDUCTION IN
26 ITS TOTAL PROGRAM FUNDING AS A RESULT OF THE BUDGET STABILIZATION
27 FACTOR CALCULATED PURSUANT TO SECTION 22-54-104 (5)(g) FOR THE

1 BUDGET YEAR OF APPLICATION AND EACH OF THE THREE PRECEDING
2 BUDGET YEARS;

3 (II) THE APPLICANT IS A SCHOOL DISTRICT, OR A CHARTER SCHOOL
4 OF A SCHOOL DISTRICT, AND THE TOTAL AMOUNT OF ADDITIONAL LOCAL
5 REVENUE THAT THE SCHOOL DISTRICT ANNUALLY RECEIVES FROM THE
6 PROPERTY TAX MILL LEVIES APPROVED PURSUANT TO SECTION 22-40-102
7 (1.5) OR (1.7), 22-54-107.5, 22-54-108, 22-54-108.5, OR 22-54-108.7 AS
8 OF THE BUDGET YEAR OF APPLICATION IS LESS THAN FIVE PERCENT OF THE
9 SCHOOL DISTRICT'S TOTAL PROGRAM FUNDING FOR THE BUDGET YEAR OF
10 APPLICATION OR THE AMOUNT OF ADDITIONAL REVENUE THAT THE
11 CHARTER SCHOOL RECEIVES FROM THE SCHOOL DISTRICT IS LESS THAN
12 FIVE PERCENT OF THE CHARTER SCHOOL'S TOTAL PROGRAM FUNDING;

13 (III) THE APPLICANT IS AN INSTITUTE CHARTER SCHOOL AND THE
14 AMOUNT THAT THE APPLICANT RECEIVES FROM THE MILL LEVY
15 EQUALIZATION FUND PURSUANT TO SECTION 22-30.5-513.1 IS LESS THAN
16 FIVE PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING FOR THE
17 BUDGET YEAR OF APPLICATION; AND

18 (IV) FOR THE BUDGET YEAR OF APPLICATION AND EACH OF THE
19 THREE PRECEDING BUDGET YEARS, THE APPLICANT RECEIVES AN AMOUNT
20 OF REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS THAT IS LESS
21 THAN TEN PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING. IF THE
22 APPLICANT IS A MEMBER OF A CHARTER SCHOOL NETWORK, ANY REVENUE
23 THAT THE APPLICANT RECEIVES FROM THE CHARTER SCHOOL NETWORK IS
24 INCLUDED AS REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS.

25 (b) IF THE AMOUNT APPROPRIATED FOR THE PROGRAM IS
26 INSUFFICIENT TO FULLY FUND ALL OF THE APPLICANTS WHO ARE DEEMED
27 TO BE IN EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a)

1 OF THIS SECTION, THE DEPARTMENT AND THE STATE BOARD SHALL
2 PRIORITIZE THOSE APPLICANTS BASED ON THE CRITERIA SPECIFIED IN
3 SUBSECTION (4) OF THIS SECTION.

4 (4) IF ALL OF THE APPLICANTS THAT ARE DEEMED TO BE IN
5 EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a) OF THIS
6 SECTION ARE PARTICIPATING IN THE PROGRAM, THE DEPARTMENT AND THE
7 STATE BOARD SHALL PRIORITIZE AMONG THE REMAINING APPLICANTS
8 THOSE APPLICANTS THAT DEMONSTRATE THE GREATEST FINANCIAL NEED,
9 WHICH THE DEPARTMENT AND THE STATE BOARD SHALL DETERMINE BY
10 APPLYING THE FOLLOWING MINIMUM CRITERIA:

11 (a) IF THE APPLICANT SEEKS TO INCREASE TEACHER SALARIES, THE
12 PERCENTAGE OF TEACHERS THE APPLICANT EMPLOYS WHO ARE PAID AN
13 ANNUAL SALARY THAT IS LESS THAN THE DISTRICT REQUIRED MINIMUM
14 TEACHER SALARY AMOUNT IS HIGH RELATIVE TO OTHER APPLICANTS;

15 (b) IF THE APPLICANT SEEKS TO INCREASE EMPLOYEE WAGES, THE
16 PERCENTAGE OF EMPLOYEES THE APPLICANT EMPLOYS WHO ARE PAID AN
17 HOURLY WAGE THAT IS LESS THAN THE DISTRICT REQUIRED MINIMUM
18 HOURLY WAGE AMOUNT IS HIGH RELATIVE TO OTHER APPLICANTS;

