

CHAPTER 147

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 09-181

BY SENATOR(S) Tapia, Keller, White;
also REPRESENTATIVE(S) Marostica, Ferrandino, Pommer, Labuda.

AN ACT

CONCERNING THE ELIMINATION OF THE ANNUAL RESOLUTION TO CERTIFY THE AMOUNT OF MONEYS IN THE STATE EDUCATION FUND THAT ARE AVAILABLE FOR APPROPRIATION IN THE NEXT FISCAL YEAR.

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

SECTION 1. Repeal. 22-55-104 (2), Colorado Revised Statutes, is repealed as follows:

22-55-104. Procedures relating to state education fund revenue estimates - legislative declaration. (2) ~~(a) By March 1, 2002, and by March 1 of each year thereafter, the general assembly, acting by joint resolution sponsored by the chair and vice-chair of the joint budget committee, shall certify the amount of moneys in the state education fund that should be considered available for appropriation for the next state fiscal year. The joint resolution shall be prepared by the joint budget committee, in cooperation with the education committees of the senate and house of representatives, and introduced after taking into consideration the review of the model conducted by the staff of the legislative council pursuant to subsection (3) of this section. The joint resolution shall include, but need not be limited to, the following information:~~

~~(I) The amount of total state moneys required to meet the funding requirements of sections 22-55-106 and 22-55-107 for the next state fiscal year;~~

~~(II) The amount of state moneys available from funds other than the general fund and the state education fund to meet the funding requirements of sections 22-55-106 and 22-55-107 for the next state fiscal year;~~

~~(III) Revenue projections for the state education fund for the next state fiscal~~

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

year;

~~(IV) The maximum amount of moneys that can be appropriated from the state education fund and the minimum amount of moneys that can be appropriated from the general fund pursuant to section 22-55-105 to meet the funding requirements of sections 22-55-106 and 22-55-107 for the next state fiscal year without adversely impacting the solvency of the state education fund or the ability of the general assembly to comply with said funding requirements in future years; and~~

~~(V) The impact of various levels of general fund appropriations above the minimum level identified pursuant to subparagraph (IV) of this paragraph (a) on the amount of moneys available in the state education fund to provide funding in the next state fiscal year for programs that may be authorized by law and that are consistent with section 17 (4) (b) of article IX of the state constitution.~~

~~(b) The general assembly should not appropriate an amount of moneys from the state education fund for the next state fiscal year that exceeds the amount of moneys certified in the joint resolution.~~

SECTION 2. 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: April 20, 2009