

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1174

BY REPRESENTATIVE(S) Brown and Taggart, Sirota, Clifford, Duran, McCluskie;
also SENATOR(S) Amabile and Kirkmeyer, Bridges.

CONCERNING ADJUSTMENTS TO SCHOOL FUNDING FOR THE 2025-26 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 finds and declares that:

(a) For the 2025-26 budget year, the actual funded pupil count and the at-risk pupil count are lower than anticipated when the appropriation was established in the 2025 regular legislative session for total program funding for the 2025-26 budget year. As a result, total program is \$33,548,028 lower than anticipated when appropriations were established in the 2025 regular legislative session.

(b) Based on the actual local property tax revenue and specific ownership tax revenue available to school districts for the 2025-26 budget

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

year, the local share of total program funding is \$69,924,480 higher than anticipated when appropriations were established in the 2025 regular legislative session.

(c) Therefore, the general assembly's intent is to decrease the state share of districts' total program funding by \$103,472,508 for the 2025-26 budget year.

SECTION 2. In Colorado Revised Statutes, 22-54-103.5, **amend** (14)(a)(I) as follows:

22-54-103.5. District total program - rules - legislative declaration - repeal.

(14) **Total program funding.**

(a) (I) For the 2025-26 budget year, the department of education and the staff of the legislative council shall determine, based on budget projections, the amount to ensure that for the 2025-26 budget year, the sum of total program funding for all districts, including funding for institute charter schools, is at least ~~ten billion thirty-one million six hundred six thousand ninety dollars (\$10,031,606,090)~~ NINE BILLION NINE HUNDRED NINETY-EIGHT MILLION FIFTY-EIGHT THOUSAND SIXTY-THREE DOLLARS (\$9,998,058,063); 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 actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year to determine any necessary changes in the amount to maintain total program funding for the applicable budget year.

SECTION 3. In Colorado Revised Statutes, 22-54-103.3, **amend** (3)(a) as follows:

22-54-103.3. District total program - 2025-26 through 2030-31 budget years - definitions - repeal.

(3) (a) (I) For the 2025-26 budget year, a district's total program is the greater of the district's total program determination for the 2024-25 budget year, or the amount calculated pursuant to section 22-54-104 plus an amount equal to fifteen percent of the difference between the district's total

program calculation pursuant to section 22-54-103.5 and the district's total program calculation pursuant to section 22-54-104.

(II) WHEN DETERMINING A DISTRICT'S TOTAL PROGRAM PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION, IF THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 IS LESS THAN THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION 22-54-104, THEN NOTWITHSTANDING SUBSECTION (3)(a)(I) OF THIS SECTION, THE DISTRICT'S TOTAL PROGRAM IS THE GREATER OF THE DISTRICT'S TOTAL PROGRAM DETERMINATION FOR THE 2024-25 BUDGET YEAR OR THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 4. Appropriation to the department of education for the fiscal year beginning July 1, 2025. In Session Laws of Colorado 2025, section 2 of chapter 476, (SB 25-206), **amend** Part IV (3)(A), the affected totals, and footnote 11 as follows:

Section 2. **Appropriation.**

**PART IV
DEPARTMENT OF EDUCATION**

(3) SCHOOL DISTRICT OPERATIONS

(A) Public School Finance

Administration	2,471,809		2,210,618 (16.0 FTE)		261,191 ^a (1.5 FTE)
Financial Transparency					
System Maintenance	92,786				92,786 ^a (1.0 FTE)
School Finance Audit					
Payments	3,000,000				3,000,000 ^b
State Share of Districts'					
Total Program Funding ¹⁰	5,463,908,610 5,363,929,334	3,095,718,552	1,292,968,309 ^c	1,075,221,749^d 975,242,473 ^d	
Extended High School ¹¹	24,559,880 21,066,648			24,559,880^e 21,066,648 ^a	
District Per Pupil					
Reimbursements for					
Juveniles Held in Jail	10,000				10,000 ^b
At-risk Per Pupil					
Additional Funding	5,000,000				5,000,000 ^a
Contingency Reserve Fund	1,000,000				1,000,000 ^c
	<u>5,500,043,085</u> 5,396,570,577				

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a These amounts shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^b These amounts shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S., from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S.

^c This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^d Of this amount, ~~\$1,004,554,817~~ \$904,575,541 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution and \$70,666,932 shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution. Of the amount appropriated from the State Public School Fund, \$51,922,059 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S., \$16,217,517 is estimated to be from marijuana sales tax revenues transferred to the State Public School Fund pursuant to Section 39-28.8-203 (1)(b)(I.5)(B), C.R.S., and appropriated pursuant to Section 22-54-139, C.R.S., and \$2,527,356 is estimated to be from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(f), C.R.S.

^e This amount shall be from the Contingency Reserve Fund created in Section 22-54-117 (1)(a), C.R.S.

**TOTALS PART IV
(EDUCATION)**

	\$7,756,003,663	\$3,418,629,265	\$1,292,968,309 ^a	\$2,139,481,573^b	\$55,664,660 ^c	\$849,259,856 ^d
	<u>\$7,652,531,155</u>			<u>\$2,036,009,065^b</u>		

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, \$9,800,097 contains an (I) notation.

^c Of this amount, \$43,900,000 contains an (I) notation.

^d This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

11 Department of Education, School District Operations, Public School Finance, Extended High School -- Pursuant to section 22-35-108.5 (2)(b)(II), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Teacher Recruitment Education and Preparation (TREP) Program for the 2025-26 state fiscal year. It is the General Assembly's intent that the Department of Education be authorized to utilize up to ~~\$2,620,000~~ \$2,263,680 of this appropriation to fund qualified students identified as TREP Program participants. This amount is calculated based on an estimated 250 216 FTE TREP Program participants funded at a rate of \$10,480 per FTE pursuant to ~~section 22-54-204 (4.7), C.R.S.~~ SECTION 22-54-104 (4.7), C.R.S.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO