

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0004.02 Jacob Baus x2173

SENATE BILL 26-023

SENATE SPONSORSHIP

Kolker and Kirkmeyer,

HOUSE SPONSORSHIP

Hamrick,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AND REDUCING AN**
103 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill:

- Increases the statewide base per pupil funding for the 2026-27 budget year by \$217.30 to account for inflation;
- Sets a new statewide base per pupil funding amount for the 2026-27 budget year at \$8,909.10; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

- Sets the total program funding for the 2026-27 budget year at \$10,209,589,888.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-54-103.5, **add**
3 (3)(b) and (14)(b) as follows:

4 **22-54-103.5. District total program - rules - legislative**
5 **declaration - repeal.**

6 **(3) Statewide base per pupil funding.**

7 (b) (I) FOR THE 2026-27 BUDGET YEAR, THE STATEWIDE BASE PER
8 PUPIL FUNDING IS EIGHT THOUSAND NINE HUNDRED DOLLARS AND FORTY
9 CENTS (\$8,900.40), WHICH IS AN AMOUNT EQUAL TO EIGHT THOUSAND SIX
10 HUNDRED NINETY-ONE DOLLARS AND EIGHTY CENTS (\$8,691.80),
11 SUPPLEMENTED BY TWO HUNDRED EIGHT DOLLARS AND SIXTY CENTS
12 (\$208.60) TO ACCOUNT FOR INFLATION.

13 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JULY 1, 2032.

14 **(14) Total program funding.**

15 (b) (I) FOR THE 2026-27 BUDGET YEAR, THE DEPARTMENT OF
16 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL
17 DETERMINE, BASED ON BUDGET PROJECTIONS, THE AMOUNT TO ENSURE
18 THAT FOR THE 2026-27 BUDGET YEAR, THE SUM OF TOTAL PROGRAM
19 FUNDING FOR ALL DISTRICTS, INCLUDING FUNDING FOR INSTITUTE
20 CHARTER SCHOOLS, IS AT LEAST TEN BILLION ONE HUNDRED EIGHTY-NINE
21 MILLION NINE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED FORTY-TWO
22 DOLLARS (\$10,189,918,642); EXCEPT THAT THE DEPARTMENT OF
23 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE
24 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,
25 INCLUDING ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS, AND

1 SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR TO DETERMINE
2 ANY NECESSARY CHANGES IN THE AMOUNT TO MAINTAIN TOTAL PROGRAM
3 FUNDING FOR THE APPLICABLE BUDGET YEAR.

4 (II) THIS SUBSECTION (14)(b) IS REPEALED, EFFECTIVE JULY 1,
5 2032.

6 **SECTION 2.** In Colorado Revised Statutes, 22-13-103, **amend**
7 **(1)(c) introductory portion; and add (1)(c.5) as follows:**

8 **22-13-103. School transformation grant program - created -**
9 **rules - repeal.**

10 **(1) There is created in the department the school transformation**
11 **grant program to provide funding to:**

12 **(c) FOR GRANTS ISSUED ON OR BEFORE JUNE 30, 2026, assist**
13 **school districts, the institute, and charter schools that are implementing**
14 **priority improvement or turnaround plans in planning for and**
15 **implementing one or more of the following rigorous school redesign**
16 **strategies:**

17 **(c.5) FOR GRANTS ISSUED ON OR AFTER JULY 1, 2026, ASSIST**
18 **SCHOOL DISTRICTS, THE INSTITUTE, AND CHARTER SCHOOLS THAT ARE**
19 **IMPLEMENTING PRIORITY IMPROVEMENT OR TURNAROUND PLANS IN**
20 **PLANNING FOR AND IMPLEMENTING ONE OR MORE OF THE RIGOROUS**
21 **REDESIGN STRATEGIES DESCRIBED IN SECTION 22-11-209 (2)(a) OR**
22 **SECTION 22-11-210 (5)(a);**

23 **SECTION 3.** In Colorado Revised Statutes, 22-13-105, **amend**
24 **(1) introductory portion and (6)(b); and add (1.5) as follows:**

25 **22-13-105. School transformation grants - application -**
26 **awards - report.**

27 **(1) FOR GRANTS ISSUED ON OR BEFORE JUNE 30, 2026, the state**

1 board, subject to available appropriations, shall award school
2 transformation grants to one or more school districts or charter schools or
3 to the institute to use in:

4 (1.5) FOR GRANTS ISSUED ON OR AFTER JULY 1, 2026, THE STATE
5 BOARD, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD SCHOOL
6 TRANSFORMATION GRANTS TO ONE OR MORE SCHOOL DISTRICTS OR
7 CHARTER SCHOOLS OR TO THE INSTITUTE TO USE FOR THE PURPOSES
8 DESCRIBED IN SECTION 22-13-103 (1).

9 (6) (b) Of the money annually appropriated for school
10 transformation grants, the department may expend an amount that is
11 necessary to enter into one or more contracts with a public or private
12 entity to provide the uses described in subsection (1) OR (1.5) of this
13 section to multiple school districts or charter schools that are eligible for
14 a school transformation grant. The entity shall use research-based
15 strategies and have a proven record of success working with schools
16 under similar circumstances.

17 **SECTION 4.** In Colorado Revised Statutes, 22-44-105, **amend**
18 (6)(d)(II) as follows:

19 **22-44-105. Budget - contents - mandatory- repeal.**

20 (6) (d) (II) ~~This subsection (6) is~~ SUBSECTIONS (6)(a), (6)(b), AND
21 (6)(d) OF THIS SECTION ARE repealed, effective July 1, 2026.

22 **SECTION 5.** In Colorado Revised Statutes, 22-54-103.3, **amend**
23 (3)(b) as follows:

24 **22-54-103.3. District total program - 2025-26 through 2030-31**
25 **budget years - definitions - repeal.**

26 (3) (b) (I) For the 2026-27 budget year, a district's total program
27 is the greater of the district's total program determination for the 2024-25

1 budget year or the amount calculated pursuant to section 22-54-104 plus
2 an amount equal to thirty percent of the difference between the district's
3 total program calculation pursuant to section 22-54-103.5 and the
4 district's total program calculation pursuant to section 22-54-104.

5 (II) WHEN DETERMINING A DISTRICT'S TOTAL PROGRAM PURSUANT
6 TO SUBSECTION (3)(b)(I) OF THIS SECTION, IF THE DISTRICT'S TOTAL
7 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 IS LESS THAN
8 THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
9 22-54-104, THEN NOTWITHSTANDING SUBSECTION (3)(b)(I) OF THIS
10 SECTION, THE DISTRICT'S TOTAL PROGRAM IS THE GREATER OF THE
11 DISTRICT'S TOTAL PROGRAM DETERMINATION FOR THE 2024-25 BUDGET
12 YEAR OR THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104.

13 **SECTION 6.** In Colorado Revised Statutes, 22-54-117, amend
14 (1)(a) introductory portion and (1)(a)(IX) as follows:

15 **22-54-117. Contingency reserve - fund - repeal.**

16 (1) (a) For the 2007-08 fiscal year and fiscal years thereafter The
17 general assembly shall annually determine the amount to appropriate to
18 the contingency reserve fund, which is created in the state treasury. In
19 deciding the amount to appropriate to the contingency reserve fund, the
20 general assembly may take into consideration any recommendations made
21 by the department of education, but nothing in this section obligates the
22 general assembly to provide supplemental assistance to all districts that
23 are found to be in need or to fully fund the total amount of such need. The
24 state board may approve and order payments from the contingency
25 reserve fund for supplemental assistance to districts determined to be in
26 need as the result of any or all of the following circumstances:

27 (IX) (A) For the 2021-22, 2022-23, and 2023-24 budget years

1 Unusual financial burden caused by the withholding of local property
2 taxes pursuant to section 29-1-606 (5) for a rural or small rural school
3 district, as defined in section 22-7-1211 (4), because of a delay in filing
4 the audit report due to extraordinary problems that could not have been
5 reasonably foreseen or prevented by the rural or small rural school
6 district.

7 (B) This subsection (1)(a)(IX) is repealed, effective July 1, 2026.

