

## CHAPTER 14

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**EDUCATION - PUBLIC SCHOOLS**


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**SENATE BILL 15-166**

BY SENATOR(S) Steadman, Grantham, Lambert, Baumgardner, Carroll, Cooke, Crowder, Donovan, Garcia, Guzman, Heath, Hill, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Todd, Ulibarri, Woods, Cadman;  
also REPRESENTATIVE(S) Hamner, Young, Rankin, Becker K., Conti, Dore, Fields, Mitsch Bush, Pettersen, Rosenthal, Wilson.

**AN ACT**

**CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL PROGRAM FUNDING FOR PUBLIC SCHOOLS FOR THE 2014-15 BUDGET YEAR, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) The actual funded pupil count for the 2014-15 budget year is lower than anticipated when the general assembly appropriated moneys for total program funding for the 2014-15 budget year during the 2014 regular legislative session, enabling the general assembly to reduce the difference between actual statewide total program funding and calculated statewide total program funding for the 2014-15 budget year;

(b) Based on the actual amount of local property tax revenues and specific ownership tax revenues available to school districts for the 2014-15 budget year, the local share of total program funding is two million eight hundred ninety-four thousand eighty-six dollars higher than anticipated when the general assembly appropriated moneys for total program funding for the 2014-15 budget year during the 2014 regular legislative session, further enabling the general assembly to reduce the difference between actual statewide total program funding and calculated statewide total program funding for the 2014-15 budget year; and

(c) Therefore, the general assembly finds that maintaining the level of calculated total program funding for the 2014-15 budget year results in reduction in the dollar

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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.*

amount of the negative factor. Variations in the amounts of state aid distributed to districts require an adjustment in the minimum amount of total program funding for the 2014-15 budget year, after application of the negative factor described in section 22-54-104 (5) (g), Colorado Revised Statutes.

**SECTION 2.** In Colorado Revised Statutes, 22-54-104, **amend** (5) (g) (I) (E) as follows:

**22-54-104. District total program - definitions.** (5) For purposes of the formulas used in this section:

(g) (I) For the 2010-11 budget year and each budget year thereafter, the general assembly determines that stabilization of the state budget requires a reduction in the amount of the annual appropriation to fund the state's share of total program funding for all districts and the funding for institute charter schools. The department of education shall implement the reduction in total program funding through the application of a negative factor as provided in this paragraph (g). For the 2010-11 budget year and each budget year thereafter, the department of education and the staff of the legislative council shall determine, based on budget projections, the amount of such reduction to ensure the following:

(E) That, for the 2014-15 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the negative factor, is not less than five billion nine hundred ~~twenty-nine~~ THIRTY million ~~seven hundred nine~~ NINETY-ONE thousand ~~five hundred eighty-two~~ SIX HUNDRED SIXTY dollars (~~\$5,929,709,582~~) (\$5,930,091,660); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this sub-subparagraph (E). For the 2015-16 budget year, the difference between calculated statewide total program funding and actual statewide total program funding must not exceed the difference between calculated statewide total program funding and actual statewide total program funding for the 2014-15 budget year.

**SECTION 3. Appropriation to the department of education for the fiscal year beginning July 1, 2014.** In Session Laws of Colorado 2014, **amend** section 21 (1) (a) and (1) (b) of chapter 243, (HB 14-1292), as follows:

Section 21. **Appropriation - adjustments to 2014 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2014, are adjusted as follows:

(a) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for the state share of districts' total program funding, is increased by ~~\$152,358,980~~ \$149,464,894.

(b) The cash funds appropriation from the state education fund created in section

17 (4) (a) of article IX of the state constitution, for hold-harmless full-day kindergarten funding, is increased by ~~\$193,196~~ \$189,854.

**SECTION 4. Appropriation to the department of education for the fiscal year beginning July 1, 2014.** In Session Laws of Colorado 2014, section 2 of chapter 420, (HB 14-1336), **amend** Part III (2) (A) Footnote 5, as amended by section 22 of chapter 243 (HB 14-1292), Session Laws of Colorado 2014, as follows:

Section 2. **Appropriation.**

5 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Accelerating Students Through Concurrent Enrollment (ASCENT) Program for FY 2014-15. It is the intent of the General Assembly that the Department of Education be authorized to utilize up to ~~\$4,536,864~~ \$2,720,564 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated ~~708~~ 423.5 FTE participants funded at a rate of ~~\$6,408~~ \$6,424 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

**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: March 13, 2015