

## HB25-1320

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Bridges

1 Amend reengrossed bill, page 5, before line 23 insert:

2 "SECTION 2. In Colorado Revised Statutes, 22-30.5-112, amend  
3 (2)(a)(III)(A), (2)(a.5)(II), (2)(a.8)(I), (2)(a.9), (2)(c)(II), (2)(e)(II)(B),  
4 (3)(a)(II), and (3)(a)(III) as follows:

5 **22-30.5-112. Charter schools - financing - guidelines -**  
6 **definitions.** (2) (a) (III) (A) For ~~budget year 2000-01 and budget years~~  
7 ~~thereafter~~ THE 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET  
8 YEAR, except as otherwise provided in ~~paragraph (a.3) of this subsection~~  
9 ~~(2) SUBSECTION (2)(a.3) OF THIS SECTION~~, each charter school and the  
10 chartering school district shall negotiate funding under the contract. The  
11 charter school ~~shall~~ MUST receive one hundred percent of the district per  
12 pupil revenues for each pupil enrolled in the charter school who is not an  
13 online pupil and one hundred percent of the district per pupil online  
14 funding for each online pupil enrolled in the charter school; except that  
15 the chartering school district may choose to retain the actual amount of  
16 the charter school's per pupil share of the central administrative overhead  
17 costs for services actually provided to the charter school, up to five  
18 percent of the district per pupil revenues for each pupil who is not an  
19 online pupil enrolled in the charter school, and up to five percent of the  
20 district per pupil online funding for each online pupil enrolled in the  
21 charter school.

22 (a.5) As used in this subsection (2):

23 (II) "District per pupil revenues" means the district's total program  
24 as defined in section 22-54-103 (6) for any budget year divided by the  
25 district's funded pupil count as determined by ~~article 54 of this title 22~~  
26 SECTION 22-54-104 for the applicable budget year.

27 (a.8) (I) For the 2000-01 budget year ~~and budget years thereafter~~  
28 THROUGH THE 2025-26 BUDGET YEAR, the school district shall provide  
29 federally required educational services to students enrolled in charter  
30 schools on the same basis as ~~such~~ THE services are provided to students  
31 enrolled in other public schools of the school district. Each charter school  
32 shall pay an amount equal to the per pupil cost incurred by the school  
33 district in providing federally required educational services, multiplied by  
34 the number of students enrolled in the charter school. At either party's  
35 request, however, the charter school and the school district may negotiate  
36 and include in the charter contract alternate arrangements for the  
37 provision of and payment for federally required educational services.

38 (a.9) For ~~budget year 2002-03 and budget years thereafter~~ THE  
39 2002-03 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, and in  
40 accordance with section 22-30.5-406, the funding provided by a  
41 chartering school district to a charter school pursuant to this subsection

1 (2) shall be IS reduced by the amount of any direct payments of principal  
2 and interest due on bonds issued on behalf of a charter school by a  
3 governmental entity other than a school district for the purpose of  
4 financing charter school capital construction that were made by the state  
5 treasurer or the chartering school district on behalf of the charter school.

6 (c) (II) For ~~budget year 2000-01 and budget years thereafter~~ THE  
7 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, the amount  
8 of funding received by a charter school pursuant to this subsection (2)  
9 shall not be less than one hundred percent of the chartering school  
10 district's district per pupil revenues, minus up to five percent as provided  
11 in ~~subparagraph (III) of paragraph (a) of this subsection (2)~~ SUBSECTION  
12 (2)(a)(III) OF THIS SECTION multiplied by the number of pupils enrolled  
13 in the charter school or as otherwise provided in ~~paragraph (a.3) of this~~  
14 ~~subsection (2)~~ SUBSECTION (2)(a.3) OF THIS SECTION for any charter  
15 school chartered by a school district that enrolls five hundred or fewer  
16 students.