8 **SECTION 7.** In Colorado Revised Statutes, 22-54-205, **amend**
9 **(2)(a), (2)(b)(I), (2)(c)(I), (2)(c)(II), (4)(c), and (4)(d); as follows:**

10 **22-54-205. Sustain funding - rules - repeal.**

11 (2) (a) A local education provider is eligible to receive
12 reimbursement SUSTAIN FUNDING for students who, in the preceding
13 budget year, successfully satisfied postsecondary credit, received an
14 industry-recognized credential, or satisfied work-based learning
15 requirements as specified by state board rule. A local education provider
16 is eligible to receive multiple reimbursements SUSTAIN FUNDING
17 DISTRIBUTIONS for one student. A local education provider is eligible for
18 reimbursement TO RECEIVE SUSTAIN FUNDING for students who are
19 enrolled in a p-tech school or participating in a TREP program.

20 (b) (I) For the 2026-27 budget year, the department shall divide
21 the total amount of sustain funding for reimbursement DISTRIBUTION into
22 the following categories:

23 (A) Twenty percent of the total amount of sustain funding for
24 reimbursement DISTRIBUTION for postsecondary credit attainment;

25 (B) Forty percent of the total amount of sustain funding for
26 reimbursement DISTRIBUTION for industry-recognized credentials earned;

27 (C) ~~Thirty-five~~ THIRTY-SEVEN percent of the total amount of

1 sustain funding for reimbursement DISTRIBUTION for work-based
2 learning; and

3 (D) Five THREE percent of the total amount of sustain funding to
4 offset the direct and indirect costs incurred in administering the sustain
5 funding.

6 (c) (I) For the 2027-28 budget year, and each budget year
7 thereafter, the state board shall determine the percentages of the total
8 amount of sustain funding for reimbursement DISTRIBUTION assigned to
9 the postsecondary credit attainment, industry-recognized credentials, and
10 work-based learning categories; except that the five THREE percent of the
11 total amount of sustain funding to offset the direct and indirect costs
12 incurred in administering the sustain funding must not be changed. The
13 percentages for each category are determined by state board rule.

14 (II) In determining the percentages of the total amount of sustain
15 funding for reimbursement DISTRIBUTION assigned to each category
16 pursuant to subsection (2)(c)(I) of this section, the state board shall
17 consider the availability of postsecondary and workforce readiness
18 opportunities offered by local education providers, student participation,
19 and evidence of student outcomes.

20 (4) The state board shall adopt rules governing:

21 (c) Reimbursement eligibility and rates, including limits on a local
22 education provider's annual total reimbursement and annual
23 reimbursement from one or multiple categories, based on
24 local-education-provider-specific features or other features; SUSTAIN
25 FUNDING ELIGIBILITY REQUIREMENTS, INCLUDING LIMITS ON THE TOTAL
26 AMOUNT OF SUSTAIN FUNDING RECEIVED BY A LOCAL EDUCATION
27 PROVIDER FROM ONE OR MULTIPLE CATEGORIES BASED ON THE LOCAL

1 EDUCATION PROVIDER'S FEATURES.

2 (d) Requirements of a local education provider that receives
3 SUSTAIN funding pursuant to this section; and

4 **SECTION 8.** In Colorado Revised Statutes, 24-51-1101, amend
5 (1.9)(a)(I), (1.9)(a)(II)(B), (1.9)(a)(II)(C), and (1.9)(h) as follows:

6 **24-51-1101. Employment after service retirement - report -**
7 **definitions - repeal.**

8 (1.9) (a) (I) Subject to subsection (1.9)(h) of this section, a service
9 retiree who is a superintendent, AN ASSISTANT SUPERINTENDENT, a
10 principal, A VICE PRINCIPAL OR ASSISTANT PRINCIPAL, a teacher, a school
11 bus driver, a school food services cook, a school nurse, or a
12 paraprofessional, as defined in section 22-60.3-201, and is hired pursuant
13 to subsection (1.9)(b) of this section by an employer in the school division
14 of the association that satisfies the criteria specified in subsection
15 (1.9)(a)(II) of this section may receive salary without reduction in benefits
16 for any length of employment in a calendar year if the service retiree has
17 not worked for an employer, as defined in section 24-51-101 (20), during
18 the month of the effective date of retirement. A service retiree described
19 in this subsection (1.9)(a) who works for an employer, as defined in
20 section 24-51-101 (20), during the month of the effective date of
21 retirement is subject to a reduction in benefits as provided in section
22 24-51-1102 (2).

