

## CHAPTER 175

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**EDUCATION - PUBLIC SCHOOLS**

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**HOUSE BILL 01-1272**

BY REPRESENTATIVE(S) Williams T., Alexander, Bacon, Boyd, Cloer, Coleman, Crane, Dean, Fairbank, Garcia, Groff, Jahn, Larson, Lawrence, Lee, Madden, Marshall, Miller, Nuñez, Plant, Ragsdale, Rippey, Romanoff, Sanchez, Snook, Spence, Spradley, Stengel, Vigil, White, and Williams S.;

also SENATOR(S) Takis, Arnold, Fitz-Gerald, Hagedorn, Hernandez, Matsunaka, Nichol, Pascoe, Taylor, Thiebaut, Tupa, and Windels.

**AN ACT**

CONCERNING SCHOOL FUNDING TO PURCHASE TEXTBOOKS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

**SECTION 1.** 22-54-105 (1) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**22-54-105. Instructional supplies and materials - capital reserve and insurance reserve - repeal.** (1) (b) (III) (A) IN ADDITION TO THE AMOUNTS SPECIFIED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (b), THE AMOUNT BUDGETED IN THE 2001-02 BUDGET YEAR SHALL BE INCREASED BY THE AMOUNT DETERMINED BY MULTIPLYING TWENTY DOLLARS BY THE DISTRICT'S FUNDED PUPIL COUNT AS OF OCTOBER 1, 2001, AND THE AMOUNT BUDGETED IN THE 2002-03 BUDGET YEAR SHALL BE INCREASED BY THE AMOUNT DETERMINED BY MULTIPLYING TWENTY-ONE DOLLARS BY THE DISTRICT'S FUNDED PUPIL COUNT AS OF OCTOBER 1, 2002. THE ADDITIONAL AMOUNT BUDGETED PURSUANT TO THIS SUBPARAGRAPH (III) SHALL ONLY BE USED TO PURCHASE NEW TEXTBOOKS.

(B) EACH DISTRICT SHALL ADOPT AT A PUBLIC MEETING A PLAN ON THE USE OF THE ADDITIONAL MONEYS RECEIVED PURSUANT TO THIS SUBPARAGRAPH (III) INCLUDING WHICH SCHOOLS SHALL RECEIVE WHAT ADDITIONAL TEXTBOOKS. THE PLAN SHALL REQUIRE THAT THE MONEYS BE USED FIRST TO PROVIDE UP-TO-DATE TEXTBOOKS IN ANY OF THE FIRST PRIORITY STATE MODEL CONTENT STANDARD SUBJECT AREAS OF READING, WRITING, MATHEMATICS, SCIENCE, HISTORY, OR GEOGRAPHY, WITH A PRIORITY GIVEN TO THE SUBJECTS OF MATHEMATICS, READING, WRITING, AND

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

SCIENCE. IF THE DISTRICT MAKES A SPECIFIC FINDING THAT ALL OF ITS TEXTBOOKS IN THOSE SUBJECTS ARE UP-TO-DATE, THE PLAN MAY SPECIFY THAT THE MONEYS SHALL BE USED TO PURCHASE TEXTBOOKS IN OTHER SUBJECTS BUT SHALL SPECIFICALLY STATE THE TEXTBOOKS AND THE SCHOOLS TO WHICH SUCH TEXTBOOKS SHALL BE PROVIDED; EXCEPT THAT THE PLAN SHALL REQUIRE THAT THE DISTRICT PASS ON TO ANY CHARTER SCHOOL THE AMOUNT BUDGETED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III), FOR EACH STUDENT ENROLLED IN THE CHARTER SCHOOL ACCORDING TO THE FUNDED PUPIL COUNT. COPIES OF THE PROPOSED PLAN SHALL BE DISTRIBUTED AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC MEETING TO ALL MEMBERS OF THE SCHOOL ADVISORY COUNCIL ESTABLISHED PURSUANT TO SECTION 22-7-106 AT ALL SCHOOLS IN THE SCHOOL DISTRICT. ON OR BEFORE OCTOBER 15, 2001, AND ON OR BEFORE JULY 15, 2002, THE DISTRICT SCHOOL BOARD, AS PART OF ITS REGULAR BUDGET REPORTING, SHALL FORWARD A COPY OF THE PLAN TO THE DEPARTMENT.

(C) FOR THE 2001-02 AND 2002-03 BUDGET YEARS, DISTRICTS SHALL RECEIVE ADDITIONAL AMOUNTS OF MONEYS DETERMINED BY THE FORMULA SPECIFIED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III). SUCH ADDITIONAL MONEYS SHALL ONLY BE USED PURSUANT TO THE PROVISIONS OF THIS SUBPARAGRAPH (III).

(D) ANY MONEYS RECEIVED BY A SCHOOL DISTRICT PURSUANT TO THIS SUBPARAGRAPH (III) NOT EXPENDED BY JULY 1, 2003, SHALL BE TRANSFERRED BACK TO THE STATE EDUCATION FUND CREATED PURSUANT TO SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION.

(E) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2003.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund, created pursuant to section 17 of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of fourteen million ninety-five thousand three hundred forty dollars (\$14,095,340), or so much thereof as may be necessary, for the implementation of this act.

**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: May 29, 2001