

**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. 24-0933.01 Alana Rosen x2606

HOUSE BILL 24-1205

HOUSE SPONSORSHIP

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House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE COLORADO IMAGINATION**
102 **LIBRARY PROGRAM TO ENHANCE EARLY CHILDHOOD LITERACY.**

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/>.)

Joint Budget Committee. Current law requires the state librarian in the department of education to oversee the Colorado imagination library program (program) and to contract with a Colorado nonprofit organization (contractor) to operate the program. The bill relocates the program to the department of early childhood (department).

Effective June 30, 2024, the rights, powers, duties, functions, and

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
2nd Reading Unamended
February 14, 2024

HOUSE
3rd Reading Unamended
February 8, 2024

HOUSE
2nd Reading Unamended
February 7, 2024

obligations concerning the program are transferred to the department. The bill transfers the contractual obligations with the contractor to the department.

Before the rights, powers, duties, functions, and obligations concerning the program are transferred to the department on June 30, 2024, the department may enter into an interagency agreement with the department of education for the administration of the program.

The bill authorizes the contractor to enter into contracts with book vendors or publishers to provide additional age-appropriate, high-quality books to children enrolled in the program at no cost to families.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add with amended**
3 **and relocated provisions** 26.5-1-115 as follows:

4 **26.5-1-115. Colorado imagination library program - creation**
5 **- contract - report - legislative declaration - appropriations -**
6 **definitions.** (1) [Formerly 24-90-120 (1)] For the purposes of this
7 section, unless the context otherwise requires:

8 (a) "County-based affiliate programs" means a ~~local~~ NONPROFIT
9 ORGANIZATION OR NONPROFIT PARTNER affiliate of the Colorado
10 imagination library program that operates within a county or city and
11 county OR ACROSS CITIES AND COUNTIES.

12 (b) "Eligible child" means a child from birth to the child's fifth
13 birthday.

14 (c) "National nonprofit foundation" means a national nonprofit
15 foundation that exists for the sole purpose of working with local entities
16 to identify eligible children and ~~may~~ PROVIDE age-appropriate,
17 high-quality books each month to those children at no cost to families.

18 (d) "Program" means the Colorado imagination library program
19 created pursuant to subsection (2) of this section.

20 (2) [Formerly 24-90-120 (2)] (a) (I) No later than ~~December 31,~~

1 ~~2021 the state librarian in the department of education~~ JULY 1, 2024, THE
2 DEPARTMENT OF EARLY CHILDHOOD shall contract with a Colorado
3 nonprofit organization for the creation and operation of the Colorado
4 imagination library program.

5 (II) EFFECTIVE JUNE 30, 2024, THE RIGHTS, POWERS, DUTIES,
6 FUNCTIONS, AND OBLIGATIONS CONCERNING THE PROGRAM ARE
7 TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD. BEFORE THE
8 TRANSFER OF THE RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS
9 OF THE PROGRAM TO THE DEPARTMENT OF EARLY CHILDHOOD ON JUNE 30,
10 2024, THE DEPARTMENT OF EARLY CHILDHOOD MAY ENTER INTO AN
11 INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF EDUCATION FOR
12 THE ADMINISTRATION OF THE PROGRAM.

13 (III) EFFECTIVE JUNE 30, 2024, IF THE DEPARTMENT OF EDUCATION
14 IS REFERRED TO OR DESIGNATED BY THE CONTRACT DESCRIBED IN
15 SUBSECTION (2)(a)(I) OF THIS SECTION OR ANY OTHER DOCUMENT IN
16 CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED
17 TO THE DEPARTMENT OF EARLY CHILDHOOD PURSUANT TO SUBSECTION
18 (2)(a)(II) OF THIS SECTION, THE REFERENCE OR DESIGNATION APPLIES TO
19 THE DEPARTMENT OF EARLY CHILDHOOD. ALL CONTRACTS ENTERED INTO
20 BY THE DEPARTMENT OF EDUCATION BEFORE JUNE 30, 2024, IN
21 CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED
22 TO THE DEPARTMENT OF EARLY CHILDHOOD PURSUANT TO SUBSECTION
23 (2)(a)(II) OF THIS SECTION ARE VALIDATED, WITH THE DEPARTMENT OF
24 EARLY CHILDHOOD SUCCEEDING ALL RIGHTS AND OBLIGATIONS UNDER
25 THE CONTRACT.

26 (b) The contractor DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS
27 SECTION shall:

1 ~~(a) (I) Exist for the sole purpose of creating and operating~~
2 OPERATE the program BY PROVIDING AGE-APPROPRIATE, HIGH-QUALITY
3 BOOKS TO CHILDREN TO PROMOTE EARLY CHILDHOOD LITERACY;

4 ~~(b) (II) Manage the daily operations of the program, including, but~~
5 not limited to, establishing county-based affiliate programs in all
6 Colorado counties and cities and counties and advancing and
7 strengthening the affiliate programs to ensure enrollment growth;

8 ~~(c) Develop, promote, and coordinate a public awareness~~
9 ~~campaign in coordination with the department of education to ensure~~
10 ~~alignment with the "Colorado READ Act", part 12 of article 7 of title 22,~~
11 ~~including any public awareness campaign for the "Colorado READ Act",~~
12 ~~and to make the public aware of the opportunity to register eligible~~
13 ~~children to receive free books through the program;~~

14 ~~(d) (III) Contract with a national nonprofit foundation to provide~~
15 age-appropriate, high-quality books each month to eligible children at no
16 cost to families;

17 ~~(e) (IV) Provide for a high-quality independent evaluation of the~~
18 impact of the program on child and family outcomes, including child
19 literacy and parent and family engagement; and

20 ~~(f) (V) Establish a distressed affiliate fund using gifts, grants, or~~
21 donations to help county-based affiliate programs that have financial
22 difficulty meeting the county-based affiliate programs' funding
23 requirements.

24 (3) THE CONTRACTOR MAY ENTER INTO A CONTRACT WITH BOOK
25 VENDORS OR BOOK PUBLISHERS IN ACCORDANCE WITH THIS SECTION TO
26 PROVIDE ADDITIONAL AGE-APPROPRIATE, HIGH-QUALITY BOOKS TO
27 ELIGIBLE CHILDREN ENROLLED IN THE PROGRAM AT NO COST TO FAMILIES.

1 (4) **[Formerly 24-90-120 (3)]** Notwithstanding section 24-1-136
2 (11)(a)(I), on or before ~~July 1 of the year after the state librarian enters~~
3 ~~into a contract pursuant to subsection (2) of this section~~ JULY 1, 2024, and
4 ON OR BEFORE each July 1 thereafter, the contractor shall submit a report
5 to the department, ~~of education~~ which shall then submit the report to the
6 education committees of the senate and house of representatives, or ~~any~~
7 THEIR successor committees, concerning the total number of eligible
8 children residing in each county or city and county in Colorado and how
9 many eligible children are enrolled in the program in each county or city
10 and county.

11 (5) **[Formerly 24-90-120 (4)]** (a) The contractor, in operating the
12 program pursuant to subsection (2) of this section, shall pay to the
13 national nonprofit foundation the statewide cost to provide free books to
14 eligible children enrolled in the program, as determined by the national
15 nonprofit foundation. THE CONTRACTOR SHALL PAY A BOOK VENDOR OR
16 BOOK PUBLISHER THAT ENTERS INTO A CONTRACT WITH THE CONTRACTOR
17 PURSUANT TO SUBSECTION (3) OF THIS SECTION THE STATEWIDE COST TO
18 PROVIDE ADDITIONAL FREE BOOKS TO ELIGIBLE CHILDREN ENROLLED IN
19 THE PROGRAM. The general assembly shall annually appropriate money
20 from the general fund to the department ~~of education for the state~~
21 ~~librarian~~ to distribute to the contractor for the state's fifty percent share of
22 the cost to provide the books.

23 (b) Each county-based affiliate program ~~shall~~ MUST pay to the
24 contractor the remainder of the cost, as determined by the national
25 nonprofit foundation OR A BOOK VENDOR OR BOOK PUBLISHER THAT
26 ENTERS INTO A CONTRACT WITH THE CONTRACTOR PURSUANT TO THIS
27 SECTION, to provide books to the eligible children enrolled in the county

1 or city and county.

2 (6) [Formerly 24-90-120 (5)] The department of education may
3 seek, accept, and expend gifts, grants, or donations from private or public
4 sources for the implementation of this section.

5 (7) [Formerly 24-90-120 (6)] (a) It is the intent of the general
6 assembly to provide full funding by 2026 for any eligible child who wants
7 to participate in the program.

8 (b) (I) For the 2022-23 state fiscal year, the general assembly shall
9 appropriate nine hundred seven thousand one hundred forty dollars for the
10 Colorado imagination library PROGRAM and shall increase the
11 appropriation in subsequent fiscal years as necessary to meet the intention
12 of the general assembly set forth in ~~subsection (6)(a)~~ SUBSECTION (7)(a)
13 of this section.

14 (II) ANY APPROPRIATION MADE IN THE ANNUAL GENERAL
15 APPROPRIATION ACT FOR THE 2023-24 STATE FISCAL YEAR TO THE
16 DEPARTMENT OF EDUCATION FOR THE COLORADO IMAGINATION LIBRARY
17 PROGRAM IS HEREBY TRANSFERRED TO THE DEPARTMENT OF EARLY
18 CHILDHOOD FOR THE COLORADO IMAGINATION LIBRARY PROGRAM ON
19 JUNE 30, 2024. ANY UNEXPENDED AND UNENCUMBERED MONEY
20 APPROPRIATED FROM THE GENERAL FUND FOR THE COLORADO
21 IMAGINATION LIBRARY PROGRAM FOR THE 2023-24 STATE FISCAL YEAR
22 THAT IS TRANSFERRED TO THE DEPARTMENT OF EARLY CHILDHOOD
23 PURSUANT TO THIS SUBSECTION (7)(b)(II) REMAINS AVAILABLE FOR
24 EXPENDITURE BY THE DEPARTMENT OF EARLY CHILDHOOD THROUGH THE
25 2024-25 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

26 (c) FOR THE 2024-25 STATE FISCAL YEAR, THE GENERAL ASSEMBLY
27 SHALL APPROPRIATE TO THE DEPARTMENT OF EARLY CHILDHOOD THE

1 FUNDS NECESSARY TO MEET THE INTENTION OF THE GENERAL ASSEMBLY
2 SET FORTH IN SUBSECTION (7)(a) OF THIS SECTION.

3 ~~(e)~~ (d) Twenty percent of money appropriated for the 2021-22
4 state fiscal year, and each fiscal year thereafter, may be used for the
5 contractor operating the program for duties set forth in ~~subsections (2)(a)~~
6 ~~to (2)(d) and (2)(f)~~ SUBSECTIONS (2)(b)(I) TO (2)(b)(III) AND (2)(b)(V) of
7 this section.

8 **SECTION 2. Repeal of relocated provisions in this act.** In
9 Colorado Revised Statutes, **repeal** 24-90-120.

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