



Initiative 138

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Impact Statement

Date: March 11, 2024

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LCS TITLE: SCHOOL CHOICE IN K-12 EDUCATION

Disclaimer. This initial fiscal impact statement has been prepared for an initiative approved for petition circulation by the Secretary of State. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the ballot information booklet (Blue Book) if new information becomes available.

Summary of Measure

The measure states that parents have the right to direct the education of their children and that each K-12 child has the right to school choice, which includes neighborhood schools, charter schools, private schools, home schools, open enrollment options and future innovations in education.

State Expenditures

The measure may increase future state expenditures, depending on how the measure is interpreted and future steps by the state legislature and state agencies to implement it. To the extent the state legislature modifies current laws or the disbursement of state funds to align with the measure, state spending on education will change. Because the measure is broad in its scope, it may lead to an increase in litigation against the Colorado Department of Education from disputes between parties as to what constitutes the right to school choice and whether the state is meeting its obligations. The exact increase in legal costs to the state cannot be estimated.

Local Government

To the extent that local governments and school boards modify current rules and policies to align with the measure, local spending on education may change. Similar to the state, the measure may also lead to an increase in litigation against school districts from disputes as to what constitutes the right to school choice. Exact legal costs cannot be estimated.

Effective Date

If approved by voters at the 2024 general election, this measure takes effect upon proclamation of the Governor, no later than 30 days after the official canvass of the vote is completed.

State and Local Government Contacts

Early Childhood
School Districts

Education

Law