23 (II) The provisions of this subsection (1.9) apply only if:

24 (B) The school district, board of cooperative services, or charter
25 school hires the service retiree for the purpose of providing classroom
26 instruction or school bus transportation to students enrolled by the district,
27 enrolled by one or more of the districts served by the board of cooperative

1 services, or enrolled by the charter school, or for the purpose of being a
2 superintendent, AN ASSISTANT SUPERINTENDENT, a principal, A VICE
3 PRINCIPAL OR ASSISTANT PRINCIPAL, a school food services cook, a school
4 nurse, or a paraprofessional, as defined in section 22-60.3-201; and

5 (C) The school district, board of cooperative services, or charter
6 school determines that there is a critical shortage of qualified
7 superintendents, ASSISTANT SUPERINTENDENTS, principals, VICE
8 PRINCIPALS OR ASSISTANT PRINCIPALS, teachers, school bus drivers,
9 school food services cooks, school nurses, or paraprofessionals, as
10 defined in section 22-60.3-201, as applicable, and that the service retiree
11 has specific experience, skills, or qualifications that would benefit the
12 district, board of cooperative services, or charter school.

13 (h) A teacher, school bus driver, school food services cook, school
14 nurse, superintendent, ASSISTANT SUPERINTENDENT, principal, VICE
15 PRINCIPAL OR ASSISTANT PRINCIPAL, or qualified paraprofessional who
16 retires before ~~he or she has~~ THEY HAVE met the age and service credit
17 requirements for full service retirement benefits pursuant to section
18 24-51-602 shall not be employed after retirement pursuant to this
19 subsection (1.9) by the employer in the school division that was the
20 teacher's, school bus driver's, school food services cook's, school nurse's,
21 superintendent's, ASSISTANT SUPERINTENDENT'S, principal's, VICE
22 PRINCIPAL'S OR ASSISTANT PRINCIPAL'S, or qualified paraprofessional's last
23 employer until two years after the teacher's, school bus driver's, school
24 food services cook's, school nurse's, superintendent's, ASSISTANT
25 SUPERINTENDENT'S, principal's, VICE PRINCIPAL'S OR ASSISTANT
26 PRINCIPAL'S, or qualified paraprofessional's date of retirement.

27 **SECTION 9. In Colorado Revised Statutes, 22-20-107.5, add**

1 (1.5) as follows:

2 **22-20-107.5. District of residence of a child with a disability -**
3 **jurisdiction - rules.**

4 (1.5) THE STATE BOARD SHALL ADOPT RULES THAT ARE
5 NECESSARY TO DETERMINE A CHILD'S DISTRICT OF RESIDENCE FOR A
6 CIRCUMSTANCE THAT IS NOT DESCRIBED IN SUBSECTION (1) OF THIS
7 SECTION.

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

10 **22-20-114. Funding of programs - application for**
11 **reimbursement - rules - legislative declaration - definition.**

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

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

26 (A) For whom tuition is paid by the administrative units for the
27 children to receive educational services at approved facility schools; and

1 THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;

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

11 (C) THE STUDENT IS PLACED BY A PUBLIC AGENCY, AS DEFINED IN
12 SECTION 22-20-103 (20), IN A RESIDENTIAL CHILD CARE FACILITY OR
13 RESIDENTIAL TREATMENT FACILITY THAT IS LOCATED OUT OF STATE OR IN
14 AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402.