17 (e) (II) (B) Notwithstanding the provisions of subsection  
18 (2)(e)(II)(A) of this section, if the general assembly amends the "Public  
19 School Finance Act of 2025", article 54 of this title 22, to count a student  
20 enrolled in kindergarten only as a half-day pupil, with or without the  
21 addition of supplemental kindergarten enrollment as defined in section  
22 22-54-103 (15) for purposes of calculating the funded pupil count as  
23 determined by ~~article 54 of this title 22~~ SECTION 22-54-104, a charter  
24 school may charge the student's parents tuition or a fee for the portion of  
25 the school day for which it does not receive funding for the student  
26 pursuant to the "Public School Finance Act of 2025"; except that the  
27 amount of tuition or fee charged must not exceed the amount of tuition or  
28 fee that the charter school charged to attend a full-day kindergarten  
29 educational program for the 2018-19 budget year, adjusted for inflation  
30 and prorated by the percentage of the school day for which the student is  
31 no longer funded by the "Public School Finance Act of 2025". As used in  
32 this subsection (2)(e)(II)(B), "inflation" means the annual percentage  
33 change in the United States department of labor bureau of labor statistics  
34 consumer price index for Denver-Aurora-Lakewood for all items paid by  
35 all urban consumers, or its applicable successor index.

36 (3) (a) (II) For ~~budget year 2000-01 and budget years thereafter~~  
37 THE 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, if the  
38 charter school and the school district have negotiated to allow the charter  
39 school to provide federally required educational services pursuant to  
40 ~~paragraph (a.8) of subsection (2)~~ SUBSECTION (2)(a.8) of this section, the  
41 proportionate share of state and federal resources generated by students  
42 receiving ~~such~~ THE federally required educational services or staff serving  
43 them shall be IS directed by the school district or administrative unit to the

1 charter school enrolling such students.

2 (III) (A) For ~~budget year 2000-01 and budget years thereafter~~ THE  
3 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, the  
4 proportionate share of ~~moneys~~ MONEY generated under federal or state  
5 categorical aid programs, other than federally required educational  
6 services, ~~shall be~~ IS directed to charter schools serving students eligible  
7 for such aid; ~~except that a school district that receives small attendance~~  
8 ~~center aid pursuant to section 22-54-122 for a small attendance center that~~  
9 ~~is a charter school shall forward the entire amount of such aid to the~~  
10 ~~charter school for which it was received~~ FOR DISTRICT SPECIAL  
11 EDUCATION PUPIL FUNDING CALCULATED PURSUANT TO SECTION  
12 22-54-103.5 (10).

13 (B) NOTWITHSTANDING SUBSECTION (3)(a)(III)(A) OF THIS  
14 SECTION, A SCHOOL DISTRICT THAT RECEIVES SMALL ATTENDANCE CENTER  
15 AID PURSUANT TO SECTION 22-54-122 FOR A SMALL ATTENDANCE CENTER  
16 THAT IS A CHARTER SCHOOL SHALL FORWARD THE ENTIRE AMOUNT OF  
17 SUCH AID TO THE CHARTER SCHOOL FOR WHICH IT WAS RECEIVED.

18 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-112.1,  
19 **amend** (1)(g), (1)(j), and (3)(a) as follows:

20 **22-30.5-112.1. Charter schools - exclusive jurisdiction districts**  
21 **- authorized on or after July 1, 2004 - financing - definitions.** (1) As  
22 used in this section, unless the context otherwise requires:

23 (g) "District funded pupil count" means the funded pupil count  
24 determined pursuant to ~~article 54 of this title 22~~ SECTION 22-54-104.

25 (j) "District per pupil revenues" means the qualifying school  
26 district's total program, as ~~defined in section 22-54-103(6)~~ CALCULATED  
27 PURSUANT TO SECTION 22-54-104, for any budget year divided by the  
28 qualifying school district's funded pupil count DETERMINED PURSUANT TO  
29 SECTION 22-54-104 for ~~said~~ THE budget year.

30 (3) (a) For ~~budget year 2004-05 and budget years thereafter~~ THE  
31 2004-05 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, each district  
32 charter school and the qualifying school district that approved the charter  
33 shall negotiate funding under the charter contract. The district charter  
34 school shall receive one hundred percent of the adjusted district per pupil  
35 revenues for each pupil enrolled in the district charter school who is not  
36 an online pupil and one hundred percent of the district per pupil online  
37 funding for each online pupil enrolled in the district charter school;  
38 except that the qualifying school district may choose to retain the sum of  
39 the actual amount of the district charter school's per pupil share of the  
40 central administrative overhead costs for services actually provided to the  
41 district charter school, up to five percent of the adjusted district per pupil  
42 revenues for each pupil who is not an online pupil enrolled in the district  
43 charter school and up to five percent of the district per pupil online

1 funding for each online pupil enrolled in the district charter school.

2 **SECTION 4.** In Colorado Revised Statutes, **add** 22-30.5-112.6  
3 as follows:

4 **22-30.5-112.6. Charter school funding - 2025-26 budget year**  
5 **- repeal.** (1) (a) A DISTRICT'S ONE-YEAR INCREMENTAL FUNDING IS:

6 FIFTEEN PERCENT X (THE DIFFERENCE BETWEEN THE DISTRICT'S  
7 TOTAL PROGRAM CALCULATION PURSUANT TO SECTION  
8 22-54-103.5 AND THE DISTRICT'S TOTAL PROGRAM CALCULATION  
9 PURSUANT TO SECTION 22-54-104).

10 (b) A DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER PUPIL  
11 REVENUE IS:

12 DISTRICT ONE-YEAR INCREMENTAL FUNDING / DISTRICT FUNDED  
13 PUPIL COUNT PURSUANT TO SECTION 22-54-103.5.

14 (c) (I) FOR THE 2025-26 BUDGET YEAR, IN ADDITION TO CHARTER  
15 SCHOOL FUNDING PURSUANT TO SECTION 22-30.5-112 OR 22-30.5-112.1,  
16 AS APPLICABLE, A DISTRICT CHARTER SCHOOL MUST RECEIVE AN AMOUNT  
17 THAT IS EQUAL TO:

18 DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER PUPIL REVENUE  
19 X DISTRICT CHARTER SCHOOL FUNDED PUPIL COUNT PURSUANT TO  
20 SECTION 22-54-103.5.

21 (II) FOR THE 2025-26 BUDGET YEAR, IN ADDITION TO CHARTER  
22 SCHOOL FUNDING RECEIVED PURSUANT TO SECTION 22-30.5-513, AN  
23 INSTITUTE CHARTER SCHOOL MUST RECEIVE AN AMOUNT THAT IS EQUAL  
24 TO:

25 ACCOUNTING DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER  
26 PUPIL REVENUE X INSTITUTE CHARTER SCHOOL FUNDED PUPIL  
27 COUNT PURSUANT TO SECTION 22-54-103.5.

28 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

29 **SECTION 5.** In Colorado Revised Statutes, **add** 22-30.5-112.7  
30 as follows:

31 **22-30.5-112.7. Charter school funding - greater than**  
32 **minimum.** AN AUTHORIZING DISTRICT OR ACCOUNTING DISTRICT MAY  
33 PROVIDE FUNDING THAT IS GREATER THE THAN MINIMUM AMOUNT  
34 DETERMINED PURSUANT TO SECTION 22-30.5-112, 22-30.5-112.1,  
35 22-30.5-112.6, OR 22-30.5-513."

36 Renumber succeeding sections accordingly.

37 Page 6, line 26, strike "(4.5)(a) and (4.5)(d);" and substitute "(1)(e),  
38 (1)(j)(II), (2)(b), (2)(e)(II), (4)(a)(I), (4)(a)(I.5) introductory portion,  
39 (4.5)(a), (4.5)(d), (9)(a) and (10)(a);".

