

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB26-023 be amended as follows:

1 Amend printed bill, page 3, after line 4 insert:

2 "SECTION 2. In Colorado Revised Statutes, 22-20-107.5, add  
3 (1.5) as follows:

4 **22-20-107.5. District of residence of a child with a disability -**  
5 **jurisdiction - rules.**

6 (1.5) THE STATE BOARD SHALL ADOPT RULES THAT ARE  
7 NECESSARY TO DETERMINE A CHILD'S DISTRICT OF RESIDENCE FOR A  
8 CIRCUMSTANCE THAT IS NOT DESCRIBED IN SUBSECTION (1) OF THIS  
9 SECTION.

10 **SECTION 3.** In Colorado Revised Statutes, 22-20-114, amend  
11 (1) introductory portion, (1)(a), (1)(b), and (1.3) as follows:

12 **22-20-114. Funding of programs - application for**  
13 **reimbursement - rules - legislative declaration - definition.**

14 (1) Subject to the provisions of subsection (3) of this section, for  
15 the 2005-06 budget year and each budget year thereafter the total amount  
16 appropriated to the department for the payment of costs incurred by  
17 administrative units for the provision, OR EXPENSES RELATED TO THE  
18 PROVISION, of special education programs must be distributed to each  
19 administrative unit that provides, OR PAYS FOR THE PROVISION OF,  
20 educational services for children with disabilities as follows:

21 (a) (I) ~~Five hundred thousand dollars to administrative units that~~  
22 ~~enroll children with disabilities~~ FOR THE 2026-27 BUDGET YEAR AND  
23 EACH BUDGET YEAR THEREAFTER, ONE MILLION DOLLARS TO FUND  
24 REIMBURSEMENTS FOR ADMINISTRATIVE UNITS THAT PAY TUITION OR  
25 EDUCATION EXPENSES THAT ENSURE A FREE APPROPRIATE PUBLIC  
26 EDUCATION FOR A STUDENT IN OUT-OF-HOME PLACEMENT, AS DEFINED IN  
27 SECTION 22-32-138 (1)(h), IF:

28 (A) ~~For whom tuition is paid by the administrative units for the~~  
29 ~~children to receive educational services at approved facility schools; and~~  
30 THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;

31 (B) ~~For whom parental rights have been relinquished by the~~  
32 ~~parents or terminated by a court, the parents of whom are incarcerated;~~  
33 ~~the parents of whom cannot be located, the parents of whom reside out of~~  
34 ~~the state but the department of human services has placed the children~~  
35 ~~within the administrative unit, or children with disabilities who are legally~~  
36 ~~emancipated.~~ THE STUDENT DOES NOT HAVE A PARENT OR LEGAL  
37 GUARDIAN, AS DESCRIBED IN SECTION 22-20-103 (19.7)(a)(I), (19.7)(a)(II),  
38 OR (19.7)(a)(III), WHO IS AVAILABLE OR AUTHORIZED TO MAKE DECISIONS  
39 CONCERNING EDUCATION FOR THE STUDENT; AND

40 (C) THE STUDENT IS PLACED BY A PUBLIC AGENCY, AS DEFINED IN  
41 SECTION 22-20-103 (20), IN A RESIDENTIAL CHILD CARE FACILITY OR

1 RESIDENTIAL TREATMENT FACILITY THAT IS LOCATED OUT OF STATE OR IN  
2 AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402.

3 (II) ~~The moneys appropriated pursuant to subparagraph (I) of this~~  
4 ~~paragraph (a) shall be distributed in each budget year to administrative~~  
5 ~~units based upon each administrative unit's share of the aggregate number~~  
6 ~~of children with disabilities who are specified in subparagraph (I) of this~~  
7 ~~paragraph (a); except that an administrative unit shall not receive an~~  
8 ~~amount that exceeds the aggregate amount of tuition paid by that~~  
9 ~~administrative unit for the specified children with disabilities to receive~~  
10 ~~educational services at approved facility schools during the immediately~~  
11 ~~preceding budget year. For purposes of this paragraph (a), the number of~~  
12 ~~children with disabilities that are specified in subparagraph (I) of this~~  
13 ~~paragraph (a) shall be based upon the count taken in December of the~~  
14 ~~immediately preceding budget year. IN THE 2026-27 BUDGET YEAR AND~~  
15 ~~EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE~~  
16 ~~THE APPROPRIATION DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION~~  
17 ~~PURSUANT TO AN APPLICATION FOR REIMBURSEMENT PROCESS. THE STATE~~  
18 ~~BOARD SHALL ADOPT RULES RELATED TO THE APPLICATION FOR~~  
19 ~~REIMBURSEMENT PROCESS.~~

20 (b) ~~(f) For the budget years preceding the 2022-23 budget year, an~~  
21 ~~amount equal to one thousand two hundred fifty dollars for each child~~  
22 ~~with disabilities receiving special education services from the~~  
23 ~~administrative unit;~~

24 ~~(H) Except as specified in subsection (1.3) of this section, for the~~  
25 ~~2022-23 budget year and each budget year thereafter, an amount equal to~~  
26 ~~one thousand seven hundred fifty dollars for each child with disabilities~~  
27 ~~receiving special education services from the administrative unit; and~~

28 (1.3) ~~For the 2024-25 budget year and budget years thereafter, The~~  
29 ~~dollar amounts set forth in subsections (1)(b)(H) and (1)(c)(HH)~~  
30 ~~SUBSECTIONS (1)(b) AND (1)(c)(III) of this section are annually increased~~  
31 ~~by the rate of inflation. The amounts must be rounded to the nearest~~  
32 ~~dollar. As used in this subsection (1.3), "inflation" means the annual~~  
33 ~~percentage change in the United States department of labor bureau of~~  
34 ~~labor statistics consumer price index for Denver-Aurora-Lakewood for~~  
35 ~~all items paid by all urban consumers, or its applicable successor index.".~~

36 Renumber succeeding section accordingly.

\*\* \*\*\* \*\* \*\*\* \*\*