

CHAPTER 313

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 93-1320

BY REPRESENTATIVES Kaufman, Allen, Chlouber, DeGette, Entz, Epps, Foster, George, T. Hernandez, Kerns, Lawrence, Lyle, Moellenberg, Nichol, Reeves, Salaz, Snyder, Sullivan, Taylor, and Wright;
also SENATORS Ament, Casey, Cassidy, Meiklejohn, Pastore, L. Powers, Rizzuto, Tebedo, Thiebaut, Traylor, Wattenberg, Wells, and Wham.

AN ACT

CONCERNING SCHOOL DISTRICT BUDGET REPORTING.

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

SECTION 1. 22-44-105, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

22-44-105. Budget - contents - mandatory. (1) The budget shall ~~present a complete financial plan for the ensuing fiscal year. It shall specify~~ BE PRESENTED IN THE FORMAT ESTABLISHED BY THE STATE BOARD OF EDUCATION BY RULE AND REGULATION. IN ESTABLISHING THE FORMAT, THE STATE BOARD SHALL CONSULT ANNUALLY WITH THE ADVISORY COMMITTEE SPECIFIED IN PARAGRAPH (d) OF THIS SUBSECTION (1) AND SHALL ADHERE TO THE FOLLOWING GUIDELINES:

(a) ~~The amounts budgeted for proposed expenditures by funds;~~ THE BUDGET SHALL BE PRESENTED IN A SUMMARY FORMAT WHICH IS UNDERSTANDABLE BY ANY LAYPERSON REVIEWING SUCH BUDGET.

(a.5) ~~The amounts budgeted to be transferred from the general fund to the capital reserve fund and insurance reserve fund;~~

(b) ~~The corresponding amounts budgeted by fund that were actually expended during the last completed fiscal year and anticipated to be expended or budgeted, or both, during the current fiscal year;~~ THE BUDGET SHALL BE PRESENTED IN A FORMAT WHICH WILL ALLOW FOR COMPARISONS OF REVENUES AND EXPENDITURES AMONG SCHOOL DISTRICTS BY PUPIL.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(c) ~~Repealed, L. 75, p. 708, § 10, effective July 14, 1975.~~ THE BUDGET SHALL BE PRESENTED IN A FORMAT THAT ITEMIZES EXPENDITURES OF THE DISTRICT BY FUND AND BY PUPIL. THE BUDGET SHALL DESCRIBE THE EXPENDITURE, SHOW THE AMOUNT BUDGETED FOR THE CURRENT FISCAL YEAR, THE AMOUNT ESTIMATED TO BE EXPENDED FOR THE CURRENT FISCAL YEAR, AND THE AMOUNT BUDGETED FOR THE ENSUING FISCAL YEAR.

(d) ~~All revenues anticipated for the ensuing fiscal year and classified as to funds and sources of income, including only those revenues which can be reasonably anticipated and excluding contingency revenues;~~ EFFECTIVE JULY 1, 1993, THE COLORADO COMMISSION FOR ACHIEVEMENT IN EDUCATION IN CONSULTATION WITH THE FINANCIAL POLICY AND PROCEDURES ADVISORY COMMITTEE SHALL ADVISE THE STATE BOARD OF EDUCATION IN DEVELOPING THE BUDGET FORMAT PURSUANT TO THIS SECTION.

(e) (I) ~~The fund balance at the end of the fiscal year which shall be carried forward as a beginning fund balance for the ensuing fiscal year.~~ FOR THE 1993-94 FISCAL YEAR, THE BUDGET FORMAT SHALL CONTAIN A PROVISION UNDER WHICH ANY DISTRICT WHICH HAS A REDUCTION IN ITS 1993-94 PER PUPIL FUNDING, AS DEFINED IN SECTION 22-53-107.3 (3) (a), OF FOUR AND SEVEN-TENTHS PERCENT OR MORE MAY DECLARE AN EXTREME EMERGENCY AND MAY APPLY FOR ADDITIONAL FUNDING FROM THE CONTINGENCY RESERVE PURSUANT TO SECTION 22-53-124 (4). SUCH ADDITIONAL FUNDING SHALL NOT RESULT IN A PERCENTAGE REDUCTION FOR AN INDIVIDUAL DISTRICT WHICH IS LESS THAN THE GREATER OF FOUR AND FIVE-TENTHS PERCENT OR FOUR PERCENT PLUS THE PERCENTAGE CHANGE IN THE DISTRICT'S PER PUPIL FUNDING FROM THE 1992-93 BUDGET YEAR TO THE 1993-94 BUDGET YEAR WHICH RESULTS FROM THE APPLICATION OF SECTION 22-53-107 (5.5) (b) (II) OR (5.5) (b) (III).

(II) IF A DISTRICT WHICH DECLARES AN EXTREME EMERGENCY PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (e) HAS PROPERTY TAX REVENUE CARRIED FORWARD UNDER THE PROVISIONS OF SECTION 22-44-103.5, SUCH DISTRICT SHALL NOT BE ELIGIBLE TO RECEIVE ADDITIONAL FUNDING FROM THE CONTINGENCY RESERVE. HOWEVER, THE DISTRICT MAY EXPEND SUCH PROPERTY TAX REVENUE IN THE 1993-94 BUDGET YEAR IN RESPONSE TO SUCH EXTREME EMERGENCY AND, IF THE DISTRICT ADVISES THE STATE BOARD OF EDUCATION OF SUCH EXPENDITURE, THE AMOUNT EXPENDED, NOT TO EXCEED THE AMOUNT OF ADDITIONAL FUNDING ALLOWED THE DISTRICT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (e), SHALL BE SUBTRACTED FROM THE AMOUNT OF EXCESS PROPERTY TAX REVENUE OF THE DISTRICT WHICH MUST BE OFFSET AGAINST STATE AID AND CATEGORICAL SUPPORT FUNDS PURSUANT TO SECTION 22-44-103.5 (2) (b) (III) (B) AND (2) (c) (III).

(III) FOR PURPOSES OF DETERMINING THE PERCENTAGE CHANGE IN THE DISTRICT'S PER PUPIL FUNDING FROM THE 1992-93 BUDGET YEAR TO THE 1993-94 BUDGET YEAR, THE DISTRICT'S PER PUPIL FUNDING FOR THE 1992-93 BUDGET YEAR SHALL BE THE AMOUNT DERIVED BY DIVIDING THE DISTRICT'S 1992-93 EQUALIZATION PROGRAM FUNDING, AS CALCULATED PURSUANT TO SECTION 22-53-107 (3), INCLUDING THE DISTRICT'S 1992-93 PRESCHOOL PROGRAM FUNDING, IF ANY, AS CALCULATED PURSUANT TO SECTION 22-53-115.5, AND THE DISTRICT'S 1992-93 THREE- AND

FOUR-YEAR-OLD HANDICAPPED PROGRAM FUNDING, IF ANY, AS CALCULATED PURSUANT TO SECTION 22-53-116.5, BY THE DISTRICT'S 1992-93 FUNDED PUPIL COUNT AS DEFINED IN SECTION 22-53-107 (5.5) (c) (II). THE DISTRICT'S PER PUPIL FUNDING FOR THE 1993-94 BUDGET YEAR SHALL BE THE AMOUNT DERIVED BY DIVIDING THE DISTRICT'S 1993-94 EQUALIZATION PROGRAM FUNDING, AS CALCULATED PURSUANT TO SECTION 22-53-107 (5.5) (b) (II) OR (5.5) (b) (III), WHICHEVER IS APPLICABLE, BY THE DISTRICT'S 1993-94 FUNDED PUPIL COUNT AS DEFINED IN SECTION 22-53-107 (5.5) (c) (III).

(2) The proposed expenditures and anticipated revenues in the budget shall be supported AS NEEDED by explanatory schedules or statements of sufficient detail to judge the validity thereof, including a statement which summarizes the aggregate of revenues, appropriations, assets, and liabilities of each fund in balanced relations. THE BUDGET SHALL DISCLOSE PLANNED COMPLIANCE WITH SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

~~(3) The department of education shall identify which funds shall be further subdivided into functions and objects.~~

SECTION 2. 22-44-117, Colorado Revised Statutes, 1988 Repl. Vol., as amended by House Bill 93-1304, enacted at the First Regular Session of the Fifty-ninth General Assembly, is repealed as follows:

~~**22-44-117. Budget - minimum content.** The commissioner of education shall prescribe the form of school district budgets, which shall be uniform for all school districts. The commissioner shall develop such uniform budget reporting format in consultation with parents, teachers, and school district representatives in order to ensure that budgets are understandable to the general public and allow comparisons of costs between schools within a school district and with other school districts or other comparable organizations.~~

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993