15 (II) The moneys appropriated pursuant to subparagraph (I) of this
16 paragraph (a) shall be distributed in each budget year to administrative
17 units based upon each administrative unit's share of the aggregate number
18 of children with disabilities who are specified in subparagraph (I) of this
19 paragraph (a); except that an administrative unit shall not receive an
20 amount that exceeds the aggregate amount of tuition paid by that
21 administrative unit for the specified children with disabilities to receive
22 educational services at approved facility schools during the immediately
23 preceding budget year. For purposes of this paragraph (a), the number of
24 children with disabilities that are specified in subparagraph (I) of this
25 paragraph (a) shall be based upon the count taken in December of the
26 immediately preceding budget year. IN THE 2026-27 BUDGET YEAR AND
27 EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE

1 THE APPROPRIATION DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION
2 PURSUANT TO AN APPLICATION FOR REIMBURSEMENT PROCESS. THE STATE
3 BOARD SHALL ADOPT RULES RELATED TO THE APPLICATION FOR
4 REIMBURSEMENT PROCESS.

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

9 (H) Except as specified in subsection (1.3) of this section, for the
10 2022-23 budget year and each budget year thereafter, an amount equal to
11 one thousand seven hundred fifty dollars for each child with disabilities
12 receiving special education services from the administrative unit; and

13 (1.3) For the 2024-25 budget year and budget years thereafter, The
14 dollar amounts set forth in subsections (1)(b)(H) and (1)(c)(HH)
15 SUBSECTIONS (1)(b) AND (1)(c)(III) of this section are annually increased
16 by the rate of inflation. The amounts must be rounded to the nearest
17 dollar. As used in this subsection (1.3), "inflation" means the annual
18 percentage change in the United States department of labor bureau of
19 labor statistics consumer price index for Denver-Aurora-Lakewood for
20 all items paid by all urban consumers, or its applicable successor index.

21 **SECTION 11.** In Colorado Revised Statutes, 22-82.9-205,
22 **amend** (1), (2), (3), and (4); and **add** (6) as follows:

23 **22-82.9-205. Local food purchasing grant - amount - advisory**
24 **committee - verification of invoices - definition.**

25 (1) (a) Subject to subsection (5) of this section, each participating
26 school food authority OR CHARTER SCHOOL THAT OPERATES UNDER A
27 PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY that commits to

1 operating an advisory committee as described in subsection (3) of this
2 section is eligible to receive a local food purchasing grant pursuant to this
3 section to purchase Colorado grown, raised, or processed products. It is
4 the general assembly's intent that these grants be used primarily to support
5 small- and medium-sized farms and ranches.

6 (b) On or before August 1 of the first full budget year in which
7 this section is effective as provided in subsection (5) of this section and
8 on or before August 1 of each budget year thereafter, each participating
9 school food authority GRANTEE shall track and report to the department
10 for the preceding budget year:

11 (I) The total amount spent in purchasing all products used in
12 preparing meals and how much of that total was attributable to the local
13 food purchasing grant the participating school food authority GRANTEE
14 received;

15 (II) The total amount spent to purchase Colorado grown, raised,
16 or processed products and how much of that total was attributable to the
17 local food purchasing grant the participating school food authority
18 GRANTEE received;

19 (III) The total amount spent to purchase value-added processed
20 products and how much of that total was attributable to the local food
21 purchasing grant the participating school food authority GRANTEE
22 received; and

23 (IV) The total number of eligible meals the participating school
24 food authority GRANTEE provided to students.

25 (2)(a) Subject to subsection (2)(b) of this section, at the beginning
26 of each budget year the department, subject to available appropriations,
27 shall distribute to each participating school food authority GRANTEE that

1 is eligible to receive a grant pursuant to this section an amount established
2 pursuant to section 22-82.9-211 (3). The participating school food
3 authority GRANTEE shall use the money received pursuant to this section
4 to purchase only Colorado grown, raised, or processed products and as
5 provided in subsection (3)(b) of this section and shall not use more than
6 twenty-five percent of the amount received to purchase value-added
7 processed products. In addition, a school food authority PARTICIPATING
8 GRANTEE may use up to ten percent of the money received pursuant to
9 this section to pay allowable costs, as identified by rules of the state
10 board, incurred in complying with this section.

