

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

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 23-1004.03 Jacob Baus x2173

**SENATE BILL 23-287**

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**SENATE SPONSORSHIP**

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**A BILL FOR AN ACT**

101      **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**  
102      **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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:

- Increases the statewide base per pupil funding for the 2023-24 budget year by \$598.25, to account for inflation;
- Sets as the new statewide base per pupil funding amount of \$8,076.41 for the 2023-24 budget year; and
- Sets the target number for the 2023-24 budget year at not

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

SENATE  
3rd Reading Unamended  
April 26, 2023

SENATE  
Amended 2nd Reading  
April 25, 2023

less than \$9,070,933,129.

Current law includes a 5-year averaging provision, which determines a district's pupil count for each budget year by determining the greater of the funded pupil count for the applicable budget year or an average of one to 4 of the prior budget years. The bill provides a similar averaging provision for the institute charter schools on a per-school basis.

For the 2023-24 budget year, the bill distributes \$30 million to large rural districts and small rural districts, including district charter schools and each institute charter school whose accounting district is a large or small rural district. Large rural districts receive 55% of the appropriation, and small rural districts receive 45% of the appropriation. The bill uses the districts' funded pupil count for the 2022-23 budget year.

The bill amends eligibility criteria for the mill levy override match program to exclude an otherwise eligible school district from receiving a state-funded override mill match if the sum of the district's override mills is equal to or greater than the district's override mill capacity, as defined by statute. For the 2023-24 budget year, the bill requires the transfer of \$23,376,536 from the state education fund to the mill levy override match fund and finds that the override mill match is a program for accountable education reform.

The bill requires the general assembly to appropriate \$300,000 from the state education fund to the department of education (department) for the purpose of reimbursing schools for expenses related to replacing an American Indian mascot, and finds that reimbursing schools for these expenses is a program for accountable education reform.

The bill requires the general assembly to appropriate from the state education fund the amount necessary to provide universal screening to identify gifted children through second grade by the 2027-28 budget year and finds that universal screening is a program for accountable education reform.

The bill specifies that for the purpose of any law, with certain exceptions, that applies to or exempts a public entity or a public official, a charter school has the same status as a school district, and certain persons affiliated with the charter school have the same status as a complementary counterpart in a school district. Furthermore, the bill clarifies the application of certain laws to charter schools.

The bill permits the department of education (department), school districts, and institute charter schools to consider life-cycle costs when contracting for technology.

Under current law, every 3 years, the department is required to prepare a report and evaluation on the successes or failures of charter schools, school reform efforts, and suggested changes to laws affecting charter schools. The bill makes this an annual requirement starting in the 2023-24 budget year.

Under current law, a new at-risk measure in the public school

funding formula must be implemented in the 2023-24 budget year. The bill extends the implementation of this requirement to the 2024-25 budget year, and requires the department to conduct pre-implementation modeling and testing of total program funding using the new at-risk factor, and report modeling and testing findings to the education committees and joint budget committee.

The bill creates a public school finance task force for the purpose of examining and making recommendations concerning school finance. The task force is required to submit a report to the education committees of the senate and house of representatives and the joint budget committee by December 15, 2023. Furthermore, the task force is required to set parameters to examine the adequacy of school finance in Colorado, and the department is required to contract with two independent entities to report their findings by January 1, 2025.

The bill extends child nutrition school lunch protection program funding to be used to offset the costs incurred by a facility school in providing lunch to students who are placed in the facility and eligible to participate in the program.

The bill excludes the costs associated with providing for an independent evaluation from the 20% of the money appropriated to the Colorado imagination library program to be used by the contractor for operating costs.

The bill appropriates \$2.5 million to the mill levy equalization fund from the general fund for the 2023-24 budget year.

The bill appropriates \$500,000 to the department of education for the purpose of translating individualized education program documents if House Bill 23-1263 becomes law.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4           (a) The annual total program funding of Colorado's schools is a  
5 collaborative effort between school districts and the state;

6           (b) In recent years, the stabilization of the state budget has  
7 required a reduction in the amount of the annual appropriation to fund the  
8 state's share of total program funding for all school districts and institute  
9 charter schools. This reduction is commonly referred to as the "budget  
10 stabilization factor".

1 (c) The school districts' share of total program funding is  
2 primarily derived from nonresidential and residential property tax  
3 revenue.

4 (d) Colorado's current economic conditions are mixed. While  
5 property values have grown significantly, inflation has grown at its  
6 quickest pace in at least forty years. Because the school finance formula  
7 grows based upon inflation, there exists increasing state obligations to  
8 fund total program due to inflation that do not include a full buy-down of  
9 the budget stabilization factor. Furthermore, there is an expectation that  
10 inflation will not normalize until 2024, resulting in above normal  
11 per-pupil funding growth until the 2025-26 budget year.

12 (e) Colorado's current economic conditions have also limited the  
13 amount of state education funds available to the state for the 2023-24  
14 budget year. Colorado's wage growth is currently slowing, and the latest  
15 office of state planning and budgeting forecast predicts job losses in the  
16 2023-24 budget year. Consequently, there is an expectation that income  
17 revenue will decline for the 2023-24 budget year, which impacts the  
18 money available for diversion from the state education fund.

19 (f) There is, however, a great deal of uncertainty concerning the  
20 continuity and longevity of these current economic conditions. Most  
21 economists consider the risk of recession to be elevated. A recession  
22 would further limit money available for diversion in the state education  
23 fund and reduce available general fund resources. Furthermore, a  
24 recession would negatively impact the revenue available for total program  
25 from local share, due to potential declining property valuations, which  
26 consequently would increase the amount of money required of the state  
27 to fully fund total program, despite a decrease in state revenue.

1 (2) Therefore, the general assembly declares that it is committed  
2 to continuing the efforts to reduce the budget stabilization factor in  
3 subsequent budget years to the degree possible, subject to the economic  
4 landscape. By embracing a more measured approach, the state can avoid  
5 reinstating a budget stabilization factor if the economic environment  
6 takes a more negative turn than what is currently forecasted.

7 **SECTION 2. In Colorado Revised Statutes, 22-54-104, amend**  
8 **(5)(g)(I) introductory portion, (5)(g)(II) introductory portion, (5)(g)(III)**  
9 **introductory portion, (5)(g)(IV), and (5)(g)(V); and add (5)(a)(XXX),**  
10 **(5)(g)(I)(N), (5)(g)(II.7), and (5)(g)(VIII) as follows:**

11 **22-54-104. District total program - definitions - repeal,** (5) For  
12 purposes of the formulas used in this section:

13 (a) (XXX) FOR THE 2023-24 BUDGET YEAR, THE STATEWIDE BASE  
14 PER PUPIL FUNDING IS \$8,076.41, WHICH IS AN AMOUNT EQUAL TO  
15 \$7,478.16, SUPPLEMENTED BY \$598.25 TO ACCOUNT FOR INFLATION.

16 (g) (I) For the 2010-11 budget year ~~and each budget year~~  
17 ~~thereafter~~ THROUGH THE 2023-24 BUDGET YEAR, the general assembly  
18 determines that stabilization of the state budget requires a reduction in the  
19 amount of the annual appropriation to fund the state's share of total  
20 program funding for all districts and the funding for institute charter  
21 schools. The department of education shall implement the reduction in  
22 total program funding through the application of a budget stabilization  
23 factor as provided in this subsection (5)(g)(I). For the 2010-11 budget  
24 year ~~and each budget year thereafter~~ THROUGH THE 2023-24 BUDGET  
25 YEAR, the department of education and the staff of the legislative council  
26 shall determine, based on budget projections, the amount of such  
27 reduction to ensure the following:

1 (N) THAT, FOR THE 2023-24 BUDGET YEAR, THE SUM OF THE TOTAL  
2 PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING FOR  
3 INSTITUTE CHARTER SCHOOLS, AFTER APPLICATION OF THE BUDGET  
4 STABILIZATION FACTOR, IS NOT LESS THAN NINE BILLION ONE HUNDRED  
5 ONE MILLION SIX HUNDRED THOUSAND NINE HUNDRED TWENTY-TWO  
6 DOLLARS (\$9,101,600,922); EXCEPT THAT THE DEPARTMENT OF  
7 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE  
8 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,  
9 INCLUDING BUT NOT LIMITED TO ACTUAL PUPIL ENROLLMENT, ASSESSED  
10 VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR  
11 YEAR, TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE  
12 REDUCTION TO MAINTAIN A TOTAL PROGRAM FUNDING AMOUNT FOR THE  
13 APPLICABLE BUDGET YEAR THAT IS CONSISTENT WITH THIS SUBSECTION  
14 (5)(g)(I)(N). FOR THE 2024-25 BUDGET YEAR, THE DIFFERENCE BETWEEN  
15 CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND ACTUAL  
16 STATEWIDE TOTAL PROGRAM FUNDING MUST NOT EXCEED THE DIFFERENCE  
17 BETWEEN CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND  
18 ACTUAL STATEWIDE TOTAL PROGRAM FUNDING FOR THE 2023-24 BUDGET  
19 YEAR.

20 (II) For the 2010-11 budget year and each budget year thereafter  
21 THROUGH THE 2023-24 BUDGET YEAR, the department of education shall:

22 (II.7) FOR THE 2024-25 BUDGET YEAR AND EACH BUDGET YEAR  
23 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL NOT REDUCE TOTAL  
24 PROGRAM FUNDING THROUGH THE APPLICATION OF A BUDGET  
25 STABILIZATION FACTOR.

26 (III) For the 2010-11 budget year and each budget year thereafter  
27 THROUGH THE 2023-24 BUDGET YEAR, except as otherwise provided in

1 subparagraphs (IV) and (V) of this paragraph (g) SUBSECTIONS (5)(g)(IV)  
2 AND (5)(g)(V) OF THIS SECTION, a district's total program shall be IS the  
3 greater of:

4 (IV) For the 2010-11 budget year and each budget year thereafter  
5 THROUGH THE 2023-24 BUDGET YEAR, the total program funding for a  
6 district that levies the number of mills calculated pursuant to section  
7 22-54-106 (2)(a)(II), (2.1)(b)(I)(C), or (2.1)(c)(I), whichever is  
8 applicable, is the amount calculated pursuant to subsection (2) of this  
9 section for the applicable budget year. Any such district shall use the  
10 revenues generated by the number of mills that the district levies pursuant  
11 to section 22-54-106 (2)(a)(II), (2.1)(b)(I)(C), or (2.1)(c)(I), whichever is  
12 applicable, to replace any categorical program support funds that the  
13 district would otherwise be eligible to receive from the state; except that  
14 the amount of categorical program support funds that the district is  
15 required to replace must not exceed an amount equal to the district's  
16 reduction amount. The department shall use the amount of categorical  
17 program support funds replaced by property tax revenue pursuant to this  
18 subsection (5)(g)(IV) to make payments of categorical program support  
19 funds to eligible districts as specified in section 22-54-107 (4).

20 (V) For the 2010-11 budget year and each budget year thereafter  
21 THROUGH THE 2023-24 BUDGET YEAR, if a district levies the number of  
22 mills calculated pursuant to section 22-54-106 (2)(a)(I), (2.1)(b)(I)(A),  
23 (2.1)(b)(I)(B), or (2.1)(b)(II), or (2.1)(c)(II), (2.1)(c)(III), or (2.1)(c)(IV),  
24 whichever is applicable, and the district's reduction amount exceeds the  
25 district's state share of total program funding, such district's total program  
26 funding is the amount calculated pursuant to subsection (2) of this section  
27 for the applicable budget year, minus the district's state aid. Any such

1 district shall use the revenues generated by the number of mills that the  
2 district levies pursuant to section 22-54-106 (2)(a)(I), (2.1)(b)(I)(A),  
3 (2.1)(b)(I)(B), or (2.1)(b)(II), or (2.1)(c)(II), (2.1)(c)(III), or (2.1)(c)(IV),  
4 whichever is applicable, to replace any categorical program support funds  
5 that the district would otherwise be eligible to receive from the state;  
6 except that the amount of categorical program support funds that the  
7 district is required to replace must not exceed an amount equal to the  
8 remainder of the district's reduction amount after the reduction to the  
9 district's total program has been applied pursuant to this subsection  
10 (5)(g)(V). The department of education shall use the amount of  
11 categorical program support funds replaced by property tax revenue  
12 pursuant to this subsection (5)(g)(V) to make payments of categorical  
13 program support funds to eligible districts as specified in section  
14 22-54-107 (4).

15 (VIII) THIS SUBSECTION (5)(g) IS REPEALED, EFFECTIVE JULY 1,  
16 2024.

17 **SECTION 3.** In Colorado Revised Statutes, 22-54-103, **amend**  
18 (7)(f)(II) and (7)(f)(III); and **add** (7)(f)(II.5) and (7)(f)(II.6) as follows:

19 **22-54-103. Definitions.** As used in this article 54, unless the  
20 context otherwise requires:

21 (7) "Funded pupil count" means:

22 (f) (II) Notwithstanding any provision of law to the contrary, for  
23 purposes of subsection (7)(f)(I) of this section, a district's funded pupil  
24 count includes the certified pupil enrollment and online pupil enrollment  
25 of each operating institute charter school for which the district is the  
26 accounting district, AS PROVIDED PURSUANT TO SUBSECTIONS (7)(f)(II.5)  
27 AND (7)(f)(II.6) OF THIS SECTION. The department of education shall add



1 the institute charter school's certified pupil enrollment and online pupil  
2 enrollment to the funded pupil count of the district prior to calculating the  
3 district's total program pursuant to section 22-54-104.

4 (II.5) FOR PURPOSES OF SUBSECTION (7)(f)(II) OF THIS SECTION,  
5 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL  
6 ENROLLMENT IS THE GREATER OF:

7 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL  
8 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR;

9 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER  
10 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND  
11 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR  
12 THE IMMEDIATELY PRECEDING BUDGET YEAR;

13 (C) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER  
14 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND  
15 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR  
16 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS;

17 (D) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER  
18 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND  
19 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR  
20 THE THREE IMMEDIATELY PRECEDING BUDGET YEARS; OR

21 (E) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER  
22 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND  
23 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR  
24 THE FOUR IMMEDIATELY PRECEDING BUDGET YEARS.

25 (II.6) NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
26 CONTRARY, FOR PURPOSES OF SUBSECTION (7)(f)(II.5) OF THIS SECTION,  
27 AN OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT

1 INCLUDES ITS ONLINE PUPIL ENROLLMENT, EXCEPT FOR MULTI-DISTRICT  
2 ONLINE SCHOOL PUPIL ENROLLMENT.

3 (III) The general assembly finds and declares that for the purposes  
4 of section 17 of article IX of the state constitution, averaging a district's  
5 pupil enrollment for the applicable budget year and the district's pupil  
6 enrollment for the four immediately preceding budget years pursuant to  
7 subsection (7)(f)(I)(E) of this section, AND THE AVERAGING OF AND  
8 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT AND  
9 ONLINE PUPIL ENROLLMENT PURSUANT TO SUBSECTIONS (7)(f)(II.5) AND  
10 (7)(f)(II.6), is a program for accountable education reform and may  
11 therefore receive funding from the state education fund created in section  
12 17 (4) of article IX of the state constitution.

13 **SECTION 4.** In Colorado Revised Statutes, **add 22-54-145** as  
14 follows:

15 **22-54-145. Additional funding for rural schools - 2023-24**  
16 **budget year - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS  
17 THE CONTEXT OTHERWISE REQUIRES:

18 (a) "ELIGIBLE INSTITUTE CHARTER SCHOOL" MEANS AN INSTITUTE  
19 CHARTER SCHOOL THAT HAS A SMALL RURAL DISTRICT OR A LARGE RURAL  
20 DISTRICT AS ITS ACCOUNTING DISTRICT.

21 (b) "LARGE RURAL DISTRICT" MEANS A DISTRICT THAT THE  
22 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON  
23 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE  
24 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A  
25 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF AT LEAST ONE  
26 THOUSAND BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS IN  
27 KINDERGARTEN THROUGH TWELFTH GRADE.

1 (c) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

2 (I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY  
3 MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN  
4 SUBSECTION (2)(a)(I) OF THIS SECTION DIVIDED BY THE SUM OF THE TOTAL  
5 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF ALL LARGE  
6 RURAL DISTRICTS AND THE TOTAL STUDENT ENROLLMENT FOR THE  
7 2022-23 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS  
8 THAT HAVE A LARGE RURAL DISTRICT AS THE ACCOUNTING DISTRICT; OR

9 (II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY  
10 MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN  
11 SUBSECTION (2)(a)(II) OF THIS SECTION DIVIDED BY THE SUM OF THE  
12 TOTAL FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF ALL  
13 SMALL RURAL DISTRICTS AND THE TOTAL STUDENT ENROLLMENT FOR THE  
14 2022-23 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS  
15 THAT HAVE A SMALL RURAL DISTRICT AS THE ACCOUNTING DISTRICT.

16 (d) "SMALL RURAL DISTRICT" MEANS A DISTRICT THAT THE  
17 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON  
18 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE  
19 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A  
20 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF FEWER THAN  
21 ONE THOUSAND PUPILS IN KINDERGARTEN THROUGH TWELFTH GRADE.

22 (2) (a) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY  
23 SHALL APPROPRIATE THIRTY MILLION DOLLARS TO THE DEPARTMENT OF  
24 EDUCATION TO PROVIDE ADDITIONAL FUNDING FOR LARGE RURAL  
25 DISTRICTS, SMALL RURAL DISTRICTS, AND INSTITUTE CHARTER SCHOOLS.  
26 THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE:

27 (I) FIFTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO LARGE

1 RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT  
2 HAVE A LARGE RURAL DISTRICT AS THEIR ACCOUNTING DISTRICT AS  
3 PROVIDED IN THIS SECTION; AND

4 (II) FORTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO SMALL  
5 RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT  
6 HAVE A SMALL RURAL DISTRICT AS THEIR ACCOUNTING DISTRICT AS  
7 PROVIDED IN THIS SECTION.

8 (b) LARGE RURAL DISTRICTS, SMALL RURAL DISTRICTS, DISTRICT  
9 CHARTER SCHOOLS, AND ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT  
10 RECEIVE MONEY PURSUANT TO THIS SECTION MAY USE THE MONEY ONLY  
11 FOR NONRECURRING EXPENSES FOR THE PURPOSE OF IMPROVING STUDENT  
12 LEARNING AND THE EDUCATIONAL ENVIRONMENT, INCLUDING, BUT NOT  
13 LIMITED TO, INITIATIVES THAT HELP ATTRACT EDUCATOR EMPLOYEES,  
14 INITIATIVES TO IMPROVE EDUCATOR TRAINING, INITIATIVES TO RETAIN  
15 EDUCATORS, LOAN FORGIVENESS FOR EDUCATORS AND STAFF, AND  
16 TECHNOLOGY.

17 (3) (a) THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE TO  
18 EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL DISTRICT AN  
19 AMOUNT EQUAL TO THE APPLICABLE PER PUPIL DISTRIBUTION AMOUNT  
20 MULTIPLIED BY THE LARGE RURAL DISTRICT'S OR SMALL RURAL DISTRICT'S  
21 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR.

22 (b) EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL  
23 DISTRICT THAT IS THE AUTHORIZER FOR A CHARTER SCHOOL SHALL  
24 DISTRIBUTE TO THE CHARTER SCHOOL ONE HUNDRED PERCENT OF AN  
25 AMOUNT EQUAL TO THE AMOUNT RECEIVED PURSUANT TO SUBSECTION  
26 (3)(a) OF THIS SECTION DIVIDED BY THE FUNDED PUPIL COUNT OF THE  
27 LARGE RURAL DISTRICT OR SMALL RURAL DISTRICT FOR THE 2022-23

1 BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN  
2 THE CHARTER SCHOOL FOR THE 2022-23 BUDGET YEAR.

3 (4) THE DEPARTMENT OF EDUCATION SHALL CALCULATE FOR EACH  
4 ELIGIBLE INSTITUTE CHARTER SCHOOL AND DISTRIBUTE TO THE STATE  
5 CHARTER SCHOOL INSTITUTE AN AMOUNT EQUAL TO THE APPLICABLE PER  
6 PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE NUMBER OF STUDENTS  
7 ENROLLED IN THE ELIGIBLE INSTITUTE CHARTER SCHOOL FOR THE 2022-23  
8 BUDGET YEAR. THE STATE CHARTER SCHOOL INSTITUTE SHALL DISTRIBUTE  
9 TO EACH ELIGIBLE INSTITUTE CHARTER SCHOOL ONE HUNDRED PERCENT  
10 OF THE AMOUNT RECEIVED FOR THE ELIGIBLE INSTITUTE CHARTER SCHOOL  
11 PURSUANT TO THIS SUBSECTION (4).

12 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 5. In Colorado Revised Statutes, add 22-54-146 as**  
14 **follows:**

15 **22-54-146. Hold-harmless at-risk funding - 2023-24 budget**  
16 **year - repeal. (1) FOR THE 2023-24 BUDGET YEAR, A DISTRICT'S AT-RISK**  
17 **FUNDING, AS DETERMINED PURSUANT TO SECTION 22-54-104 (4), IS THE**  
18 **GREATER OF THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2022-23**  
19 **BUDGET YEAR OR THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE**  
20 **2023-24 BUDGET YEAR.**

21 **(2) IF, PURSUANT TO SUBSECTION (1) OF THIS SECTION, A**  
22 **DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2022-23 BUDGET YEAR**  
23 **WAS GREATER THAN THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE**  
24 **2023-24 BUDGET YEAR, ANY ADDITIONAL AMOUNT OWED TO THAT**  
25 **DISTRICT FOR AT-RISK FUNDING FOR THE 2023-24 BUDGET YEAR MUST BE**  
26 **PAID AFTER MID-YEAR REVISIONS ARE MADE TO REPLACE PROJECTIONS**  
27 **WITH ACTUAL FIGURES.**

1           (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

2           **SECTION 6.** In Colorado Revised Statutes, 22-54-107.9, **add** (7)  
3 and (8) as follows:

4           **22-54-107.9. Override mill levy match - calculation -**  
5 **distribution - fund created - legislative declaration - definitions.** (7)

6           (a) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER  
7 TWENTY-THREE MILLION THREE HUNDRED SEVENTY-SIX THOUSAND FIVE  
8 HUNDRED THIRTY-SIX DOLLARS FROM THE STATE EDUCATION FUND TO THE  
9 MILL LEVY OVERRIDE MATCH FUND.

10           (b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE  
11 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,  
12 PROVIDING ELIGIBLE SCHOOL DISTRICTS AND ELIGIBLE INSTITUTE CHARTER  
13 SCHOOLS AN OVERRIDE MILL MATCH PURSUANT TO THIS SECTION IS A  
14 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE  
15 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION  
16 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

17           (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
18 CONTRARY, FOR THE 2022-23 BUDGET YEAR AND BUDGET YEARS  
19 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL NOT CALCULATE  
20 AND DISTRIBUTE TO AN ELIGIBLE DISTRICT OR AN ELIGIBLE INSTITUTE  
21 CHARTER SCHOOL AN OVERRIDE MILL MATCH AMOUNT AS PROVIDED IN  
22 THIS SECTION IF THE SUM OF THE DISTRICT'S OVERRIDE MILLS IS EQUAL TO  
23 OR GREATER THAN THE DISTRICT'S OVERRIDE MILL CAPACITY.

24           **SECTION 7.** In Colorado Revised Statutes, 22-1-133, **add** (7) as  
25 follows:

26           **22-1-133. Prohibition on use of American Indian mascots -**  
27 **exemptions - definitions.** (7) (a) A PUBLIC SCHOOL THAT IS IDENTIFIED

1 TO BE IN VIOLATION OF SUBSECTION (2) OF THIS SECTION FOR USING AN  
2 AMERICAN INDIAN MASCOT MAY APPLY TO THE DEPARTMENT OF  
3 EDUCATION FOR REIMBURSEMENT OF EXPENSES INCURRED FOR THE  
4 2021-22 BUDGET YEAR THROUGH THE 2023-24 BUDGET YEAR THAT WERE  
5 NECESSARY TO COMPLY WITH THIS SECTION.

6 (b) (I) ON OR AFTER JULY 1, 2023, THE DEPARTMENT OF  
7 EDUCATION SHALL DISTRIBUTE FUNDS FOR REIMBURSEMENT OF EXPENSES  
8 INCURRED FOR THE 2021-22 BUDGET YEAR AND THE 2022-23 BUDGET  
9 YEAR THAT WERE NECESSARY TO COMPLY WITH THIS SECTION. THE  
10 DEPARTMENT OF EDUCATION SHALL FULLY FUND ALL REQUESTS FOR  
11 REIMBURSEMENT; EXCEPT THAT IF INSUFFICIENT FUNDS EXIST PURSUANT  
12 TO THE APPROPRIATION MADE PURSUANT TO THIS SUBSECTION (7), THE  
13 DEPARTMENT SHALL REIMBURSE EXPENSES PROPORTIONATELY.

14 (II) ON OR AFTER JULY 1, 2024, THE DEPARTMENT OF EDUCATION  
15 SHALL DISTRIBUTE FUNDS FOR REIMBURSEMENT OF EXPENSES INCURRED  
16 FOR THE 2023-24 BUDGET YEAR THAT WERE NECESSARY TO COMPLY WITH  
17 THIS SECTION. THE DEPARTMENT OF EDUCATION SHALL FULLY FUND ALL  
18 REQUESTS FOR REIMBURSEMENT; EXCEPT THAT IF INSUFFICIENT FUNDS  
19 EXIST PURSUANT TO THE APPROPRIATION MADE PURSUANT TO THIS  
20 SUBSECTION (7), THE DEPARTMENT SHALL REIMBURSE EXPENSES  
21 PROPORTIONATELY.

22 (III) THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A  
23 PROCESS AND DEADLINES FOR RECEIVING REQUESTS FOR REIMBURSEMENT  
24 PURSUANT TO THIS SUBSECTION (7), THE TIMING FOR DISBURSEMENTS, AND  
25 ANY PARAMETERS NECESSARY TO DETERMINE PROPORTIONATE  
26 REIMBURSEMENT.

27 (c) THE DEPARTMENT OF EDUCATION SHALL NOT REIMBURSE

1 EXPENSES INCURRED BY A PUBLIC SCHOOL FOR PAYING THE FINE  
2 PURSUANT TO SUBSECTION (3) OF THIS SECTION.

3 (d) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY  
4 SHALL APPROPRIATE THREE HUNDRED THOUSAND DOLLARS FROM THE  
5 STATE EDUCATION FUND FOR THE PURPOSE OF THIS SUBSECTION (7). ANY  
6 UNEXPENDED MONEY REMAINING AT THE END OF THE 2023-24 BUDGET  
7 YEAR MAY BE USED BY THE DEPARTMENT OF EDUCATION THROUGH THE  
8 2024-25 BUDGET YEAR WITHOUT FURTHER APPROPRIATION AND MUST NOT  
9 BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH  
10 IN THIS SUBSECTION (7).

11 (e) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE  
12 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,  
13 PROVIDING REIMBURSEMENT OF EXPENSES PURSUANT TO THIS SUBSECTION  
14 (7) THAT WERE INCURRED IN ORDER TO COMPLY WITH THIS SECTION IS A  
15 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE  
16 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION  
17 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

18 **SECTION 8.** In Colorado Revised Statutes, 22-1-135, **add** (3) as  
19 follows:

20 **22-1-135. Terms and conditions in public school contracts -**  
21 **definitions.** (3) (a) FOR CONTRACTS EXECUTED ON OR AFTER JULY 1,  
22 2023, WHEN REVIEWING PROPOSALS RECEIVED AND FOR SELECTING THE  
23 ENTITY TO PROVIDE TECHNOLOGY, IN ACCORDANCE WITH THE  
24 PROCUREMENT LAWS APPLICABLE TO THE DEPARTMENT, SCHOOL DISTRICT,  
25 OR INSTITUTE CHARTER SCHOOL, THE DEPARTMENT, SCHOOL DISTRICT, OR  
26 INSTITUTE CHARTER SCHOOL MAY CONSIDER LIFE-CYCLE COST.

27 (b) FOR THE PURPOSE OF THIS SUBSECTION (3), UNLESS THE



1 CONTEXT OTHERWISE REQUIRES:

2 (I) "LIFE-CYCLE COST" MEANS THE PURCHASE COST OF  
3 TECHNOLOGY MINUS THE RESALE VALUE AT THE END OF THE  
4 TECHNOLOGY'S EXPECTED USEFUL LIFE, IN ADDITION TO THE  
5 MAINTENANCE INCURRED DURING THE TECHNOLOGY'S EXPECTED USEFUL  
6 LIFE.

7 (II) "TECHNOLOGY" MEANS ANY DEVICE, COMPUTER, HARDWARE,  
8 SOFTWARE, OR RELATED ACCESSORY.

9 **SECTION 9. In Colorado Revised Statutes, 22-20-114, add (8)**  
10 **as follows:**

11 **22-20-114. Funding of programs - legislative declaration -**  
12 **repeal. (8) (a) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY**  
13 **SHALL APPROPRIATE TEN MILLION DOLLARS TO THE DEPARTMENT FROM**  
14 **THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX**  
15 **OF THE STATE CONSTITUTION TO BE DISTRIBUTED PURSUANT TO THE**  
16 **REQUIREMENTS SET FORTH IN SUBSECTION (8)(b) OF THIS SECTION TO**  
17 **PRESCHOOL PROVIDERS THAT ARE A SCHOOL OF A SCHOOL DISTRICT,**  
18 **DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL.**

19 **(b) A PRESCHOOL PROVIDER THAT IS A SCHOOL OF A SCHOOL**  
20 **DISTRICT, DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL**  
21 **MUST ONLY RECEIVE FUNDING PURSUANT TO THIS SUBSECTION (8) IF THE**  
22 **DEPARTMENT DETERMINES THAT, EVEN WITH THE FUNDING RECEIVED**  
23 **PURSUANT TO SECTION 26.5-4-208, THE ELIGIBLE PRESCHOOL PROVIDER**  
24 **IS PROJECTED, BASED ON ELIGIBLE CHILDREN ENROLLED IN THE UNIVERSAL**  
25 **PRESCHOOL PROGRAM CREATED IN SECTION 26.5-4-204, TO RECEIVE LESS**  
26 **THAN THE PRESCHOOL PROVIDER'S TOTAL PRESCHOOL FUNDING FOR ALL**  
27 **PRESCHOOL POSITIONS IN THE 2022-23 FISCAL YEAR. THIS FUNDING IS**

1 INTENDED TO ENSURE THAT ADMINISTRATIVE UNITS CAN MEET THE  
2 FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS PURSUANT TO THE  
3 IDEA. IF THE TOTAL AMOUNT OF FUNDING DISTRIBUTED TO ELIGIBLE  
4 PRESCHOOL PROVIDERS IS LESS THAN TEN MILLION DOLLARS, THE  
5 DEPARTMENT SHALL TRANSFER THE DIFFERENCE BETWEEN THE  
6 DISTRIBUTED AMOUNT AND THE TEN MILLION DOLLARS TO THE STATE  
7 TREASURER WHO SHALL CREDIT THE MONEY RECEIVED TO THE STATE  
8 EDUCATION FUND.

9 (c) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2024."

10 **SECTION 10.** In Colorado Revised Statutes, 22-20-205, **add** (5)  
11 as follows:

12 **22-20-205. Gifted education - funding - legislative declaration.**

13 (5) (a) BEGINNING IN THE 2023-24 BUDGET YEAR, THE GENERAL  
14 ASSEMBLY SHALL APPROPRIATE FROM THE STATE EDUCATION FUND THE  
15 AMOUNT NECESSARY EACH BUDGET YEAR TO PROVIDE BY THE 2027-28  
16 BUDGET YEAR FULL UNIVERSAL SCREENING OF ENROLLED STUDENTS NO  
17 LATER THAN SECOND GRADE TO IDENTIFY GIFTED CHILDREN AND A  
18 SECOND SCREENING OF GIFTED CHILDREN IN CONJUNCTION WITH THE  
19 CREATION OF EACH CHILD'S INDIVIDUAL CAREER AND ACADEMIC PLAN,  
20 AND QUALIFIED PERSONNEL NECESSARY TO PROVIDE THE SCREENINGS.

21 (b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE  
22 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,  
23 PROVIDING FUNDS FOR UNIVERSAL SCREENING FOR THE PURPOSE OF  
24 PROVIDING UNIVERSAL SCREENING OF ENROLLED STUDENTS NO LATER  
25 THAN SECOND GRADE TO IDENTIFY GIFTED CHILDREN AND A SECOND  
26 SCREENING OF GIFTED CHILDREN IN CONJUNCTION WITH THE CREATION OF  
27 EACH CHILD'S INDIVIDUAL CAREER AND ACADEMIC PLAN, AND QUALIFIED

1 PERSONNEL NECESSARY TO PROVIDE THE SCREENINGS, PURSUANT TO THIS  
2 SECTION IS A PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY  
3 THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND  
4 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

5 **SECTION 11.** In Colorado Revised Statutes, **add 22-30.5-104.9**  
6 as follows:

7 **22-30.5-104.9. Charter schools - status as public entities -**  
8 **requirements - charter school boards of directors and school leaders**  
9 **- duties - conflicts - applicable law - definitions.** (1) AS USED IN THIS  
10 SECTION:

11 (a) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL CREATED AND  
12 OPERATING PURSUANT TO THIS PART 1, AN INSTITUTE CHARTER SCHOOL  
13 CREATED AND OPERATING PURSUANT TO PART 5 OF THIS ARTICLE 30.5, A  
14 CHARTER SCHOOL NETWORK CREATED AND OPERATING PURSUANT TO  
15 SECTION 22-30.5-104.7, A CHARTER SCHOOL COLLABORATIVE CREATED  
16 AND OPERATING PURSUANT TO PART 6 OF THIS ARTICLE 30.5, OR A  
17 CHARTER SCHOOL CREATED AND OPERATED BY THE COLORADO SCHOOL  
18 FOR THE DEAF AND BLIND PURSUANT TO SECTION 22-80-102 (4)(b).

19 (b) "PUBLIC ENTITY" MEANS A PUBLIC BODY, LOCAL PUBLIC BODY,  
20 PUBLIC CORPORATION, BODY POLITIC AND CORPORATE, POLITICAL  
21 SUBDIVISION, PUBLIC UNIT, OR ANY OTHER DEFINED TERM IN LAW IN  
22 WHICH SCHOOL DISTRICTS, INCLUDING CHARTER SCHOOLS, ARE EXPRESSLY  
23 INCLUDED IN OR EXEMPT FROM THE PUBLIC SECTOR IN THE DEFINITION OR  
24 APPLICATION OF THE DEFINED TERM.

25         
26 (2) FOR THE PURPOSE OF ANY LAW, EXCLUDING TITLE 1, TITLE 7,  
27 AND THIS TITLE 22, THAT APPLIES TO OR EXEMPTS A PUBLIC ENTITY OR

1 THAT APPLIES TO OR EXEMPTS A PUBLIC OFFICIAL:

2 (a) A CHARTER SCHOOL HAS THE SAME PUBLIC STATUS AS A PUBLIC  
3 SCHOOL THAT IS GEOGRAPHICALLY LOCATED IN THE SAME SCHOOL  
4 DISTRICT;

5 (b) BOARD DIRECTORS AND SCHOOL LEADERS, BY VIRTUE OF THEIR  
6 ROLES WITHIN A PUBLIC CHARTER SCHOOL, ARE DEEMED PUBLIC  
7 SERVANTS; AND

8 (c) A SCHOOL LEADER OF A CHARTER SCHOOL HAS THE SAME OR  
9 SIMILAR AUTHORITY AS A SCHOOL DISTRICT SUPERINTENDENT.

10 (3) A CHARTER SCHOOL THAT IS OPERATING ON THE EFFECTIVE  
11 DATE OF THIS SECTION SHALL PROVIDE THE INFORMATION REQUIRED FOR  
12 AN INVENTORY OF LOCAL GOVERNMENT PURSUANT TO SECTION 24-32-116  
13 TO THE DEPARTMENT OF LOCAL AFFAIRS WITHIN NINETY DAYS AFTER THE  
14 EFFECTIVE DATE OF THIS SECTION. A CHARTER SCHOOL THAT BEGINS  
15 OPERATING AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL PROVIDE  
16 SUCH INFORMATION TO THE DEPARTMENT OF LOCAL AFFAIRS WITHIN  
17 NINETY DAYS AFTER BECOMING A CHARTER SCHOOL AS DETERMINED  
18 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

19 (4) A PERSON WHO IS A DIRECTOR ON A CHARTER SCHOOL BOARD  
20 OF DIRECTORS ON THE EFFECTIVE DATE OF THIS SECTION SHALL TAKE,  
21 SIGN, AND FILE AN OATH OF OFFICE PURSUANT TO SECTION 24-12-101  
22 WITHIN EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. A  
23 PERSON WHO BECOMES A DIRECTOR ON A CHARTER SCHOOL BOARD OF  
24 DIRECTORS AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL TAKE,  
25 SIGN, AND FILE AN OATH OF OFFICE PURSUANT TO SECTION 24-12-101 NO  
26 LATER THAN EIGHTY DAYS AFTER BECOMING A DIRECTOR ON THE CHARTER  
27 SCHOOL BOARD OF DIRECTORS.

1 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND  
2 UNLESS OTHERWISE STATED IN TITLE 7, IF THERE IS A CONFLICT BETWEEN  
3 A LAW THAT IS SPECIFICALLY APPLICABLE TO CHARTER SCHOOLS AND ANY  
4 PROVISION IN ARTICLES 30 OR 121 THROUGH 137 OF TITLE 7, AND ANY  
5 STATUTE INCORPORATED BY REFERENCE THEREIN, THE LAW THAT IS  
6 SPECIFICALLY APPLICABLE TO CHARTER SCHOOLS CONTROLS.

7 (6) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF  
8 THIS SECTION, EACH CHARTER SCHOOL IS SUBJECT TO THE PROVISIONS OF  
9 SECTION 1-45-117 AS A POLITICAL SUBDIVISION OF THE STATE.

10 (7) FOR PURPOSES OF ANY LAW THAT IS MADE APPLICABLE TO  
11 CHARTER SCHOOLS PURSUANT TO THIS SECTION, A CHARTER SCHOOL  
12 APPLICANT IS DEEMED TO HAVE BECOME A CHARTER SCHOOL ON JULY 1  
13 FOLLOWING THE EXECUTION OF A CONTRACT BY THE APPLICANT.

14 **SECTION 12.** In Colorado Revised Statutes, 22-30.5-113,  
15 **amend** (1) and (2) as follows:

16 **22-30.5-113. State board - department of education - duties -**  
17 **charter schools - evaluation - report.** (1) Notwithstanding section  
18 24-1-136 (11)(a)(I), beginning in the 2004-05 budget year, and at least  
19 every three years thereafter THROUGH THE 2021-22 BUDGET YEAR, the  
20 department shall prepare a report and evaluation for the governor and the  
21 house and senate committees on education on the success or failure of  
22 charter schools and of institute charter schools authorized pursuant to part  
23 5 of this article 30.5, their relationship to other school reform efforts, and  
24 suggested changes in state law necessary to strengthen or change the  
25 charter school program described in this article 30.5. THE DEPARTMENT  
26 IS AUTHORIZED TO COLLECT INFORMATION AS NECESSARY TO PREPARE THE  
27 REPORT. BEGINNING IN THE 2023-24 BUDGET YEAR, THE DEPARTMENT

1 SHALL ANNUALLY PREPARE A REPORT AND EVALUATION DESCRIBED IN  
2 THIS SUBSECTION (1).

3 (2) The state board shall compile evaluations of charter schools  
4 received from local boards of education and evaluations of institute  
5 charter schools prepared by the state charter school institute created in  
6 section 22-30.5-503. The state board shall review AND REPORT ON  
7 information regarding the statutes, regulations, and policies GOVERNING  
8 CHARTER SCHOOL OVERSIGHT AND SUPPORT AND STATUTES,  
9 REGULATIONS, AND POLICIES from which charter schools were released  
10 pursuant to section 22-30.5-105 and from which institute charter schools  
11 were released pursuant to section 22-30.5-508 to determine if the releases  
12 assisted or impeded the charter schools or the institute charter schools in  
13 meeting their stated goals and objectives.

14 **SECTION 13.** In Colorado Revised Statutes, 22-54-104.6,  
15 **amend** (3) introductory portion, (4), (10)(b), and (12); and **add** (11.3),  
16 (11.5), and (11.7) as follows:

17 **22-54-104.6. Implementation of at-risk measure - working**  
18 **group - creation - department duties - reports - legislative declaration**  
19 **- definitions - repeal.** (3) Beginning in the ~~2023-24~~ 2024-25 budget  
20 year, there is created a new at-risk measure in the public school funding  
21 formula for identifying students who are at risk of below-average  
22 academic outcomes because of socioeconomic disadvantage or poverty.  
23 The new at-risk measure replaces the at-risk measure in effect for the  
24 ~~2022-23~~ 2023-24 budget year. The new at-risk measure is designed to  
25 allocate financial resources to public schools to serve the needs of at-risk  
26 students. The new at-risk measure includes:

27 (4) On or before August 15, 2022, the commissioner shall

1 convene a working group to prepare for the implementation in the  
2 ~~2023-24~~ 2024-25 budget year of the new at-risk measure created in  
3 subsection (3) of this section.

4 (10) Not later than January 31, 2023, the commissioner shall  
5 submit a report to the legislative interim committee on school finance, the  
6 joint budget committee, and the education committees of the house of  
7 representatives and the senate, or any successor committees, including:

8 (b) Findings and recommendations of the working group for  
9 implementation of the new at-risk measure, ~~for the 2023-24 budget year~~  
10 including recommendations for any legislation necessary to implement  
11 the new at-risk measure, as well as financial resources needed to  
12 administer the new at-risk measure;

13 (11.3) THE DEPARTMENT OF EDUCATION SHALL COLLECT DATA  
14 NECESSARY TO IDENTIFY INDIVIDUAL STUDENT CENSUS BLOCK GROUPS.

15 (11.5)(a) IN ORDER TO PREPARE FOR THE IMPLEMENTATION OF THE  
16 NEW AT-RISK MEASURE FOR THE 2024-25 BUDGET YEAR, THE DEPARTMENT  
17 OF EDUCATION SHALL CONDUCT PRE-IMPLEMENTATION MODELING AND  
18 TESTING OF THE NEW AT-RISK MEASURE. AT A MINIMUM, THE DEPARTMENT  
19 SHALL SIMULATE 2024-25 BUDGET YEAR TOTAL PROGRAM CALCULATIONS,  
20 INCLUDING THE NEW AT-RISK MEASURE RECOMMENDED BY THE WORKING  
21 GROUP INSTEAD OF THE AT-RISK MEASURE IN EFFECT FOR THE 2023-24  
22 BUDGET YEAR.

23 (b) NOT LATER THAN JANUARY 5, 2024, THE COMMISSIONER OF  
24 EDUCATION SHALL SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF  
25 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR  
26 COMMITTEES, AND THE JOINT BUDGET COMMITTEE, INCLUDING:

27 (I) A SUMMARY OF THE OUTCOMES OF THE MODELING AND TESTING

1 USING THE NEW AT-RISK MEASURE, AND THE ANTICIPATED EFFECTS ON THE  
2 COST OF TOTAL PROGRAM FUNDING;

3 (II) AN IDENTIFICATION OF ISSUES ENCOUNTERED IN THE  
4 MODELING AND TESTING USING THE NEW AT-RISK MEASURE; AND

5 (III) RECOMMENDATIONS FOR ANY LEGISLATION NECESSARY TO  
6 IMPLEMENT THE NEW AT-RISK MEASURE FOR THE 2024-25 BUDGET YEAR,  
7 AS WELL AS FINANCIAL RESOURCES NEEDED TO ADMINISTER THE NEW  
8 AT-RISK MEASURE.

9 (11.7) PURSUANT TO HOUSE BILL 22-1202, FOR THE 2022-23  
10 BUDGET YEAR, THE GENERAL ASSEMBLY APPROPRIATED ONE HUNDRED  
11 SIXTY-THREE THOUSAND THREE HUNDRED THIRTY-EIGHT DOLLARS FROM  
12 THE GENERAL FUND FOR THE PURPOSES OF THIS SECTION. ANY  
13 UNEXPENDED MONEY REMAINING AT THE END OF THE END OF THE 2022-23  
14 BUDGET YEAR FROM THIS APPROPRIATION MAY BE USED BY THE  
15 DEPARTMENT IN THE 2023-24 BUDGET YEAR WITHOUT FURTHER  
16 APPROPRIATION FOR THE PURPOSES OF THIS SECTION.

17 (12) ~~This section is~~ SUBSECTIONS (4) TO (11) OF THIS SECTION ARE  
18 repealed, effective July 1, 2025.

19 **SECTION 14.** In Colorado Revised Statutes, **add** 22-54-104.7 as  
20 follows:

21 **22-54-104.7. Public school finance - task force - creation -**  
22 **duties - report - definitions - repeal.** (1) THE COMMISSIONER SHALL  
23 CREATE AND CONVENE THE PUBLIC SCHOOL FINANCE TASK FORCE. THE  
24 PURPOSE OF THE TASK FORCE IS TO EXAMINE AND MAKE  
25 RECOMMENDATIONS CONCERNING MAKING THE SCHOOL FINANCE  
26 FORMULA SIMPLER, LESS REGRESSIVE, AND MORE ADEQUATE,  
27 UNDERSTANDABLE, TRANSPARENT, EQUITABLE, AND STUDENT-CENTERED.



1 (a) THE TASK FORCE MEMBERSHIP CONSISTS OF THE FOLLOWING  
2 VOTING MEMBERS:

3 (I) APPOINTED BY THE PRESIDENT OF THE SENATE:

4 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL  
5 DISTRICT WHOSE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS GREATER  
6 THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS;

7 (B) ONE MEMBER WHO IS A CHIEF FINANCIAL OFFICER OF A SCHOOL  
8 DISTRICT WHOSE DISTRICT PERCENTAGE OF ENGLISH LANGUAGE LEARNER  
9 PUPILS IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF  
10 ENGLISH LANGUAGE LEARNER PUPILS;

11 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT  
12 REPRESENTS TEACHERS;

13 (D) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH  
14 EXPERTISE IN SCHOOL FINANCE; AND

15 (E) ONE MEMBER WHO IS A PRINCIPAL;

16 (II) APPOINTED BY THE MINORITY LEADER OF THE SENATE:

17 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL  
18 DISTRICT WHOSE AVERAGE ASSESSED PROPERTY VALUE IS LESS THAN THE  
19 STATEWIDE AVERAGE OF ASSESSED PROPERTY VALUE;

20 (B) ONE MEMBER WHO IS A SCHOOL LEADER OF A CHARTER  
21 SCHOOL WHOSE PERCENTAGE OF AT-RISK PUPILS IS GREATER THAN THE  
22 STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS;

23 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH  
24 EXPERTISE IN SCHOOL FINANCE; AND

25 (D) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT  
26 REPRESENTS CHILDREN AND FAMILIES;

27 (III) APPOINTED BY THE SPEAKER OF THE HOUSE OF

1 REPRESENTATIVES:

2 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A RURAL SCHOOL  
3 DISTRICT OR SMALL RURAL SCHOOL DISTRICT;

4 (B) ONE MEMBER WHO IS A SCHOOL LEADER OF A CHARTER  
5 SCHOOL WITH A PERCENTAGE OF ENGLISH LANGUAGE LEARNER PUPILS  
6 THAT IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF  
7 ENGLISH LANGUAGE LEARNER PUPILS IN CHARTER SCHOOLS;

8 (C) TWO MEMBERS WHO REPRESENT ORGANIZATIONS WITH  
9 EXPERTISE IN SCHOOL FINANCE; AND

10 (D) ONE MEMBER WHO IS A TEACHER;

11 (IV) APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF  
12 REPRESENTATIVES:

13 (A) ONE MEMBER WHO IS A CHIEF FINANCIAL OFFICER OF A SMALL  
14 RURAL SCHOOL DISTRICT;

15 (B) ONE MEMBER WHO REPRESENTS THE CHARTER SCHOOL  
16 INSTITUTE; AND

17 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH  
18 EXPERTISE IN BUSINESS AND KINDERGARTEN THROUGH TWELFTH GRADE  
19 EDUCATION.

20 (b) THE TASK FORCE MEMBERSHIP CONSISTS OF THE FOLLOWING  
21 NON-VOTING MEMBERS:

22 (I) THE DIRECTOR OF THE LEGISLATIVE COUNCIL STAFF, OR THE  
23 DIRECTOR'S DESIGNEE;

24 (II) THE DIRECTOR OF THE JOINT BUDGET COMMITTEE STAFF, OR  
25 THE DIRECTOR'S DESIGNEE; AND

26 (III) THE COMMISSIONER'S DESIGNEE FROM THE DEPARTMENT OF  
27 EDUCATION WHO HAS TECHNICAL EXPERTISE IN SCHOOL FINANCE.

1           (3) THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR NOT  
2 MORE THAN EIGHT TIMES FOLLOWING THE FIRST MEETING FROM JULY 2023  
3 THROUGH DECEMBER 2023. MEETINGS MAY BE HELD IN PERSON, THROUGH  
4 THE USE OF AUDIO-VISUAL COMMUNICATION TECHNOLOGY, OR BOTH. THE  
5 TASK FORCE IS A STATE PUBLIC BODY FOR PURPOSES OF SECTION 24-6-402,  
6 AND MEETINGS OF THE TASK FORCE ARE SUBJECT TO SECTION 24-6-402.  
7 THE TASK FORCE IS SUBJECT TO THE PROVISIONS OF THE "COLORADO OPEN  
8 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

9           (4) (a) THE TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION  
10 BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR  
11 SERVICE ON THE TASK FORCE.

12           (b) IF A VACANCY OCCURS, THE ORIGINAL APPOINTING AUTHORITY  
13 SHALL PROMPTLY APPOINT A NEW MEMBER WHO MEETS THE SAME  
14 REQUIREMENTS AS THE MEMBER WHO VACATED THE TASK FORCE.

15           (5) (a) THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO THE  
16 TASK FORCE STAFF SUPPORT, MEETING SPACE, AND AUDIO-VISUAL  
17 COMMUNICATION TECHNOLOGY RESOURCES, UPON REQUEST OF THE CHAIR.

18           (b) THE DEPARTMENT SHALL CONTRACT WITH A THIRD-PARTY  
19 ENTITY WITH EXPERTISE IN TASK FORCE FACILITATION AND STAKEHOLDER  
20 INPUT TO ASSIST WITH THE ADMINISTRATION OF THE TASK FORCE AND  
21 DRAFTING THE REPORT PURSUANT TO SUBSECTION (7) OF THIS SECTION.

22           (6) THE TASK FORCE SHALL MAKE FINDINGS AND  
23 RECOMMENDATIONS REGARDING THE FOLLOWING CHANGES TO THE  
24 SCHOOL FINANCE FORMULA TO OCCUR FOR THE 2024-25 BUDGET YEAR:

25           (a) ELIMINATING THE USE OF MULTIPLICATIVE INDEXES FOR COST  
26 OF LIVING, PERSONNEL AND NON-PERSONNEL COSTS, AND DISTRICT SIZE;

27           (b) RECALIBRATING THE COST OF LIVING FACTOR, CAPPING THE

1 COST OF LIVING FACTOR, OR ALTERNATIVE METHODS TO ACCOUNT FOR THE  
2 COST OF LIVING, INCLUDING THROUGH CATEGORICAL FUNDING. A  
3 RECOMMENDATION CONCERNING A REVISED COST OF LIVING FACTOR MUST  
4 BE ABLE TO REGULARLY CHANGE AS A RESULT OF THE BIENNIAL COST OF  
5 LIVING STUDY.

6 (c) PRIORITIZING STUDENT NEEDS IN THE FORMULA, INCLUDING  
7 MEASURES, TO THE EXTENT POSSIBLE, THAT ALIGN THE AT-RISK FACTOR,  
8 ENGLISH LANGUAGE LEARNER FACTOR, AND SPECIAL EDUCATION  
9 CATEGORICAL FUNDING BASED UPON AVAILABLE EVIDENCE-BASED  
10 RESEARCH ON STUDENT-CENTERED FUNDING THAT HAS A DIRECT IMPACT  
11 ON STUDENT OUTCOMES;

12 (d) REVISING THE SIZE FACTOR TO INCORPORATE CONSIDERATIONS  
13 OTHER THAN OR IN ADDITION TO STUDENT ENROLLMENT, INCLUDING THE  
14 REMOTENESS OF A SCHOOL DISTRICT; AND

15 (e) SECURING EQUALIZATION IN MILL LEVY OVERRIDES FOR  
16 INSTITUTE CHARTER SCHOOLS BASED UPON THE SCHOOL DISTRICT WHERE  
17 THE INSTITUTE CHARTER SCHOOL IS GEOGRAPHICALLY LOCATED,  
18 INCLUDING CONSIDERATIONS FOR STUDENTS WHO DO NOT RESIDE IN THE  
19 SCHOOL DISTRICT WHERE THE INSTITUTE CHARTER SCHOOL IS  
20 GEOGRAPHICALLY LOCATED, MULTI-DISTRICT ONLINE PROGRAMS, AND  
21 TOTAL PROGRAM FUNDING.

22 (7) (a) NOT LATER THAN JANUARY 31, 2024, THE TASK FORCE  
23 SHALL SUBMIT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE  
24 EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF  
25 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND THE JOINT  
26 BUDGET COMMITTEE.

27 (b) THE TASK FORCE'S REPORT MUST INCLUDE FINDINGS OF ACTUAL

1 OUTCOMES ON SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS IF  
2 THE RECOMMENDATIONS WERE ADOPTED.

3 (8) (a) THE TASK FORCE SHALL DEVELOP THE PARAMETERS FOR A  
4 STUDY TO EXAMINE AND MAKE RECOMMENDATIONS CONCERNING THE  
5 COMPONENTS AND COSTS NECESSARY TO ADEQUATELY PROVIDE  
6 COLORADO STUDENTS A FREE AND UNIFORM PUBLIC EDUCATION.

7 (b) THE DEPARTMENT OF EDUCATION SHALL CONTRACT WITH TWO  
8 INDEPENDENT ENTITIES, EACH OF WHOM SHALL CONDUCT A STUDY AND  
9 PUBLISH A REPORT CONCERNING THE PARAMETERS DEVELOPED BY THE  
10 TASK FORCE PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION.

11 (c) IN SELECTING THE TWO INDEPENDENT ENTITIES, THE  
12 DEPARTMENT OF EDUCATION SHALL SELECT ENTITIES THAT REPRESENT  
13 DIFFERENT PERSPECTIVES CONCERNING SCHOOL FINANCE FOR THE  
14 PURPOSE OF GENERATING DIFFERENT EXAMINATIONS AND  
15 RECOMMENDATIONS CONCERNING THE COMPONENTS AND COSTS  
16 NECESSARY TO ADEQUATELY PROVIDE COLORADO STUDENTS A FREE AND  
17 UNIFORM PUBLIC EDUCATION.

18 (d) NOT LATER THAN JANUARY 3, 2025, THE TWO INDEPENDENT  
19 ENTITIES SHALL SUBMIT THEIR REPORTS OF FINDINGS AND  
20 RECOMMENDATIONS TO THE TASK FORCE. NOT LATER THAN JANUARY 3,  
21 2025, THE COMMISSIONER SHALL SUBMIT THE REPORTS TO THE EDUCATION  
22 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY  
23 SUCCESSOR COMMITTEES, AND THE JOINT BUDGET COMMITTEE.

24 (9) ANY MONEY APPROPRIATED FOR THE 2023-24 BUDGET YEAR BY  
25 THE GENERAL ASSEMBLY TO THE DEPARTMENT OF EDUCATION FOR THE  
26 PURPOSES OF THIS SECTION THAT REMAINS UNSPENT AT THE END OF THE  
27 2023-24 BUDGET YEAR MAY BE USED BY THE DEPARTMENT OF EDUCATION

1 THROUGH THE 2024-25 BUDGET YEAR WITHOUT FURTHER APPROPRIATION  
2 AND MUST NOT BE USED FOR ANY OTHER PURPOSE THAN THE PURPOSES SET  
3 FORTH IN THIS SECTION.

4 (10) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
5 REQUIRES:

6 (a) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION  
7 APPOINTED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE  
8 CONSTITUTION.

9 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN  
10 COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL,  
11 BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE  
12 FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED  
13 PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ONE THOUSAND PUPILS OR  
14 MORE BUT LESS THAN SIX THOUSAND FIVE HUNDRED PUPILS.

15 (c) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT  
16 IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS  
17 SMALL RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE  
18 DISTANCE FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD  
19 A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF LESS THAN ONE  
20 THOUSAND PUPILS.

21 (d) "TASK FORCE" MEANS THE PUBLIC SCHOOL FINANCE TASK  
22 FORCE CREATED PURSUANT TO THIS SECTION.

23 (11) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

24 SECTION 15. In Colorado Revised Statutes, 22-43.7-109,  
25 amend (9)(c) as follows:

26 22-43.7-109. Financial assistance for public school capital  
27 construction - application requirements - evaluation criteria - local

1 match requirements - technology grants - career and technical  
2 education capital construction grants - rules - definitions - repeal.

3 (9) Except as otherwise provided in subsections (10) and (15) of this  
4 section, the board may recommend and the state board may approve  
5 financial assistance that does not involve a financed purchase of an asset  
6 or certificate of participation agreement for or recommend to the capital  
7 development committee the approval of financial assistance that involves  
8 a financed purchase of an asset or certificate of participation agreement  
9 for a public school facility capital construction project only if the  
10 applicant provides matching money in an amount equal to a percentage  
11 of the total financing for the project determined by the board after  
12 consideration of the applicant's financial capacity, as determined by the  
13 following factors:

14 (c) (I) With respect to a charter school's application for financial  
15 assistance, AND SUBJECT TO ADJUSTMENT PURSUANT TO SUBSECTIONS (II)  
16 THROUGH (V) OF THIS SUBSECTION:

17 (f) The weighted average of the match percentages for the school  
18 districts of residence for the students enrolled in a district charter school  
19 or fifty percent of the average of the match percentages for all school  
20 districts in the state for an institute charter school;

21 (A) FOR A DISTRICT CHARTER SCHOOL THAT IS OCCUPYING A  
22 DISTRICT FACILITY AND PAYING ONLY THE DIRECT COSTS OF OCCUPANCY  
23 FOR ITS FACILITY PURSUANT TO SECTION 22-30.5-104 (7)(c), THE MATCH  
24 PERCENTAGE OF THE DISTRICT CHARTER SCHOOL'S AUTHORIZING DISTRICT;

25 (B) FOR DISTRICT CHARTER SCHOOLS THAT ARE NOT INCLUDED IN  
26 SUBSECTION (9)(c)(I)(A) OF THIS SECTION, SEVENTY-FIVE PERCENT OF THE  
27 MATCH PERCENTAGE OF THE DISTRICT CHARTER SCHOOL'S AUTHORIZING

1 SCHOOL DISTRICT; OR  
2 (C) FIFTY PERCENT OF THE AVERAGE MATCH PERCENTAGES FOR  
3 ALL SCHOOL DISTRICTS IN THE STATE FOR AN INSTITUTE CHARTER SCHOOL;  
4 (II) Whether the A DISTRICT charter school's authorizer retains no  
5 more than ten percent of its capacity to issue bonds pursuant to article 42  
6 of this title;  
7 (III) Whether the charter school is operating in a district-owned  
8 facility at the time it submits its application;  
9 (IV) (III) In the ten years preceding the year in which the charter  
10 school submits the application, the number of times the charter school has  
11 attempted to obtain or has obtained SOUGHT OR BEEN AFFORDED:  
12 (A) Bond proceeds pursuant to section 22-30.5-404 through  
13 inclusion in a ballot measure submitted by the charter school's authorizer  
14 to the registered electors of the school district;  
15 (B) Proceeds from a special mill levy for capital needs pursuant  
16 to section 22-30.5-405;  
17 (C) (A) Grant funding for capital needs from a source other than  
18 the assistance fund; and  
19 (D) (B) Funding, INCLUDING FINANCING, for capital construction,  
20 OTHER THAN STATE AID PURSUANT TO SECTION 22-54-124 from bonds  
21 issued on its behalf by the Colorado educational and cultural facilities  
22 authority created and existing pursuant to section 23-15-104 (1)(a),  
23 C.R.S., or from some ANY other source of financing;  
24 (V) (IV) If the charter school is a district charter school, the  
25 student enrollment of the DISTRICT charter school as a percentage of the  
26 student enrollment of the charter school's authorizing school district; AND  
27 (VI) (V) The percentage of students enrolled in the charter school



1 who are eligible for the federal free and reduced-cost lunch program in  
2 relation to the overall percentage of students enrolled in the public  
3 schools in the state who are eligible for the federal free and reduced-cost  
4 lunch program.

5 ~~(VII) The percentage of the per pupil revenue received by the~~  
6 ~~charter school that the charter school spends on facility costs other than~~  
7 ~~facilities operation and maintenance; and~~

8 ~~(VIII) The charter school's unreserved fund balance as a~~  
9 ~~percentage of its annual budget.~~

10 **SECTION 16.** In Colorado Revised Statutes, 22-82.9-103, **add**  
11 (1.5) as follows:

12 **22-82.9-103. Definitions.** As used in this part 1, unless the  
13 context otherwise requires:

14 (1.5) "FACILITY SCHOOL" MEANS AN EDUCATIONAL PROGRAM  
15 THAT IS OPERATED BY A FACILITY TO PROVIDE EDUCATIONAL SERVICES TO  
16 STUDENTS PLACED IN THE FACILITY AND THAT, PURSUANT TO SECTION  
17 22-2-407 (2), HAS BEEN PLACED ON THE LIST OF FACILITY SCHOOLS THAT  
18 ARE APPROVED TO RECEIVE REIMBURSEMENT FOR PROVIDING  
19 EDUCATIONAL SERVICES TO STUDENTS PLACED IN A FACILITY.

20 **SECTION 17.** In Colorado Revised Statutes, 22-82.9-104,  
21 **amend** (4)(a) as follows:

22 **22-82.9-104. Child nutrition school lunch protection program**  
23 **- creation - administration - objectives.** (4) The objectives of the  
24 program are to:

25 (a) Eliminate the reduced price paid by Colorado students who are  
26 enrolled in state-subsidized early childhood education programs  
27 administered by public schools or in kindergarten through twelfth grade

1 and who are participating in the school lunch program, AND TO ELIMINATE  
2 THE REDUCED PRICE PAID BY COLORADO STUDENTS WHO ARE RECEIVING  
3 EDUCATIONAL SERVICES FROM A FACILITY SCHOOL AND WHO ARE  
4 PARTICIPATING IN THE SCHOOL LUNCH PROGRAM;

5 **SECTION 18.** In Colorado Revised Statutes, 22-82.9-105,  
6 **amend** (1) as follows:

7 **22-82.9-105. Program funding.** (1) For each fiscal year, the  
8 general assembly shall make an appropriation by separate line item in the  
9 annual general appropriation bill to allow school food authorities to  
10 provide lunches at no charge for children in state-subsidized early  
11 childhood education programs administered by public schools or in  
12 kindergarten through twelfth grade, participating in the school lunch  
13 program, who would otherwise be required to pay a reduced price for  
14 lunch AND TO OFFSET THE COSTS INCURRED BY A FACILITY SCHOOL IN  
15 PROVIDING LUNCH TO STUDENTS WHO ARE PLACED IN THE FACILITY AND  
16 ARE ELIGIBLE TO PARTICIPATE IN THE SCHOOL LUNCH PROGRAM. The  
17 appropriation to the department for the program must be in addition to  
18 any appropriation made by the general assembly pursuant to section  
19 22-54-123 or 22-54-123.5 (1). The department may expend not more than  
20 two percent of the money annually appropriated for the program to offset  
21 the direct and indirect costs incurred by the department in implementing  
22 the program pursuant to this part 1.

23 **SECTION 19.** In Colorado Revised Statutes, **amend** 22-82.9-106  
24 as follows:

25 **22-82.9-106. Program - procedures.** The department shall  
26 develop procedures to allocate and disburse the moneys in the program  
27 among participating school food authorities AND FACILITY SCHOOLS each

1 year, in an equitable manner and in compliance with the requirements of  
2 the federal "Richard B. Russell National School Lunch Act", 42 U.S.C.  
3 sec. 1751 et seq.

4 **SECTION 20.** In Colorado Revised Statutes, 24-32-116, **amend**  
5 (1)(d); and **add** (3)(c) as follows:

6 **24-32-116. Inventory of local governmental entities -**  
7 **information required - definitions.** (1) As used in this section, unless  
8 the context otherwise requires:

9 (d) "Local governmental entity" means a city, county, city and  
10 county, special district, school district, INCLUDING A CHARTER SCHOOL AS  
11 DEFINED IN SECTION 22-30.5-104.9, or other unit of local government.

12 (3) (c) NOTWITHSTANDING THE DATE SPECIFIED IN SUBSECTION  
13 (3)(a) OF THIS SECTION, A LOCAL GOVERNMENTAL ENTITY THAT IS A  
14 CHARTER SCHOOL SHALL SUBMIT THE INFORMATION REQUIRED IN  
15 SUBSECTIONS (3)(a)(I) TO (3)(a)(V) OF THIS SECTION TO THE DEPARTMENT  
16 OF LOCAL AFFAIRS NO LATER THAN THE DATE SPECIFIED IN SECTION  
17 22-30.5-104.9 OR NO LATER THAN NINETY DAYS AFTER BECOMING A  
18 CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-104.9 (7) AND SHALL  
19 UPDATE SUCH INFORMATION PURSUANT TO SUBSECTION (3)(b) OF THIS  
20 SECTION.

21 **SECTION 21.** In Colorado Revised Statutes, 24-90-120, **amend**  
22 (6)(c) as follows:

23 **24-90-120. Colorado imagination library program - creation**  
24 **- request for proposal - state librarian duties - report - legislative**  
25 **declaration - definitions.** (6) (c) Twenty percent of money appropriated  
26 for the 2021-22 state fiscal year, and each fiscal year thereafter, may be  
27 used for the contractor operating the program for duties set forth in

1 subsections (2)(a) to ~~(2)(f)~~ (2)(d) AND (2)(f) of this section.

2 SECTION 22. In Colorado Revised Statutes, 22-30.5-513.1,  
3 amend (2) as follows:

4 22-30.5-513.1. Mill levy equalization - fund created -  
5 legislative declaration - definitions. (2) (a) The mill levy equalization  
6 fund, referred to in this section as the "fund", is hereby created in the state  
7 treasury. The fund consists of any amount that the general assembly may  
8 appropriate APPROPRIATES TO THE FUND PURSUANT TO SUBSECTION  
9 (2)(a.5) OF THIS SECTION OR MAY ADDITIONALLY APPROPRIATE or transfer  
10 to the fund. The state treasurer shall credit to the fund all interest and  
11 income derived from the deposit and investment of money in the fund.

12 (a.5) (I) BEGINNING IN THE 2024-25 BUDGET YEAR AND EACH  
13 BUDGET YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE  
14 FROM THE GENERAL FUND THE AMOUNT NECESSARY EACH BUDGET YEAR  
15 TO FUND FULL MILL LEVY EQUALIZATION FOR ALL INSTITUTE CHARTER  
16 SCHOOLS FOR THE APPLICABLE BUDGET YEAR.

17 (II) THE AMOUNT REQUIRED TO FUND MILL LEVY EQUALIZATION  
18 FOR ALL INSTITUTE CHARTER SCHOOLS IS DETERMINED IN ACCORDANCE  
19 WITH THE FOLLOWING FORMULA:

20 (THE ACCOUNTING DISTRICT'S TOTAL ADDITIONAL MILL LEVY  
21 REVENUE / THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT) X  
22 EACH INSTITUTE CHARTER SCHOOL'S FUNDED PUPIL COUNT

23 (III) AS USED IN THIS SUBSECTION (2)(a.5), UNLESS THE CONTEXT  
24 OTHERWISE REQUIRES:

25 (A) "ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT" HAS THE  
26 SAME MEANING SET FORTH IN SECTION 22-30.5-513 (1)(e).

27 (B) "ADDITIONAL MILL LEVY REVENUE" HAS THE SAME MEANING

1 SET FORTH IN SECTION 22-32-108.5 (2)(a).

2 (b) Subject to annual appropriation by the general assembly The  
3 institute shall annually distribute the money appropriated or transferred  
4 to the fund to the institute charter schools on an equal per-pupil basis;  
5 except that, in any budget year, an institute charter school shall not  
6 receive a per pupil amount that is greater than the total amount of  
7 additional mill levy revenue, as defined in section 22-32-108.5, that the  
8 accounting district for the institute charter school is authorized to collect,  
9 divided by the funded pupil count, as defined in section 22-54-103, of the  
10 accounting district for the applicable budget year. The money distributed  
11 pursuant to this section is in addition to money distributed to institute  
12 charter schools pursuant to section 22-30.5-513. THE INSTITUTE HAS  
13 CONTINUOUS SPENDING AUTHORITY OF ALL INTEREST AND INCOME IN THE  
14 FUND.

15 **SECTION 23. Appropriation.** (1) For the 2023-24 state fiscal  
16 year, \$2,500,000 is appropriated to the mill levy equalization fund created  
17 in section 22-30.5-513.1 (2)(a), C.R.S. This appropriation is from the  
18 general fund. The department of education is responsible for accounting  
19 related to this appropriation.

20 (2) For the 2023-24 state fiscal year, \$2,500,000 is appropriated  
21 to the department of education. This appropriation is from reappropriated  
22 funds in the mill levy equalization fund pursuant to subsection (1) of this  
23 section. To implement this act, the department may use the appropriation  
24 for charter school institute mill levy equalization.

25 **SECTION 24. Appropriation.** For the 2023-24 state fiscal year,  
26 \$10,000,000 is appropriated to the department of education. This  
27 appropriation is from the state education fund created in section 17 (4) of

1 article IX of the state constitution. To implement this act, the department  
2 may use this appropriation for state aid for charter school facilities.

3 **SECTION 25. Appropriation.** For the 2023-24 state fiscal year,  
4 \$500,000 is appropriated to the department of education. This  
5 appropriation is from the state education fund created in section 17 (4)(a)  
6 of article IX of the state constitution. To implement this act, the  
7 department may use this appropriation for special education programs for  
8 children with disabilities for the implementation of section 22-20-108  
9 (4.8), C.R.S.

10 **SECTION 26. Appropriation.** (1) For the 2023-24 state fiscal  
11 year, \$220,256,759 is appropriated to the department of education. This  
12 appropriation is from the state education fund created in section 17 (4)(a)  
13 of article IX of the state constitution. To implement this act, the  
14 department may use this appropriation as follows:

15 (a) \$188,490,019 for the state share of districts' total program  
16 funding;

17 (b) \$30,000,000 for additional funding for rural districts and  
18 institute charter schools;

19 (c) \$1,058,115 for special education programs for gifted and  
20 talented children to support universal screening pursuant to section  
21 22-20-205 (5)(a), C.R.S.;

22 (d) \$408,625 for administration related to public school finance  
23 for the implementation of section 22-54-104.7, C.R.S., which amount is  
24 based on an assumption that the department will require an additional 0.7  
25 FTE; and

26 (e) \$300,000 for distributions to eligible schools pursuant to  
27 section 22-1-133 (7)(b)(II), C.R.S.

1           (2) Any money appropriated in subsection (1)(d) not expended  
2 prior to July 1, 2024, is further appropriated to the department for the  
3 2024-25 state fiscal year for the same purpose.

4           **SECTION 27. Appropriation.** For the 2023-24 state fiscal year,  
5 \$23,376,536 is appropriated to the department of education. This  
6 appropriation is from the mill levy override match fund created in section  
7 22-54-107.9 (6), C.R.S. To implement this act, the department may use  
8 this appropriation for mill levy override matching pursuant to section  
9 22-54-107.9, C.R.S.

10           **SECTION 28. Appropriation to the department of education**  
11 **for the fiscal year beginning July 1, 2023.** Section 2 of SB 23-214,  
12 **amend Part IV (3)(A) Footnote 10, as follows:**

13           Section 2. Appropriation.  
14 10 Department of Education, School District Operations, Public  
15 School Finance, State Share of Districts' Total Program Funding --  
16 Pursuant to Section 22-35-108.5 (2)(b)(II), C.R.S., the purpose of this  
17 footnote is to specify what portion of this appropriation is intended to be  
18 available for the Teacher Recruitment Education and Preparation (TREP)  
19 Program for FY 2023-24. It is the General Assembly's intent that the  
20 Department of Education be authorized to utilize up to \$2,348,000  
21 \$2,396,500 of this appropriation to fund qualified students designated as  
22 TREP Program participants. This amount is calculated based on an  
23 estimated 250 FTE TREP Program participants funded at a rate of \$8,686  
24 \$9,586 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

25           **SECTION 29. Appropriation.** For the 2023-24 state fiscal year,  
26 \$10,000,000 is appropriated to the department of education. This  
27 appropriation is from the state education fund created in section 17 (4)(a)

1 of article IX of the state constitution. To implement this act, the  
2 department may use this appropriation for distributions to eligible  
3 preschool providers pursuant to section 22-20-114 (8)(b), C.R.S.

4 **SECTION 30. Effective date.** (1) Except as otherwise provided  
5 in this section, this act takes effect upon passage.

6 (2) Section 25 of this act takes effect only if House Bill 23-1263  
7 becomes law.

8 **SECTION 31. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, or safety.