19 (c) IF THE APPLICANT IS A SCHOOL DISTRICT OR A DISTRICT
20 CHARTER SCHOOL:

21 (I) THE APPLICANT HAS LIMITED ABILITY TO OBTAIN VOTER
22 APPROVAL TO LEVY PROPERTY TAX MILLS FOR ADDITIONAL REVENUE, AS
23 DEMONSTRATED BY THE APPLICANT'S RECORD FOR SUBMITTING AND
24 OBTAINING APPROVAL OF BALLOT QUESTIONS TO INCREASE THE PROPERTY
25 TAX MILL LEVY; AND

26 (II) THE ASSESSED PROPERTY VALUE OF THE SCHOOL DISTRICT FOR
27 THE PRECEDING THREE PROPERTY TAX YEARS IS LOW RELATIVE TO OTHER

1 APPLICANTS;

2 (d) IF THE APPLICANT IS A CHARTER SCHOOL THAT IS A MEMBER OF
3 A CHARTER SCHOOL NETWORK, THE AMOUNT THE APPLICANT RECEIVES
4 FROM THE CHARTER SCHOOL NETWORK;

5 (e) RELATIVE TO OTHER APPLICANTS, THE APPLICANT RECEIVES A
6 LOW AMOUNT ANNUALLY FROM PRIVATE GIFTS, GRANTS, AND DONATIONS
7 AND THE APPLICANT IS NOT AFFILIATED WITH A PRIVATE CHARITABLE OR
8 FUNDRAISING ORGANIZATION; ___

9 (f) RELATIVE TO OTHER APPLICANTS, THE APPLICANT MAINTAINS
10 A LARGE AMOUNT OF RESERVES THAT ARE NOT COMMITTED TO A SPECIFIC
11 USE OR PROJECT, NOT INCLUDING THE RESERVE REQUIRED BY SECTION 20
12 (5) OF ARTICLE X OF THE STATE CONSTITUTION, OR THE APPLICANT
13 CARRIES OVER A LARGE AMOUNT OF UNEXPENDED AND UNCOMMITTED
14 MONEY FROM ONE BUDGET YEAR TO THE NEXT BUDGET YEAR; AND

15 (g) THE NUMBER OF STUDENTS ENROLLED BY THE APPLICANT AND
16 THE APPLICANT'S RATIO OF ADMINISTRATORS TO TEACHERS.

17 **22-55.5-104. Program participation - requirements.**

18 (1) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, BEGINNING WITH THE
19 2020-21 BUDGET YEAR AND IN EACH BUDGET YEAR THEREAFTER, THE
20 STATE BOARD SHALL ANNUALLY SELECT THE PROGRAM PARTICIPANTS
21 FROM AMONG THE SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT APPLY
22 AS PROVIDED IN SECTION 22-55.5-103. AS A CONDITION OF PARTICIPATING
23 IN THE PROGRAM, EACH PROGRAM PARTICIPANT THAT SEEKS TO INCREASE
24 TEACHER SALARIES MUST INCREASE ITS MINIMUM TEACHER SALARY TO
25 THE DISTRICT REQUIRED MINIMUM TEACHER SALARY AMOUNT AND EACH
26 PROGRAM PARTICIPANT THAT SEEKS TO INCREASE EMPLOYEE WAGES MUST
27 INCREASE ITS MINIMUM HOURLY WAGE TO THE DISTRICT REQUIRED

1 MINIMUM HOURLY WAGE AMOUNT.

2 (b) IN THE FIRST YEAR OF PARTICIPATING IN THE EDUCATOR PAY
3 RAISE PROGRAM:

4 (I) EACH PROGRAM PARTICIPANT THAT SEEKS TO INCREASE
5 TEACHER SALARIES MUST RECEIVE FROM THE PROGRAM THE AMOUNT
6 REQUIRED TO INCREASE TO THE DISTRICT REQUIRED MINIMUM TEACHER
7 SALARY AMOUNT THE SALARY PAID TO EACH TEACHER THE PROGRAM
8 PARTICIPANT EMPLOYS WHO MAKES LESS THAN THE DISTRICT REQUIRED
9 MINIMUM TEACHER SALARY AMOUNT; AND

10 (II) EACH PROGRAM PARTICIPANT THAT SEEKS TO INCREASE
11 EMPLOYEE WAGES MUST RECEIVE FROM THE PROGRAM THE AMOUNT
12 REQUIRED TO INCREASE TO THE DISTRICT REQUIRED MINIMUM HOURLY
13 WAGE AMOUNT THE HOURLY WAGE PAID TO EACH EMPLOYEE THE
14 PROGRAM PARTICIPANT EMPLOYS WHO MAKES LESS THAN THE DISTRICT
15 REQUIRED MINIMUM HOURLY WAGE AMOUNT.

