### **Second Regular Session** Seventy-fourth General Assembly STATE OF COLORADO

# REVISED

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

LLS NO. 24-0235.02 Jacob Baus x2173

**SENATE BILL 24-017** 

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## A BILL FOR AN ACT

101 CONCERNING THE DISTRIBUTION AMOUNTS MADE BY THE STATE TO A

102 SCHOOL DISTRICT DURING THE BUDGET YEAR THAT COMPRISE

103 THE STATE'S SHARE OF A SCHOOL DISTRICT'S TOTAL PROGRAM.

#### **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.)

Under current law, the state distributes its share of a school district's total program funding in 12 approximately equal monthly payments during the budget year.

The bill changes this distribution schedule so that the state distributes its share of a school district's total program funds in a pattern

Reading Unamended March 22, 2024 HOUSE 2nd





over the course of the budget year that considers the projected timing of when the district will receive the property tax component of its local share of its total program funding and is as equal as possible each month when combined with the property tax component of its local share.

1 Be it enacted by the General Assembly of the State of Colorado: 2 **SECTION 1.** In Colorado Revised Statutes, 22-54-115, amend 3 (1) introductory portion; and **add** (1.1) and (1.2) as follows: 4 **22-54-115.** Distribution from state public school fund. (1) No 5 later than June 30 of each year, the state board shall determine the amount 6 of the state's share of the district's total program for the budget year 7 beginning on July 1, and the total thereof for all districts. which amount 8 shall be payable in twelve approximately equal monthly payments during 9 such budget year; except that: THE DEPARTMENT OF EDUCATION SHALL 10 PAY THE UNPAID AMOUNT OF THE STATE'S SHARE OF EACH DISTRICT'S 11 TOTAL PROGRAM TO EACH DISTRICT IN A PATTERN OVER THE REMAINING 12 MONTHS OF THE BUDGET YEAR THAT CONSIDERS THE PROJECTED TIMING 13 OF WHEN EACH DISTRICT RECEIVES THE DISTRICT'S PROPERTY TAX 14 COMPONENT OF ITS TOTAL PROGRAM SO THAT THE STATE'S SHARE OF THE 15 DISTRICT'S TOTAL PROGRAM EACH MONTH IS AN AMOUNT THAT WHEN 16 COMBINED WITH THE DISTRICT'S PROPERTY TAX COMPONENT OF ITS TOTAL 17 PROGRAM IS AS EQUAL MONTH TO MONTH AS MATHEMATICALLY POSSIBLE. 18 TO DETERMINE THE PATTERN PURSUANT TO THIS SUBSECTION (1), THE 19 DEPARTMENT OF EDUCATION SHALL ASSUME THAT EACH DISTRICT 20 RECEIVES THE SPECIFIC OWNERSHIP TAX COMPONENT OF THE DISTRICT'S 21 SHARE OF ITS TOTAL PROGRAM IN TWELVE APPROXIMATELY EQUAL 22 MONTHLY PAYMENTS BASED UPON THE ANNUAL PROJECTION AND THAT 23 THE DISTRICT RECEIVES THE PROPERTY TAX COMPONENT OF THE

DISTRICT'S SHARE OF ITS TOTAL PROGRAM IN THREE APPROXIMATELY
 EQUAL PAYMENTS BASED UPON THE ANNUAL PROJECTION IN MARCH,
 MAY, AND JUNE EACH YEAR. ADDITIONALLY:

4 (1.1) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION TO 5 THE CONTRARY, UPON THE REQUEST OF A SCHOOL DISTRICT, THE 6 DEPARTMENT OF EDUCATION SHALL PAY THE STATE'S SHARE OF THE 7 DISTRICT'S TOTAL PROGRAM FOR THE BUDGET YEAR IN TWELVE 8 APPROXIMATELY EQUAL MONTHLY PAYMENTS DURING THE BUDGET YEAR, 9 AND UNLESS REQUESTED OTHERWISE BY THE SCHOOL DISTRICT, THE 10 DEPARTMENT OF EDUCATION SHALL PAY THE STATE'S SHARE OF THE 11 DISTRICT'S TOTAL PROGRAM FOR THE BUDGET YEAR IN TWELVE 12 APPROXIMATELY EQUAL MONTHLY PAYMENTS IN EACH BUDGET YEAR 13 THEREAFTER. 14 (b) A SCHOOL DISTRICT MUST MAKE A REQUEST PURSUANT TO THIS 15 SUBSECTION (1.1) ON OR BEFORE JULY 1 OF THE APPLICABLE BUDGET YEAR 16 FOR THE APPLICABLE BUDGET YEAR. 17 (1.2) THE DEPARTMENT OF EDUCATION SHALL NOT CHANGE A 18 SCHOOL DISTRICT'S DISTRIBUTION SCHEDULE PURSUANT TO SUBSECTION 19 (1) OR (1.1) OF THIS SECTION DURING THE CURRENT BUDGET YEAR FOR THE 20 CURRENT BUDGET YEAR. 21 SECTION 2. In Colorado Revised Statutes, 22-54-124, amend 22 (4)(c); and **add** (4)(d) as follows: 23 22-54-124. State aid for charter schools - use of state education 24 **fund money - definitions.** (4) (c) For the 2009-10 budget year <del>and each</del> 25 budget year thereafter THROUGH THE 2023-24 BUDGET YEAR, the 26 department of education shall distribute the total amount to be distributed 27 pursuant to this section to each eligible school district and eligible

institute charter school in twelve approximately equal monthly payments
 during the applicable budget year in conjunction with the distribution of
 the state's share of district total program pursuant to section 22-54-115.

4 (d) For the 2024-25 BUDGET YEAR AND EACH BUDGET YEAR
5 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE THE
6 TOTAL AMOUNT TO BE DISTRIBUTED PURSUANT TO THIS SECTION TO EACH
7 ELIGIBLE SCHOOL DISTRICT AND ELIGIBLE INSTITUTE CHARTER SCHOOL
8 PURSUANT TO SECTION 22-54-115.

9 SECTION 3. Safety clause. The general assembly finds, 10 determines, and declares that this act is necessary for the immediate 11 preservation of the public peace, health, or safety or for appropriations for 12 the support and maintenance of the departments of the state and state 13 institutions.