

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

INTRODUCED

LLS NO. 25-0609.01 Alana Rosen x2606

HOUSE BILL 25-1061

HOUSE SPONSORSHIP

Taggart and Bacon,

SENATE SPONSORSHIP

Amabile and Kirkmeyer,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATING A GRANT PROGRAM FOR THE DEVELOPMENT**
102 **OF COMMUNITY SCHOOLYARDS.**

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 community schoolyards grant program (grant program) in the division of local government (division) within the department of local affairs. The grant program is a 2-part grant program that includes:

- The planning and design grant program (planning program), which awards up to \$150,000 to each grant

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.*

recipient selected by the division for the planning and design of a community schoolyard; and

- The capital construction and improvement grant program (construction program), which awards up to \$850,000 to each grant recipient selected by the division for the capital construction of a community schoolyard.

The division shall implement a timeline for the planning program and the construction program (programs), which must include:

- Announcing each of the programs;
- Accepting applications from eligible applicants for each of the programs;
- Selecting the grant recipients for each of the programs;
- Distributing grant money to the grant recipients for each of the programs; and
- Establishing reporting timelines and requirements for each of the programs.

On or before January 15, 2028, the division shall compile a report summarizing the grant recipient reports from the programs. The division shall submit the report to the education committees of the house of representatives and senate; the house of representatives transportation, housing, and local government committee; and the senate local government and housing committee, or their successor committees.

The division may adopt rules to carry out the purposes of the grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-32-135 as
3 follows:

4 **24-32-135. Community schoolyards grant program - creation**
5 **- report - rules - definitions - repeal.** (1) AS USED IN THIS SECTION,
6 UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "CAPITAL CONSTRUCTION AND IMPROVEMENT GRANT
8 PROGRAM" OR "CONSTRUCTION PROGRAM" MEANS THE CAPITAL
9 CONSTRUCTION AND IMPROVEMENT GRANT PROGRAM CREATED IN
10 SUBSECTION (2)(a)(II) OF THIS SECTION THAT IS PART OF THE COMMUNITY
11 SCHOOLYARDS GRANT PROGRAM.

1 (b) "COMMUNITY SCHOOLYARD" MEANS A PARK-LIKE
2 ENVIRONMENT LOCATED AT AN ELEMENTARY OR SECONDARY SCHOOL
3 THAT STRENGTHENS LOCAL ECOLOGICAL SYSTEMS, PROVIDES A WIDE
4 RANGE OF HANDS-ON LEARNING RESOURCES, ENHANCES HEALTH AND
5 WELL-BEING FOR STUDENTS AND COMMUNITY MEMBERS, AND FOSTERS
6 NATURE-PLAY AND SOCIAL OPPORTUNITIES FOR STUDENTS AND
7 COMMUNITY MEMBERS.

8 (c) "COMMUNITY SCHOOLYARDS GRANT PROGRAM" OR "GRANT
9 PROGRAM" MEANS THE COMMUNITY SCHOOLYARDS GRANT PROGRAM
10 CREATED IN SUBSECTION (2)(a) OF THIS SECTION, WHICH CONSISTS OF TWO
11 GRANT PROGRAMS: THE PLANNING AND DESIGN GRANT PROGRAM CREATED
12 IN SUBSECTION (2)(a)(I) OF THIS SECTION AND THE CAPITAL
13 CONSTRUCTION AND IMPROVEMENT GRANT PROGRAM CREATED IN
14 SUBSECTION (2)(a)(II) OF THIS SECTION.

15 (d) "COMMUNITY SCHOOLYARDS GRANT PROGRAM FUND" OR
16 "FUND" MEANS THE COMMUNITY SCHOOLYARDS GRANT PROGRAM FUND
17 CREATED IN SUBSECTION (7) OF THIS SECTION.

18 (e) "ELIGIBLE APPLICANT" MEANS A SCHOOL OF A SCHOOL
19 DISTRICT, A SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, AN INSTITUTE
20 CHARTER SCHOOL, THE STATE CHARTER SCHOOL INSTITUTE, A BOARD OF
21 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE
22 5 OF TITLE 22, OR AN INDIAN TRIBE OR TRIBAL ORGANIZATION.

23 (f) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
24 DIVISION SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

25 (g) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
26 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
27 1 OF ARTICLE 30.5 OF TITLE 22, A CHARTER SCHOOL AUTHORIZED BY THE

1 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
2 OF TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED AND
3 OPERATING PURSUANT TO ARTICLE 5 OF TITLE 22.

4 (h) "PLANNING AND DESIGN GRANT PROGRAM" OR "PLANNING
5 PROGRAM" MEANS THE PLANNING AND DESIGN GRANT PROGRAM CREATED
6 IN SUBSECTION (2)(a)(I) OF THIS SECTION THAT IS PART OF THE
7 COMMUNITY SCHOOLYARDS GRANT PROGRAM.

8 (2) (a) THE COMMUNITY SCHOOLYARDS GRANT PROGRAM IS
9 CREATED IN THE DIVISION. THE COMMUNITY SCHOOLYARDS GRANT
10 PROGRAM IS A TWO-PART GRANT PROGRAM THAT INCLUDES:

11 (I) THE PLANNING AND DESIGN GRANT PROGRAM, WHICH AWARDS
12 UP TO ONE HUNDRED FIFTY THOUSAND DOLLARS TO EACH GRANT
13 RECIPIENT SELECTED BY THE DIVISION FOR THE PLANNING AND DESIGN OF
14 A COMMUNITY SCHOOLYARD; AND

15 (II) THE CAPITAL CONSTRUCTION AND IMPROVEMENT GRANT
16 PROGRAM, WHICH AWARDS UP TO EIGHT HUNDRED FIFTY THOUSAND
17 DOLLARS TO EACH GRANT RECIPIENT SELECTED BY THE DIVISION FOR THE
18 CAPITAL CONSTRUCTION OF A COMMUNITY SCHOOLYARD.

19 (b) THE PURPOSE OF THE COMMUNITY SCHOOLYARDS GRANT
20 PROGRAM IS TO ADDRESS INEQUITIES IN UNDERSERVED AND
21 UNDERFUNDED SCHOOLS AND COMMUNITIES, SPECIFICALLY COMMUNITIES
22 SOCIALLY OR ECONOMICALLY AFFECTED BY THE DEVELOPMENT,
23 PROCESSING, OR ENERGY CONVERSION OF MINERALS AND MINERAL FUELS
24 SUBJECT TO TAXATION PURSUANT TO ARTICLE 29 OF TITLE 39, BY:

25 (I) MAKING COMMUNITY SCHOOLYARDS ACCESSIBLE TO THE
26 BROADER COMMUNITY OUTSIDE OF SCHOOL HOURS;

27 (II) IMPROVING PHYSICAL ACTIVITY AND MENTAL HEALTH

1 OPPORTUNITIES FOR STUDENTS AND COMMUNITY MEMBERS; AND
2 (III) INCORPORATING NATURAL LANDSCAPES, NATURAL
3 PLAYGROUNDS, AND RECREATIONAL SPACES THAT PROMOTE ADAPTATION;
4 SUSTAINABILITY; RESILIENCE; AND HANDS-ON LEARNING ACROSS SUBJECT
5 MATTERS, INCLUDING SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND
6 MATHEMATICS.

7 (c) FOR THE PLANNING PROGRAM AND THE CONSTRUCTION
8 PROGRAM, THE DIVISION SHALL CONSIDER AND GIVE PREFERENCE TO THE
9 ELIGIBLE APPLICANTS WHOSE APPLICATIONS CONTAIN THE FOLLOWING
10 MATERIALS:

11 (I) DOCUMENTATION OF A COMMUNITY-USE AGREEMENT WITH THE
12 LOCAL GOVERNMENT OR INDIAN TRIBE OR TRIBAL ORGANIZATION THAT
13 ENABLES THE COMMUNITY SCHOOLYARD TO SERVE AS A COMMUNITY
14 FACILITY OUTSIDE OF SCHOOL HOURS. THE COMMUNITY-USE AGREEMENT
15 MUST INCLUDE, AT A MINIMUM, THE FOLLOWING:

16 (A) A DEFINITION OF THE ROLES AND RESPONSIBILITIES OF THE
17 LOCAL GOVERNMENT OR INDIAN TRIBE OR TRIBAL ORGANIZATION AND
18 THE ELIGIBLE APPLICANT IN THE OPERATION, USE, SAFETY, AND
19 MAINTENANCE OF THE COMMUNITY SCHOOLYARD;

20 (B) CONSIDERATION OF LIABILITY ISSUES FOR COMMUNITY USE OF
21 THE COMMUNITY SCHOOLYARD;

22 (C) A DEFINITION OF THE HOURS OF OPERATION FOR COMMUNITY
23 USE OF THE COMMUNITY SCHOOLYARD; AND

24 (D) DOCUMENTATION OF THE COMMUNITY USE OF THE
25 COMMUNITY SCHOOLYARD;

26 (II) DOCUMENTATION OF A PARTNERSHIP BETWEEN THE ELIGIBLE
27 APPLICANT AND A COMMUNITY-BASED ORGANIZATION WITH EXPERTISE IN

1 OUTDOOR LEARNING SPACES OR OUTDOOR EDUCATION SPACES THAT HAS
2 EXPERIENCE WORKING WITH LOCAL EDUCATION PROVIDERS;

3 (III) DOCUMENTATION OF THE AMOUNT OF MATCHING FUNDS THAT
4 THE ELIGIBLE APPLICANT INTENDS TO PROVIDE TO AUGMENT GRANT
5 MONEY RECEIVED FROM THE GRANT PROGRAM AND THE ANTICIPATED
6 AMOUNT AND SOURCE OF ANY MATCHING FUNDS; AND

7 (IV) A DEMONSTRATION OF THE NEED FOR A COMMUNITY
8 SCHOOLYARD THAT USES A NATIONALLY RECOGNIZED INTERACTIVE MAP
9 TO HELP IDENTIFY THE TOP LOCATIONS TO BUILD A COMMUNITY
10 SCHOOLYARD.

11 (d) THE DIVISION MAY CONSULT WITH THE STATE BOARD OF THE
12 GREAT OUTDOORS COLORADO TRUST FUND ESTABLISHED PURSUANT TO
13 SECTION 6 OF ARTICLE XXVII OF THE STATE CONSTITUTION, THE OUTDOOR
14 EQUITY BOARD CREATED IN SECTION 33-9-203, THE ENVIRONMENTAL
15 JUSTICE ADVISORY BOARD CREATED IN SECTION 25-1-134 (2), AND THE
16 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD CREATED IN
17 SECTION 22-43.7-106 REGARDING THE GRANT PROGRAM.

18 (3) (a) ON OR BEFORE JANUARY 15, 2026, THE DIVISION SHALL
19 IMPLEMENT A TIMELINE FOR THE PLANNING PROGRAM, WHICH MUST
20 INCLUDE:

21 (I) ANNOUNCING THE PLANNING PROGRAM;

22 (II) ACCEPTING APPLICATIONS FROM ELIGIBLE APPLICANTS;

23 (III) SELECTING THE GRANT RECIPIENTS;

24 (IV) DISTRIBUTING GRANT MONEY TO THE GRANT RECIPIENTS; AND

25 (V) ESTABLISHING REPORTING TIMELINES AND REQUIREMENTS FOR
26 THE GRANT RECIPIENTS OF THE PLANNING PROGRAM. GRANT RECIPIENTS
27 SHALL REPORT, AT A MINIMUM, THE FOLLOWING TO THE DIVISION:

1 (A) THE AMOUNT OF MONEY RECEIVED FROM THE PLANNING
2 PROGRAM;

3 (B) THE NUMBER OF STUDENTS AFFECTED BY THE GRANT; AND

4 (C) A DESCRIPTION OF HOW THE GRANT MONEY WAS SPENT.

5 (b) GRANT RECIPIENTS OF THE PLANNING PROGRAM SHALL
6 DEVELOP PROFESSIONAL PLAN, DESIGN, AND CONSTRUCTION DOCUMENTS
7 THROUGH A COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS IN
8 COLLABORATION WITH STUDENTS, EDUCATORS, AND COMMUNITY
9 MEMBERS. THE PLANNING AND DESIGN DOCUMENTS FOR THE COMMUNITY
10 SCHOOLYARD MUST INCLUDE:

11 (I) ECOLOGICAL, CLIMATE, AND BIODIVERSITY GOALS;

12 (II) EDUCATION AND HEALTH GOALS;

13 (III) RECREATION GOALS;

14 (IV) ACCESSIBILITY STANDARDS;

15 (V) THE NUMBER OF STUDENTS ENROLLED AT EACH SCHOOL
16 SERVED BY THE GRANT;

17 (VI) THE TOTAL ACREAGE SIZE OF THE SCHOOL PROPERTY;

18 (VII) THE ACREAGE SIZE OF THE PROPOSED COMMUNITY
19 SCHOOLYARD;

20 (VIII) A CONCEPT PLAN DRAWING OF THE PROPOSED COMMUNITY
21 SCHOOLYARD DESIGN, WHICH MUST INCORPORATE DESIGN FEATURES THAT
22 CREATE HEALTHY AND ENVIRONMENTALLY SOUND SPACES. DESIGN
23 FEATURES MAY INCLUDE:

24 (A) FOOD AND POLLINATOR GARDENS;

25 (B) NATURAL PLAYGROUNDS, INCLUDING NATURAL AND
26 NATURE-BASED ELEMENTS, INCLUDING ROCK GARDENS, SAND BOXES,
27 STUMP LOGS, STREAMS, LIVING PLANTS, AND OTHER FEATURES THAT ARE

1 INTEGRATED WITH THE OUTDOOR LANDSCAPE AND VEGETATION;
2 (C) STORMWATER MANAGEMENT;
3 (D) TRADITIONAL PLAYGROUND EQUIPMENT;
4 (E) CLIMATE-APPROPRIATE NON-INVASIVE PLANTS AND
5 VEGETATION;
6 (F) WALKING TRAILS;
7 (G) SHADE TREES;
8 (H) OUTDOOR CLASSROOMS WITH CHALKBOARDS, TABLES, SINKS,
9 AND LARGE SITTING AREAS FOR TEACHERS TO LEAD OUTDOOR LESSONS; OR
10 (I) CALM SPACES FOR CHILDREN;
11 (IX) IDENTIFICATION OF COMMUNITY PARTNERS, INCLUDING
12 NONPROFIT ORGANIZATIONS OR DESIGN PROFESSIONALS THAT HAVE
13 EXPERTISE IN OUTDOOR LEARNING SPACES OR OUTDOOR EDUCATION
14 SPACES; AND
15 (X) A PLAN FOR THE LONG-TERM MAINTENANCE OF THE
16 COMMUNITY SCHOOLYARD.

17 (c) THE COMMUNITY-BASED ORGANIZATION DESCRIBED IN
18 SUBSECTION (2)(c)(II) OF THIS SECTION SHALL PROVIDE TECHNICAL
19 ASSISTANCE TO THE GRANT RECIPIENT TO HELP FACILITATE THE
20 COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS TO PLAN AND
21 DESIGN PARK-LIKE SPACES, OUTDOOR LEARNING SPACES, OR OUTDOOR
22 EDUCATION SPACES WITH STUDENTS, EDUCATORS, AND COMMUNITY
23 MEMBERS, AS DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION.

24 (4) (a) ON OR BEFORE JANUARY 15, 2026, THE DIVISION SHALL
25 IMPLEMENT A TIMELINE FOR THE CONSTRUCTION PROGRAM, WHICH MUST
26 INCLUDE:

27 (I) ANNOUNCING THE CONSTRUCTION PROGRAM;

1 (II) ACCEPTING APPLICATIONS FROM ELIGIBLE APPLICANTS;
2 (III) SELECTING THE GRANT RECIPIENTS;
3 (IV) DISTRIBUTING GRANT MONEY TO THE GRANT RECIPIENTS; AND
4 (V) ESTABLISHING REPORTING TIMELINES AND REQUIREMENTS FOR
5 THE GRANT RECIPIENTS OF THE CONSTRUCTION PROGRAM. GRANT
6 RECIPIENTS MUST REPORT, AT A MINIMUM, THE FOLLOWING TO THE
7 DIVISION:

8 (A) THE NUMBER OF STUDENTS AFFECTED BY THE GRANT;
9 (B) A DESCRIPTION OF HOW THE GRANT MONEY WAS SPENT; AND
10 (C) THE ESTABLISHMENT OF A COMMUNITY-USE AGREEMENT, AS
11 DESCRIBED IN SUBSECTION (2)(c)(I) OF THIS SECTION, FOR COMMUNITY
12 ACCESS AND USE OF THE COMMUNITY SCHOOLYARD OUTSIDE OF SCHOOL
13 HOURS.

14 (b) IF THE PROPOSED COMMUNITY SCHOOLYARD CONSTRUCTION
15 PROJECT EXCEEDS ONE MILLION DOLLARS, THE GRANT RECIPIENT MUST
16 HAVE A MINIMUM OF TWENTY-FIVE PERCENT OF THE TOTAL CONSTRUCTION
17 BUDGET AVAILABLE AS MATCHING FUNDS AT THE TIME OF THE GRANT
18 AWARD. THE TOTAL CONSTRUCTION BUDGET MAY INCLUDE IN-KIND
19 CONTRIBUTIONS.

20 (c) ELIGIBLE APPLICANTS WHO DID NOT APPLY TO THE PLANNING
21 PROGRAM MAY APPLY TO THE CONSTRUCTION PROGRAM AND MUST
22 SUBMIT THE PROFESSIONAL PLAN, DESIGN, AND CONSTRUCTION
23 DOCUMENTS DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION TO THE
24 DIVISION DURING THE CONSTRUCTION PROGRAM APPLICATION PERIOD
25 DESCRIBED IN SUBSECTION (4)(a)(II) OF THIS SECTION. ELIGIBLE
26 APPLICANTS MUST PROVIDE EVIDENCE THAT THE PROFESSIONAL PLAN,
27 DESIGN, AND CONSTRUCTION DOCUMENTS WERE CREATED THROUGH A

1 COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS IN
2 COLLABORATION WITH STUDENTS, EDUCATORS, AND COMMUNITY
3 MEMBERS.

4 (5) ON OR BEFORE JANUARY 15, 2028, THE DIVISION SHALL
5 COMPILE A REPORT SUMMARIZING THE GRANT RECIPIENT REPORTS FROM
6 THE PLANNING PROGRAM RECEIVED PURSUANT TO SUBSECTION (3)(a)(V)
7 OF THIS SECTION AND THE CONSTRUCTION PROGRAM PURSUANT TO
8 SUBSECTION (4)(a)(V) OF THIS SECTION. THE DIVISION SHALL SUBMIT THE
9 REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
10 REPRESENTATIVES AND SENATE; THE HOUSE OF REPRESENTATIVES
11 TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE; AND
12 THE SENATE LOCAL GOVERNMENT AND HOUSING COMMITTEE, OR THEIR
13 SUCCESSOR COMMITTEES.

14 (6) THE DIVISION MAY ADOPT RULES TO CARRY OUT THE PURPOSES
15 OF THIS SECTION.

16 (7) (a) THE COMMUNITY SCHOOLYARDS GRANT PROGRAM FUND IS
17 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS,
18 AND DONATIONS CREDITED TO THE FUND AND ANY OTHER MONEY THAT
19 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.
20 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE
21 DIVISION MAY EXPEND MONEY FROM THE FUND FOR PURPOSES OF THE
22 GRANT PROGRAM. THE STATE TREASURER SHALL CREDIT ALL INTEREST
23 AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN
24 THE COMMUNITY SCHOOLYARDS GRANT PROGRAM FUND TO THE FUND.

25 (b) ON SEPTEMBER 1, 2025, THE STATE TREASURER SHALL
26 TRANSFER TO THE FUND FOUR MILLION DOLLARS FROM THE LOCAL
27 GOVERNMENT SEVERANCE TAX FUND THAT DISTRIBUTES SEVENTY

1 PERCENT OF FUNDS TO POLITICAL SUBDIVISIONS SOCIALLY OR
2 ECONOMICALLY AFFECTED BY THE DEVELOPMENT, PROCESSING, OR
3 ENERGY CONVERSION OF MINERALS AND MINERAL FUELS SUBJECT TO
4 TAXATION PURSUANT TO SECTION 39-29-110 (1)(b).

5 (c) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
6 AND UNENCUMBERED MONEY IN THE FUND ON OCTOBER 1, 2028, TO THE
7 LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED PURSUANT TO
8 SECTION 39-29-110 (1)(a).

9 (d) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JANUARY 1,
10 2029.

11 (8) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2030.

12 **SECTION 2.** In Colorado Revised Statutes, 39-29-110, **add**
13 (1)(b)(VI) as follows:

14 **39-29-110. Local government severance tax fund - creation -**
15 **administration - definitions - repeal.** (1) (b) (VI) IN ADDITION TO THE
16 DISTRIBUTION OF MONEY AUTHORIZED PURSUANT TO SUBSECTIONS
17 (1)(b)(I), (1)(b)(II), (1)(b)(III), AND (1)(b)(IV) OF THIS SECTION, ON
18 SEPTEMBER 1, 2025, THE STATE TREASURER SHALL TRANSFER FOUR
19 MILLION DOLLARS FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND
20 TO THE COMMUNITY SCHOOLYARDS GRANT PROGRAM FUND CREATED IN
21 SECTION 24-32-135 (7) FOR PURPOSES OF FUNDING ELIGIBLE GRANT
22 APPLICANTS WHO ARE SOCIALLY OR ECONOMICALLY AFFECTED BY THE
23 DEVELOPMENT, PROCESSING, OR ENERGY CONVERSION OF MINERALS AND
24 MINERAL FUELS SUBJECT TO TAXATION PURSUANT TO THIS ARTICLE 29 TO
25 BUILD COMMUNITY SCHOOLYARDS, AS DEFINED IN SECTION 24-32-135 (1).

26 **SECTION 3. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2026 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.