11 (b) At the beginning of each budget year, each participating
12 school food authority GRANTEE shall submit to the department an estimate
13 of the amount it expects to spend to purchase Colorado grown, raised, or
14 processed products for the budget year; a description of the items and
15 amounts it expects to purchase; and a list of the suppliers from which it
16 expects to purchase the items. If, based on the information provided, the
17 department determines that a participating school food authority GRANTEE
18 is unlikely to spend the full amount of the grant described in subsection
19 (2)(a) of this section, the department shall reduce the amount of the grant
20 accordingly. The department shall distribute to other participating school
21 food authorities GRANTEES that are eligible to receive grants pursuant to
22 this section any amount that is retained pursuant to this subsection (2)(b).
23 The department shall distribute the additional amounts to the participating
24 school food authorities GRANTEES for which the grant amount calculated
25 pursuant to subsection (2)(a) of this section is less than twenty-five
26 thousand dollars, prioritized based on the highest identified student
27 percentages and greatest financial need.

1 (3) (a) To receive a local food purchasing grant pursuant to this
2 section, a participating school food authority GRANTEE must have or
3 establish an advisory committee made up of students and parents of
4 students enrolled in the public schools served by the participating school
5 food authority. In selecting students and parents to serve on the advisory
6 committee, the participating school food authority GRANTEE shall ensure
7 that the membership of the advisory committee reflects the racial, ethnic,
8 and socioeconomic demographics of the student population enrolled by
9 the participating school food authority GRANTEE. The advisory committee
10 shall advise the participating school food authority GRANTEE concerning
11 the selection of foods to ensure that meals are culturally relevant, healthy,
12 and appealing to all ages of the student population.

13 (b) A participating school food authority GRANTEE may use up to
14 twelve percent of the amount received pursuant to subsection (2) of this
15 section to support implementation of the advisory committee required in
16 subsection (3)(a) of this section.

17 (c) A school food authority GRANTEE that provided one million or
18 fewer lunches in the 2023-24 school year may, subject to approval by the
19 department, work with other school food authorities GRANTEES to
20 implement an advisory committee that collaborates with multiple school
21 food authorities.

22 (d) An advisory committee established pursuant to this subsection
23 (3) is not limited to, but may:

24 (I) Schedule and hold meetings as necessary for the advisory
25 committee to have ongoing collaboration with the participating school
26 food authority GRANTEE and achieve the advisory committee's goals;

27 (II) Through student surveys or other methods as necessary, gather

- 1 student feedback on meals and meal preferences;
- 2 (III) Suggest the types of purchases of local ingredients to the
3 school food authority GRANTEE that would support local farmers and
4 ranchers in the school food authority's region;
- 5 (IV) Inform the school food authority of recipes that are both
6 nutritious and reflect the cultures of the student population enrolled by the
7 participating school food authority GRANTEE;
- 8 (V) Taste test healthy meal options;
- 9 (VI) Develop solutions to reduce food waste;
- 10 (VII) Assist the school food authority GRANTEE in developing
11 plans to support more scratch cooking;
- 12 (VIII) Assist the school food authority PARTICIPATING GRANTEE
13 in obtaining the necessary resources to provide meals that are culturally
14 relevant, healthy, and appealing to all ages of the student population;
- 15 (IX) Inform the school food authority GRANTEE of, and assist in
16 the implementation of, strategies to maximize the collection and
17 completion of household income application forms for national school
18 lunch programs;
- 19 (X) Evaluate the effectiveness of the advisory committee in
20 supporting the school food authority PARTICIPATING GRANTEE in
21 improving meal quality and student satisfaction with the meals provided
22 by the school food authority GRANTEE; and
- 23 (XI) Learn from a school food authority GRANTEE about the
24 logistics of local food procurement, menu requirements, and operational
25 management to support the advisory committee in suggesting realistic and
26 attainable changes to school meals.
- 27 (e) A school food authority GRANTEE may contract with an

1 external nonprofit organization to convene and facilitate an advisory
2 committee pursuant to this subsection (3).

3 (4) The department shall annually require a selected group of
4 participating school food authorities GRANTEES that received a grant
5 pursuant to this section in the preceding budget year to submit to the
6 department a representative sample of the invoices for the products
7 purchased using the grant money. No later than September 1 of the
8 second budget year in which this section is effective as provided in
9 subsection (5) of this section, and no later than September 1 of each year
10 thereafter, the department shall review the invoices to verify that the
11 products purchased met the requirements specified in this section. If the
12 department finds that a participating school food authority used a
13 significant portion of the grant money, as determined by rule of the state
14 board, to purchase products that did not meet the requirements of this
15 section, the participating school food authority GRANTEE is ineligible to
16 receive a grant pursuant to this section for the next budget year following
17 the budget year in which the department completes the review.