40 Page 7, after line 1 insert:

1 "(1) As used in this section, unless the context otherwise requires:  
2 (e) "Accounting district's funded pupil count" means the funded  
3 pupil count determined pursuant to ~~article 54 of this title 22~~ SECTION  
4 22-54-104.  
5 (j) "Online pupil enrollment" means:  
6 (II) For the 2008-09 budget year ~~and for budget years thereafter~~  
7 THROUGH THE 2025-26 BUDGET YEAR, the number of pupils, on the pupil  
8 enrollment count day within the applicable budget year, enrolled in,  
9 attending, and actively participating in a multi-district online school, as  
10 defined in section 22-30.7-102 (6), created pursuant to article 30.7 of this  
11 title by the institute charter school.  
12 (2) (b) For ~~budget year 2004-05 and budget years thereafter~~ THE  
13 2004-05 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, each  
14 institute charter school and the institute shall negotiate funding under the  
15 charter contract at a minimum of ninety-five percent of the institute  
16 charter school's accounting district's adjusted per pupil revenues for each  
17 pupil enrolled in the institute charter school who is not an online pupil  
18 and ninety-five percent of the institute charter school's accounting  
19 district's per pupil online funding for each online pupil enrolled in the  
20 institute charter school. The institute may retain three percent of the  
21 accounting district's adjusted per pupil revenues for each pupil, who is not  
22 an online pupil, enrolled in the institute charter school and three percent  
23 of the accounting district's per pupil online funding for each online pupil  
24 enrolled in the institute charter school.  
25 (e) (II) Notwithstanding the provisions of subsection (2)(e)(I) of  
26 this section to the contrary, if the general assembly amends the "Public  
27 School Finance Act of 2025", article 54 of this title 22, to count a student  
28 enrolled in kindergarten only as a half-day pupil, with or without the  
29 addition of supplemental kindergarten enrollment as defined in section  
30 22-54-103 (15) for purposes of calculating the funded pupil count as  
31 determined pursuant to ~~article 54 of this title 22~~ SECTION 22-54-104, an  
32 institute charter school may charge the student's parents tuition or a fee  
33 for the portion of the school day for which it does not receive funding for  
34 the student pursuant to the "Public School Finance Act of 2025"; except  
35 that the amount of tuition or fee charged must not exceed the amount of  
36 tuition or fee that the institute charter school charged to attend a full-day  
37 kindergarten educational program for the 2018-19 budget year, adjusted  
38 for inflation and prorated by the percentage of the school day for which  
39 the student is no longer funded by the "Public School Finance Act of  
40 2025". As used in this subsection (2)(e)(II), "inflation" means the annual  
41 percentage change in the United States department of labor bureau of  
42 labor statistics consumer price index for Denver-Aurora-Lakewood for  
43 all items paid by all urban consumers, or its applicable successor index.

1 (4) (a) (I) For EACH BUDGET YEAR THROUGH THE 2025-26 BUDGET  
2 YEAR, each institute charter school, the department shall withhold from  
3 the state equalization payments of the institute charter school's accounting  
4 district an amount equal to one hundred percent of the accounting  
5 district's adjusted per pupil revenues multiplied by the number of pupils  
6 enrolled in the institute charter school who are not online pupils plus an  
7 amount equal to one hundred percent of the accounting district's per pupil  
8 online funding multiplied by the number of online pupils enrolled in the  
9 institute charter school. The department shall forward to the institute the  
10 amount withheld minus an amount not to exceed one percent of the  
11 amount withheld that the department may retain as reimbursement for the  
12 reasonable and necessary costs to the department to implement the  
13 provisions of this part 5.

14 (I.5) FOR EACH BUDGET YEAR THROUGH THE 2025-26 BUDGET  
15 YEAR, the institute shall forward to each institute charter school an  
16 amount equal to the institute charter school's pupil enrollment multiplied  
17 by the accounting district's adjusted per pupil revenues of the institute  
18 charter school's accounting district, minus:".

19 Page 7, after line 27 add:

20 "(9) (a) For the 2004-05 budget year ~~and for each budget year~~  
21 ~~thereafter~~ THROUGH THE 2025-26 BUDGET YEAR, the proportionate share  
22 of ~~moneys~~ MONEY generated under federal or state categorical aid  
23 programs shall be directed to institute charter schools serving students  
24 eligible for such aid.

25 (10) (a) On or before December 1, 2009, and on or before  
26 December 1 each year thereafter, a representative from the governing  
27 board of each institute charter school and the institute board shall meet to  
28 review the level of funding received by the institute as a result of the  
29 ~~moneys~~ MONEY withheld by the institute for the amount of actual costs  
30 incurred by the institute in providing necessary administration, oversight,  
31 and management services to the institute charter schools. The institute  
32 charter school representatives and the institute board shall, at a minimum,  
33 review, for each budget year beginning with the 2004-05 budget year  
34 THROUGH THE 2025-26 BUDGET YEAR, the amount of ~~moneys~~ MONEY  
35 annually appropriated to the institute, the amount of costs incurred by the  
36 institute, and the services provided by the institute."

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