

CHAPTER 186

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 07-1059

BY REPRESENTATIVE(S) Massey, Buescher, Casso, Curry, Frangas, Hicks, Jahn, Kerr A., Kerr J., King, Labuda, Levy, Looper, Merrifield, Romanoff, Rose, Summers, and Todd;
also SENATOR(S) Shaffer, Fitz-Gerald, Isgar, Kester, Kopp, Sandoval, Spence, Tupa, and Wiens.

AN ACT

CONCERNING THE SCHOOL SECURITY INFRASTRUCTURE GRANT PROGRAM.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby recognizes that, to keep public schools safe for Colorado children, the state must help fund construction projects to remodel or renovate the infrastructure of school property to prevent intruders from entering schools and endangering students.

(2) The general assembly, therefore, hereby establishes the school security infrastructure grant program, whereby school districts and charter schools may apply for moneys from the school capital construction expenditures reserve established in section 22-54-117, Colorado Revised Statutes, the contingency reserve that is created in the state public school fund and into which certain lottery proceeds are transferred pursuant to 22-54-117 (1.6), Colorado Revised Statutes, and the school construction and renovation fund established pursuant to 22-43.7-103, Colorado Revised Statutes, to fund construction projects for the purpose of remodeling or renovating the infrastructure of school property to prevent intruders from entering schools and endangering children.

SECTION 2. 22-54-117 (1.5) (a) and (1.6) (a), Colorado Revised Statutes, are amended to read:

22-54-117. Contingency reserve - capital construction expenditures reserve. (1.5) (a) In addition to any amount annually appropriated by the general assembly to the state public school fund as a contingency reserve, for fiscal years 2000-01 through 2010-11, an amount shall be appropriated from the general fund to the state public school fund, in accordance with section 24-75-201.1 (4) (b), C.R.S., as a

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

school capital construction expenditures reserve to be used only as provided in this subsection (1.5). The state board is authorized to approve and order payments from the school capital construction expenditures reserve only for supplemental assistance to districts or charter schools for capital expenditures:

(I) To address immediate safety hazards or health concerns within existing school facilities;

(II) To relieve excessive operating costs created by insufficient maintenance or construction spending which are currently required to be expended by the district;
or

(III) To relieve building construction conditions which detract from an effective learning environment; OR

(IV) TO REMODEL OR RENOVATE THE INFRASTRUCTURE OF SCHOOL PROPERTY TO PREVENT INTRUDERS FROM ENTERING SCHOOLS AND ENDANGERING CHILDREN.

(1.6) (a) For each quarter including and after the first quarter of the state's fiscal year 2001-02, all moneys that would otherwise be transferred to the general fund pursuant to section 3 (1) (b) (III) of article XXVII of the state constitution shall be transferred to the state public school fund as a contingency reserve exempt from any restriction on spending, revenues, or appropriations, including, without limitation, the restrictions of section 20 of article X of the state constitution. The state board is authorized to approve and order payments from the moneys transferred pursuant to this subsection (1.6) only for supplemental assistance to districts for capital expenditures to address immediate safety hazards or health concerns within existing school facilities, INCLUDING BUT NOT LIMITED TO CONCERNS RELATING TO SCHOOL BUILDING SECURITY AND THE POTENTIAL VULNERABILITY OF STUDENTS TO DANGEROUS INTRUDERS, either by repairing, remodeling, or refurbishing the existing school facilities or by constructing new school facilities to replace the existing school facilities.

SECTION 3. 22-43.7-104 (1), Colorado Revised Statutes, is amended to read:

22-43.7-104. Eligible projects - criteria. (1) Matching grants may be provided from the construction and renovation fund and loans may be made from the permanent school fund pursuant to this article for capital construction projects involving:

(a) Instructional facilities, including classrooms, libraries, physical plants, and associated administrative areas; or

(b) ~~Involving~~ The incorporation of technology into the educational environment;
OR

(c) THE REMODELING OR RENOVATION OF THE INFRASTRUCTURE OF SCHOOL PROPERTY TO PREVENT INTRUDERS FROM ENTERING SCHOOLS AND ENDANGERING CHILDREN.

SECTION 4. 22-43.7-105 (5) (b), Colorado Revised Statutes, is amended to

read:

22-43.7-105. Financial assistance application requirements - evaluation criteria - oversight board - duties. (5) Applications that describe capital construction projects deemed eligible by the state board for financial assistance shall be prioritized based on the following criteria, in descending order of importance:

(b) Capital construction projects that will address safety hazards or health concerns at existing school facilities, INCLUDING BUT NOT LIMITED TO CONCERNS RELATING TO SCHOOL BUILDING SECURITY AND THE POTENTIAL VULNERABILITY OF STUDENTS TO DANGEROUS INTRUDERS, considering the age of the facilities and any previous renovation work or controlled maintenance that has been performed at the facilities if such projects could not qualify for funding or were not approved for funding from the school capital construction expenditures reserve pursuant to section 22-54-117 (1.5);

SECTION 5. 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 3, 2007