18 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES, "GRANTEE" MEANS A PARTICIPATING SCHOOL FOOD AUTHORITY
20 OR CHARTER SCHOOL THAT OPERATES UNDER A PARTICIPATING SCHOOL
21 FOOD AUTHORITY DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT IS
22 ELIGIBLE FOR AND RECEIVES A LOCAL FOOD PURCHASING GRANT PROGRAM
23 PURSUANT TO THIS SECTION.

24 **SECTION 12.** In Colorado Revised Statutes, 22-82.9-206,
25 **amend (1) as follows:**

26 **22-82.9-206. School meals food preparation and service**
27 **employees - wage increase or stipend.**

1 (1) Subject to subsection (2) of this section, in addition to the
2 amounts received pursuant to sections 22-82.9-204 and 22-82.9-205, a
3 participating school food authority OR CHARTER SCHOOL THAT OPERATES
4 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY may receive
5 an amount described in section 22-82.9-211 (3), so long as the
6 participating school food authority OR CHARTER SCHOOL THAT OPERATES
7 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY uses one
8 hundred percent of the amount received pursuant to this section to
9 increase wages or provide stipends for individuals whom the participating
10 school food authority employs to directly prepare and serve food for
11 school meals. To receive the amount described in this section, a
12 participating school food authority OR CHARTER SCHOOL THAT OPERATES
13 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY must submit
14 documentation to the department as required by rules of the state board
15 to demonstrate that the increase in wages or provision of stipends using
16 the amount received pursuant to this section is implemented for the
17 budget year in which the amount is received.

18 **SECTION 13. Appropriation.** For the 2025-26 state fiscal year,
19 \$3,755,558 is appropriated to the department of education. This
20 appropriation is from the state education fund created in section 17 (4)(a)
21 of article IX of the state constitution. To implement this act, the
22 department may use this appropriation for state share of districts' total
23 program funding.

24 **SECTION 14. Appropriation.** For the 2026-27 state fiscal year,
25 \$5,375,404 is appropriated to the department of education. This
26 appropriation is from the state education fund created in section 17 (4)(a)
27 of article IX of the state constitution. To implement this act, the

1 department may use this appropriation for state share of districts' total
2 program funding.

3 **SECTION 15. Appropriation - adjustments to 2026 long bill.**

4 (1) To implement this act, the appropriation from the state education
5 fund created in section 17 (4)(a) of article IX of the state constitution for
6 use by student pathways for postsecondary workforce readiness
7 administration is decreased by \$267,424;

8 (2) Subsection (1) of this section does not require a reduction of
9 an appropriation in the annual general appropriation act for the 2026-27
10 state fiscal year if:

11 (a) The amount of the state education fund appropriation made in
12 the annual general appropriation act for the 2026-27 state fiscal year to
13 the department of education for use by student pathways for
14 postsecondary workforce readiness administration is less than the amount
15 of the adjustment required in subsection (1) of this section; or

16 (b) The annual general appropriation act for the 2026-27 state
17 fiscal year does not include an appropriation to the department of
18 education for use by student pathways for postsecondary workforce
19 readiness administration.

20 **SECTION 16. Appropriation.** For the 2026-27 state fiscal year,
21 \$267,424 is appropriated to the department of education for use by
22 student pathways. This appropriation is from the state education fund
23 created in section 17 (4)(a) of article IX of the state constitution. To
24 implement this act, the division may use this appropriation for
25 postsecondary workforce readiness sustain for LEPs.

26 **SECTION 17. Effective date.** This act takes effect upon passage;
27 except that section 4 of this act takes effect only if the annual general

1 appropriation act for the 2026-27 state fiscal year becomes law, in which
2 case section 4 takes effect upon the effective date of this act or of the
3 annual general appropriation act for state fiscal year 2026-27, whichever
4 is later.

5 **SECTION 18. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions.