

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2024
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB24-188 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 6, after line 22 insert:

2 "SECTION 5. In Colorado Revised Statutes, 22-54-104.2, add
3 (5) as follows:

4 **22-54-104.2. Legislative declaration.** (5) THE GENERAL
5 ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF
6 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE
7 CONSTRUCTION AND IMPLEMENTATION OF THE NEW AT-RISK MEASURE
8 DESCRIBED IN SECTION 22-54-104.6, INCLUDING THE COLLECTION OF THE
9 NECESSARY DATA TO IMPLEMENT THE NEW AT-RISK MEASURE DESCRIBED
10 IN SECTION 22-54-104.6 (9)(a), IS AN IMPORTANT PART OF PROVIDING
11 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND
12 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
13 CREATED IN SECTION 17(4) OF ARTICLE IX OF THE STATE CONSTITUTION."

14 Renumber succeeding sections accordingly.

15 Page 7, line 11, strike "(5)" and substitute "(5) (a)".

16 Page 7, after line 23 insert:

17 "(b) FOR THE 2025-26 BUDGET YEAR AND EACH BUDGET YEAR
18 THEREAFTER, IF A DISTRICT LEVIES THE NUMBER OF MILLS CALCULATED
19 PURSUANT TO SECTION 22-54-106 (2.1)(c)(I) AND THE ADDITIONAL MILL
20 LEVY DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR CATEGORICAL
21 SUPPORT FUNDS, AND THE COMBINED TOTAL OF THE TWO LEVIES IS LESS
22 THAN THE NUMBER OF MILLS THAT THE DISTRICT LEVIED IN THE
23 PRECEDING BUDGET YEAR, THE DISTRICT, IN ADDITION TO THE TWO LEVIES,

1 SHALL ASSESS A NUMBER OF MILLS EQUAL TO THE DIFFERENCE BETWEEN
2 THE COMBINED TOTAL OF THE TWO LEVIES AND THE NUMBER OF MILLS
3 LEVIED IN THE PRECEDING BUDGET YEAR. THE REVENUE COLLECTED FROM
4 THE MILLS LEVIED PURSUANT TO THIS SUBSECTION (5)(b) MUST BE
5 AVAILABLE TO THE DISTRICT TO FUND THE COSTS OF PROVIDING PUBLIC
6 EDUCATION, AND, EXCEPT AS OTHERWISE PROVIDED IN SECTION
7 22-54-105, THE AMOUNTS AND PURPOSES FOR WHICH THE MONEY IS
8 BUDGETED AND EXPENDED MUST BE IN THE DISTRICT'S DISCRETION."

9 Page 11, strike lines 23 through 27.

10 Page 12, strike lines 1 through 13.

11 Renumber succeeding sections accordingly.

12 Page 12, after line 13 insert:

13 "SECTION 14. In Colorado Revised Statutes, 22-20-114.5,
14 amend (3)(b)(I) as follows:

15 **22-20-114.5. Special education fiscal advisory committee -**
16 **special education high-cost grants - definitions - repeal.**
17 (3) (b) (I) Subject to the requirements of ~~paragraph (a.5) of this~~
18 ~~subsection (3)~~ SUBSECTION (3)(a.5) OF THIS SECTION, the committee ~~shall~~
19 ~~have~~ HAS the discretion to award a grant to an administrative unit that
20 applies and qualifies to receive a grant pursuant to ~~paragraph (a) of this~~
21 ~~subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION. In determining
22 whether to award a grant to an administrative unit and the amount of the
23 grant to be awarded, the committee shall consider the administrative unit's
24 annual audited operating expenses for the preceding budget year, OR THE
25 ADMINISTRATIVE UNIT'S ANNUAL AUDITED OPERATING EXPENSES FOR ONE
26 YEAR PRIOR TO THE PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED
27 OPERATING EXPENSES FOR THE MOST RECENT PRECEDING BUDGET YEAR
28 ARE NOT AVAILABLE, and the percentage of the administrative unit's
29 annual audited operating expenses, OR THE ADMINISTRATIVE UNIT'S
30 ANNUAL AUDITED OPERATING EXPENSES FOR ONE YEAR PRIOR TO THE
31 PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED OPERATING EXPENSES
32 FOR THE MOST RECENT PRECEDING BUDGET YEAR ARE NOT AVAILABLE,
33 that represents the high costs incurred by the administrative unit in the
34 preceding budget year. All grants awarded by the committee ~~shall be~~ ARE
35 subject to approval by the state board."

36 Renumber succeeding sections accordingly.

1 Page 16, after line 4 insert:

2 "SECTION 18. In Colorado Revised Statutes, 24-75-402, **amend**
3 (5)(ccc) and (5)(ddd); and **add** (5)(eee) as follows:

4 **24-75-402. Cash funds - limit on uncommitted reserves -**
5 **reduction in the amount of fees - exclusions - definitions.**
6 (5) Notwithstanding any provision of this section to the contrary, the
7 following cash funds are excluded from the limitations specified in this
8 section:

9 (ccc) The wildfire resiliency code board cash fund created in
10 section 24-33.5-1236 (8); **and**

11 (ddd) The closed landfill remediation grant program fund created
12 in section 30-20-124 (8); **AND**

13 (eee) THE EDUCATOR LICENSURE CASH FUND CREATED IN SECTION
14 22-60.5-112 (1)(a).".

15 Renumber succeeding section accordingly.

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