16 (c) IN EACH SUBSEQUENT YEAR OF PARTICIPATING IN THE
17 EDUCATOR PAY RAISE PROGRAM, THE DEPARTMENT SHALL ADJUST THE
18 AMOUNT PAID TO EACH PROGRAM PARTICIPANT BASED ON THE SCHEDULE
19 OF CONTRIBUTION REQUIREMENTS ADOPTED BY RULE OF THE STATE BOARD
20 PURSUANT TO SUBSECTION (2) OF THIS SECTION. UNDER THE SCHEDULE, A
21 PROGRAM PARTICIPANT MAY CONTINUE TO RECEIVE ONE HUNDRED
22 PERCENT OF THE AMOUNT REQUIRED TO INCREASE TEACHER SALARIES TO
23 THE DISTRICT REQUIRED MINIMUM TEACHER SALARY AMOUNT AND THE
24 AMOUNT REQUIRED TO INCREASE EMPLOYEE WAGES TO THE DISTRICT
25 REQUIRED MINIMUM HOURLY WAGE AMOUNT, AS APPLICABLE, BASED ON
26 THE FINANCIAL SITUATION OF THE PROGRAM PARTICIPANT AS DETERMINED
27 BY THE DEPARTMENT.

1 (d) A PROGRAM PARTICIPANT MAY CONTINUE PARTICIPATING IN
2 THE EDUCATOR PAY RAISE PROGRAM WITHOUT REAPPLYING SO LONG AS
3 THE PROGRAM PARTICIPANT MEETS THE CONTRIBUTION REQUIREMENTS
4 AND SO LONG AS THE PROGRAM PARTICIPANT CONTINUES TO REQUIRE
5 FINANCIAL ASSISTANCE AS PROVIDED IN SUBSECTION (2)(b) OF THIS
6 SECTION. A PROGRAM PARTICIPANT MAY CHOOSE TO CEASE PARTICIPATING
7 IN THE EDUCATOR PAY RAISE PROGRAM AT ANY TIME BY SUBMITTING TO
8 THE STATE BOARD A RESOLUTION ADOPTED BY THE GOVERNING BODY OF
9 THE PROGRAM PARTICIPANT.

10 (2) (a) THE STATE BOARD BY RULE SHALL ESTABLISH A SCHEDULE
11 OF CONTRIBUTION REQUIREMENTS FOR PROGRAM PARTICIPANTS WHO ARE
12 INCREASING TEACHER SALARIES AND A SCHEDULE OF CONTRIBUTION
13 REQUIREMENTS FOR PROGRAM PARTICIPANTS WHO ARE INCREASING
14 EMPLOYEE WAGES. A PROGRAM PARTICIPANT THAT IS INCREASING BOTH
15 TEACHER SALARIES AND EMPLOYEE WAGES IS SUBJECT TO BOTH
16 SCHEDULES. THE STATE BOARD SHALL BASE EACH SCHEDULE ON EACH
17 PROGRAM PARTICIPANT'S FINANCIAL SITUATION AND ABILITY TO
18 CONTRIBUTE, TAKING INTO ACCOUNT, AT A MINIMUM, THE ASSESSED
19 PROPERTY VALUATION OF THE PROGRAM PARTICIPANT, THE AMOUNT OF
20 PROPERTY TAX REVENUE THAT THE PROGRAM PARTICIPANT COLLECTS FOR
21 OPERATING EXPENSES, AND THE AMOUNT OF REVENUE THAT THE PROGRAM
22 PARTICIPANT RECEIVES FROM RESOURCES OTHER THAN FEDERAL AND
23 STATE FUNDING AND LOCAL PROPERTY TAX REVENUE. THE SCHEDULES OF
24 CONTRIBUTION REQUIREMENTS MUST ALSO TAKE INTO CONSIDERATION
25 ANY INCREASE IN THE NUMBER OF TEACHERS OR THE NUMBER OF
26 EMPLOYEES THAT A PROGRAM PARTICIPANT EMPLOYS WHILE
27 PARTICIPATING IN THE EDUCATOR PAY RAISE PROGRAM.

