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Fiscal Note

Drafting Number:	LLS 24-0632	Date:	April 9, 2024
Prime Sponsors:	Rep. Weinberg	Bill Status:	House State Affairs
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Bill Topic: **SCHOOL CHOICE IN K-12 EDUCATION SYSTEM**

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

This concurrent resolution refers a constitutional amendment to voters at the 2024 general election to establish the right of parents to direct the education of their children through school choice. The bill will increase state and local expenditures starting in FY 2024-25, if approved by voters.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced resolution.

Summary of Legislation

This concurrent resolution refers a ballot measure to voters at the November 2024 election. If approved, the measure creates a constitutional right for all children to equal opportunity and access to a quality education. Parents, guardians, and legal custodians have the right to direct the education of their children through school choice. School choice includes neighborhood schools, charter schools, private schools, home schools, open enrollment options, and future innovations in education.

State Expenditures

If approved by voters, this resolution potentially affects state education funding and will increase legal expenses. It also contributes to anticipated election-related costs. These impacts are discussed below.

Education funding. If approved by voters, this resolution may affect future state expenditures on education, depending on how the measure is interpreted and future steps by the state legislature and state agencies to implement it. To the extent the state legislature modifies current laws or the disbursement of state funds to align with the measure, state spending on education will change.

Legal expenses. Because the measure is broad in its scope, it may lead to an increase in litigation against the Colorado Department of Education from disputes between parties as to what constitutes the right to school choice and whether the state is meeting its obligations. The exact increase in legal costs to the state cannot be estimated.

Election costs. This resolution includes a referred measure that will appear before voters at the November 2024 general election. While no additional appropriation is required, certain election costs are incurred by the state when ballot measures are referred. These include reimbursing counties for certain election costs; publishing the text and title of the measure in newspapers across the state; and preparing and mailing the ballot information booklet.

Local Government

To the extent that local governments and school boards modify current rules and policies to align with the measure, local spending on education may change if it is approved by voters. Similar to the state, the measure may also lead to an increase in litigation against school districts from disputes as to what constitutes the right to school choice. Exact legal costs cannot be estimated.

Effective Date

If approved by voters at the 2024 general election, this measure takes effect upon proclamation of the Governor, no later than 30 days after the official canvass of the vote is completed.

State and Local Government Contacts

Education

Law

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).