

CHAPTER 48

GOVERNMENT - LOCAL

HOUSE BILL 26-1191

BY REPRESENTATIVE(S) Johnson and Bacon, Brooks, Duran, Garcia, Garcia Sander, Joseph, Keltie, Lindsay, McCormick, Nguyen, Phillips, Story, McCluskie;
also SENATOR(S) Frizell and Weissman, Lindstedt, Carson, Jodeh, Coleman.

AN ACT

CONCERNING THE EXAMINATION OF A SCHOOL DISTRICT THAT RECEIVES STATE EDUCATION FUND MONEY FOR CAPITAL CONSTRUCTION PROJECTS FOR QUALIFIED CHARTER SCHOOLS IN THE DISTRICT, AND, IN CONNECTION THEREWITH, MAKING THE STATE AUDITOR'S EXAMINATION OF THE SCHOOL DISTRICT'S RECORDS DISCRETIONARY RATHER THAN MANDATORY.

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

SECTION 1. In Colorado Revised Statutes, 2-3-115, **amend** (1) as follows:

2-3-115. Use of state education fund money for school capital construction - audits - reports.

(1) For the 2001-02 school district budget year and each school district budget year thereafter, for the purpose of determining the amount of state education fund ~~moneys~~ MONEY expended by each school district in the state for capital construction and identifying the schools and projects on which school districts expended ~~such moneys~~ THE MONEY, the state auditor ~~shall annually~~ MAY, AT THE STATE AUDITOR'S DISCRETION, examine the records of each school district in the state that received state education fund ~~moneys~~ MONEY for the budget ~~year~~ YEAR

(a) ~~Directly~~ DIRECTLY from the department of education for capital construction aid to qualified charter schools, as defined in section 22-54-124 (1)(f.6), ~~C.R.S.~~ in accordance with section 22-54-124 (4). ~~C.R.S.~~; ~~or~~

(b) For budget years 2000-01 through 2006-07, indirectly from the school capital construction ~~expenditures reserve created in section 22-54-117 (1.5)(a)(i), C.R.S.~~ as said reserve existed prior to July 1, 2008, and for the budget year 2007-08,

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.

~~indirectly from the school capital construction expenditures reserve fund, as said fund existed prior to July 1, 2008.~~

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 13, 2026