1 (b) BASED ON THE SCHEDULES, BEGINNING IN THE SECOND BUDGET
2 YEAR IN WHICH A SCHOOL DISTRICT OR CHARTER SCHOOL PARTICIPATES IN
3 THE EDUCATOR PAY RAISE PROGRAM, THE DEPARTMENT SHALL ANNUALLY
4 DETERMINE THE AMOUNT OF EACH PROGRAM PARTICIPANT'S REQUIRED
5 CONTRIBUTION. IN THE SECOND AND SUBSEQUENT YEARS OF PROGRAM
6 PARTICIPATION, A PROGRAM PARTICIPANT MAY CONTINUE TO RECEIVE ONE
7 HUNDRED PERCENT OF THE AMOUNT REQUIRED TO INCREASE TEACHER
8 SALARIES TO THE DISTRICT REQUIRED MINIMUM TEACHER SALARY
9 AMOUNT AND THE AMOUNT REQUIRED TO INCREASE EMPLOYEE WAGES TO
10 THE DISTRICT REQUIRED MINIMUM HOURLY WAGE AMOUNT, AS
11 APPLICABLE, IF THE DEPARTMENT FINDS THAT LEVEL OF FINANCIAL
12 ASSISTANCE IS NECESSARY. IT IS ANTICIPATED THAT THE AMOUNT OF EACH
13 PROGRAM PARTICIPANT'S CONTRIBUTION INCREASES GRADUALLY OVER
14 TIME AND THAT THE SALARIES OF THE TEACHERS OR THE HOURLY WAGES
15 OF THE EMPLOYEES THE PROGRAM PARTICIPANT EMPLOYS, OR BOTH IF THE
16 PROGRAM PARTICIPANT IS INCREASING TEACHER SALARIES AND EMPLOYEE
17 WAGES, ARE EVENTUALLY FULLY FUNDED BY THE PROGRAM PARTICIPANT'S
18 REVENUE. A PROGRAM PARTICIPANT QUALIFIES TO PARTICIPATE IN THE
19 EDUCATOR PAY RAISE PROGRAM SO LONG AS THE DEPARTMENT
20 DETERMINES THAT THE PROGRAM PARTICIPANT CONTINUES TO REQUIRE
21 FINANCIAL ASSISTANCE TO FULLY FUND THE DISTRICT REQUIRED MINIMUM
22 TEACHER SALARY AMOUNT OR THE DISTRICT REQUIRED MINIMUM HOURLY
23 WAGE AMOUNT OR BOTH, AS APPLICABLE, WITHOUT RECEIVING
24 ASSISTANCE THROUGH THE EDUCATOR PAY RAISE PROGRAM.

25 (c) WHEN THE DEPARTMENT ANNUALLY DETERMINES THE AMOUNT
26 OF A PROGRAM PARTICIPANT'S REQUIRED CONTRIBUTION, THE
27 DEPARTMENT SHALL REVIEW THE PROGRESS THAT THE PROGRAM

1 PARTICIPANT IS MAKING IN IMPLEMENTING ITS PLAN FOR INCREASING THE
2 MATCHING AMOUNT AND SUSTAINING THE SALARY AND WAGE INCREASES,
3 AS INCLUDED IN THE APPLICATION PURSUANT TO SECTION 22-55.5-103
4 (2)(h). SPECIFICALLY, THE DEPARTMENT SHALL DETERMINE THE EXTENT
5 TO WHICH THE PROGRAM PARTICIPANT IS SUBSTANTIALLY MEETING THE
6 BENCHMARKS IDENTIFIED IN THE PLAN.

7 **22-55.5-105. Educator pay raise fund - created.** (1) THE
8 EDUCATOR PAY RAISE FUND IS HEREBY CREATED IN THE STATE TREASURY.
9 THE FUND CONSISTS OF MONEY CREDITED TO THE FUND PURSUANT TO
10 SUBSECTION (2) OF THIS SECTION AND ANY OTHER MONEY THE GENERAL
11 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE
12 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
13 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. SUBJECT
14 TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE
15 DEPARTMENT MAY EXPEND MONEY FROM THE FUND TO PAY SALARY AND
16 WAGE ASSISTANCE TO PROGRAM PARTICIPANTS PURSUANT TO THIS
17 ARTICLE 55.5 AND TO PAY THE DIRECT AND INDIRECT COSTS INCURRED IN
18 ADMINISTERING THE EDUCATOR PAY RAISE PROGRAM.

19 (2) FOR THE 2020-21 FISCAL YEAR AND EACH FISCAL YEAR
20 THEREAFTER, THE STATE TREASURER, AFTER CREDITING PUBLIC SCHOOL
21 LANDS INCOME TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
22 ASSISTANCE FUND, THE STATE LAND BOARD TRUST ADMINISTRATION FUND,
23 AND THE STATE BOARD OF LAND COMMISSIONERS INVESTMENT AND
24 DEVELOPMENT FUND AS PROVIDED IN SECTION 36-1-116 (1)(a)(II)(C) AND
25 (1)(c)(III), SHALL CREDIT TO THE FUND FROM THE REMAINING INCOME THE
26 GREATER OF TEN PERCENT OF THE GROSS AMOUNT OF PUBLIC SCHOOL
27 LANDS INCOME RECEIVED DURING THE BUDGET YEAR OR FIFTEEN MILLION

1 DOLLARS. THE MONEY REQUIRED TO BE CREDITED TO THE FUND PURSUANT
2 TO THIS SECTION MAY BE TAKEN FROM ANY SINGLE SOURCE OR
3 COMBINATION OF SOURCES OF PUBLIC SCHOOL LANDS INCOME.

4 **22-55.5-106. Report.** (1) BEGINNING WITH THE REPORT
5 PRESENTED PURSUANT TO SECTION 2-7-203 IN THE 2022 REGULAR
6 LEGISLATIVE SESSION, AND FOR THE REPORT PRESENTED EACH YEAR
7 THEREAFTER, THE DEPARTMENT SHALL INCLUDE IN THE REPORT THE
8 FOLLOWING INFORMATION FOR THE IMMEDIATELY PRECEDING BUDGET
9 YEAR:

10 (a) THE AMOUNT APPROPRIATED FROM THE FUND, THE DISTRICT
11 REQUIRED MINIMUM TEACHER SALARY AMOUNT FOR EACH SCHOOL
12 DISTRICT, THE DISTRICT REQUIRED MINIMUM HOURLY WAGE AMOUNT FOR
13 EACH SCHOOL DISTRICT, AND THE AMOUNT REMAINING IN THE FUND AT
14 THE END OF THE BUDGET YEAR;

15 (b) THE NUMBER OF SCHOOL DISTRICTS AND CHARTER SCHOOLS
16 THAT APPLIED TO PARTICIPATE IN THE EDUCATOR PAY RAISE PROGRAM
17 AND WHETHER THE AMOUNT APPROPRIATED FROM THE FUND WAS
18 SUFFICIENT TO PAY SALARY ASSISTANCE AND WAGE ASSISTANCE FOR ALL
19 ELIGIBLE APPLICANTS;

20 (c) THE SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT WERE
21 NEW OR CONTINUING PROGRAM PARTICIPANTS IN THE EDUCATOR PAY
22 RAISE PROGRAM, THE AMOUNT OF ASSISTANCE RECEIVED BY EACH
23 PROGRAM PARTICIPANT AS SALARY ASSISTANCE, THE AMOUNT OF
24 ASSISTANCE RECEIVED BY EACH PROGRAM PARTICIPANT AS WAGE
25 ASSISTANCE, AND THE AMOUNT OF THE CONTRIBUTION MADE BY EACH
26 PROGRAM PARTICIPANT FOR SALARY ASSISTANCE AND FOR WAGE
27 ASSISTANCE; AND

1 (d) THE SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT CEASED
2 PARTICIPATING IN THE EDUCATOR PAY RAISE PROGRAM AND THE REASONS
3 THAT THEY CEASED TO PARTICIPATE.

4 **SECTION 2.** In Colorado Revised Statutes, 36-1-116, **amend**
5 (1)(a)(II)(A); and add (1)(a)(II)(C) and (1)(c)(III) as follows:

6 **36-1-116. Disposition of rentals, royalties, and timber sale**
7 **proceeds.** (1) (a) (II) (A) Except as provided in sub-subparagraph (B) of
8 this subparagraph (H) SUBSECTION (1)(a)(II)(B) OF THIS SECTION, for the
9 2010-11 state fiscal year and each state fiscal year thereafter THROUGH
10 THE 2019-20 STATE FISCAL YEAR, the proceeds received by the state for
11 the sale of timber on public school lands, lease payments and rental
12 payments for said lands, rental payments for the use and occupation of the
13 surface of said lands, and rentals or lease payments for sand, gravel, clay,
14 stone, coal, oil, gas, geothermal resources, gold, silver, or other minerals
15 on said lands other than proceeds, rentals, and payments allocated to the
16 state land board trust administration fund pursuant to section 36-1-145 (3)
17 or credited to the public school capital construction assistance fund
18 created in section 22-43.7-104 (1) C.R.S., pursuant to section 22-43.7-104
19 (2)(b)(I) C.R.S., shall be ARE credited to the permanent school fund and
20 shall become part of the principal of the permanent school fund.

21 (C) FOR THE 2020-21 STATE FISCAL YEAR AND EACH STATE FISCAL
22 YEAR THEREAFTER, THE PROCEEDS RECEIVED BY THE STATE FOR THE SALE
23 OF TIMBER ON PUBLIC SCHOOL LANDS, LEASE PAYMENTS AND RENTAL
24 PAYMENTS FOR SAID LANDS, RENTAL PAYMENTS FOR THE USE AND
25 OCCUPATION OF THE SURFACE OF SAID LANDS, AND RENTALS OR LEASE
26 PAYMENTS FOR SAND, GRAVEL, CLAY, STONE, COAL, OIL, GAS,
27 GEOTHERMAL RESOURCES, GOLD, SILVER, OR OTHER MINERALS ON SAID

1 LANDS ARE CREDITED FIRST TO THE PUBLIC SCHOOL CAPITAL
2 CONSTRUCTION ASSISTANCE FUND CREATED IN SECTION 22-43.7-104 (1)
3 PURSUANT TO SECTION 22-43.7-104 (2)(b)(I); NEXT TO THE STATE LAND
4 BOARD TRUST ADMINISTRATION FUND PURSUANT TO SECTION 36-1-145 (3);
5 AND NEXT TO THE EDUCATOR PAY RAISE FUND PURSUANT TO SECTION
6 22-55.5-105 (2). THE REMAINDER OF SAID PROCEEDS, RENTALS, AND
7 PAYMENTS IS CREDITED TO THE PERMANENT SCHOOL FUND AND BECOMES
8 PART OF THE PRINCIPAL OF THE PERMANENT SCHOOL FUND.

9 (c) (III) FOR THE 2020-21 STATE FISCAL YEAR AND EACH STATE
10 FISCAL YEAR THEREAFTER, OF THE ROYALTIES AND OTHER PAYMENTS FOR
11 THE DEPLETION OR EXTRACTION OF A NATURAL RESOURCE ON PUBLIC
12 SCHOOL LANDS IN EXCESS OF THE TOTAL AMOUNT OF SAID ROYALTIES AND
13 OTHER PAYMENTS CREDITED TO THE STATE LAND BOARD TRUST
14 ADMINISTRATION FUND PURSUANT TO SECTION 36-1-145 (3), CREDITED TO
15 THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND CREATED
16 IN SECTION 22-43.7-104 (1) PURSUANT TO SECTION 22-43.7-104 (2)(b)(I),
17 AND CREDITED AS SPECIFIED IN SUBSECTION (1)(b)(II) OF THIS SECTION,
18 TEN PERCENT OF THE GROSS AMOUNT OF ROYALTIES AND OTHER
19 PAYMENTS RECEIVED, OR FIFTEEN MILLION DOLLARS, WHICHEVER IS
20 GREATER, IS CREDITED TO THE EDUCATOR PAY RAISE FUND PURSUANT TO
21 SECTION 22-55.5-105 (2). ANY AMOUNT OF ROYALTIES AND OTHER
22 PAYMENTS FOR THE DEPLETION OR EXTRACTION OF A NATURAL RESOURCE
23 ON PUBLIC SCHOOL LANDS IN EXCESS OF THE AMOUNTS DESCRIBED IN THIS
24 SUBSECTION (1)(c)(III) IS CREDITED TO THE PERMANENT SCHOOL FUND
25 AND BECOMES PART OF THE PRINCIPAL OF THE PERMANENT SCHOOL FUND.

26 _____
27 _____

1 **SECTION 3. Appropriation.** For the 2020-21 state fiscal year,
2 \$15,000,000 is appropriated to the department of education. This
3 appropriation is from the educator pay raise fund created in section
4 22-55.5-105 (1), C.R.S., and is based on an assumption that the
5 department will require an additional 1.9 FTE. To implement this act, the
6 department may use this appropriation for the educator pay raise program.

7 **SECTION 4. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety.