

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0643.01 Jason Gelender x4330

HOUSE BILL 19-1055

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A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF STATE FINANCIAL ASSISTANCE FOR**
102 **PUBLIC SCHOOL CAPITAL CONSTRUCTION, AND, IN CONNECTION**
103 **THEREWITH, INCREASING THE AMOUNT OF RETAIL MARIJUANA**
104 **EXCISE TAX REVENUE THAT IS CREDITED TO THE PUBLIC SCHOOL**
105 **CAPITAL CONSTRUCTION ASSISTANCE FUND, INCREASING THE**
106 **MAXIMUM TOTAL AMOUNT OF ANNUAL LEASE PAYMENTS**
107 **PAYABLE BY THE STATE FOR FINANCIAL ASSISTANCE PROVIDED**
108 **UNDER THE TERMS OF LEASE-PURCHASE AGREEMENTS, MORE**
109 **PRECISELY TYING THE TOTAL AMOUNT OF FINANCIAL**
110 **ASSISTANCE PROVIDED TO CHARTER SCHOOLS TO THE NUMBER**
111 **OF STUDENTS ENROLLED IN CHARTER SCHOOLS, AND MAKING AN**
112 **APPROPRIATION.**

SENATE
2nd Reading Unamended
April 26, 2019

HOUSE
3rd Reading Unamended
April 19, 2019

HOUSE
Amended 2nd Reading
April 18, 2019

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

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>.)

Current law requires the greater of the first \$40 million of state retail marijuana excise tax revenue or 90% of the revenue to be credited to the public school capital construction assistance fund (assistance fund) and limits the maximum total amount of annual lease payments payable by the state under the terms of all outstanding lease-purchase agreements entered into as authorized by the "Building Excellent Schools Today Act" (BEST) to \$100 million. Beginning July 1, 2019, the bill:

- ! Requires all state retail marijuana excise tax revenue to be credited to the assistance fund;
- ! Increases the maximum total amount of BEST annual lease payments to \$105 million for state fiscal year 2019-20 and to \$110 million for state fiscal year 2020-21 and each state fiscal year thereafter;
- ! Changes the percentage of the state retail marijuana excise tax revenue credited to the assistance fund that is further credited to the charter school facilities assistance account of the assistance fund for distribution to charter schools from 12.5% to a percentage equal to the percentage of students included in the statewide funded pupil count who were enrolled in charter schools for the prior school year; and
- ! Changes the total amount of money annually appropriated from the state education fund for charter school capital construction from a flat amount of \$20 million per year to \$20 million per year annually adjusted for changes in the percentage of students included in the statewide funded pupil count who are enrolled in charter schools.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-43.7-104, **amend**
3 (2)(d) and (3); and **add** (2)(e) as follows:

4 **22-43.7-104. Public school capital construction assistance fund**
5 **- creation - crediting of money to fund - use of fund - emergency**

1 **reserve - creation - reserve account - creation and use.**

2 ~~(2) (d) Beginning January 1, 2014, and ending June 30, 2018, the state~~
3 ~~treasurer, as provided in section 39-28.8-305 (1)(a), shall annually credit~~
4 ~~to the assistance fund the first forty million dollars received and collected~~
5 ~~from the excise tax on retail marijuana imposed pursuant to part 3 of~~
6 ~~article 28.8 of title 39. On and after~~ FOR THE STATE FISCAL YEAR
7 COMMENCING July 1, 2018, the state treasurer, as provided in section
8 39-28.8-305 (1)(a), shall annually credit to the assistance fund the greater
9 of the first forty million dollars received and collected from the excise tax
10 on retail marijuana imposed pursuant to part 3 of article 28.8 of title 39
11 or ninety percent of the money received and collected from the tax. FOR
12 THE STATE FISCAL YEAR COMMENCING JULY 1, 2019, AND FOR EACH STATE
13 FISCAL YEAR THEREAFTER, THE STATE TREASURER, AS PROVIDED IN
14 SECTION 39-28.8-305 (1)(a), SHALL ANNUALLY CREDIT TO THE
15 ASSISTANCE FUND ALL OF THE MONEY RECEIVED AND COLLECTED FROM
16 THE EXCISE TAX ON RETAIL MARIJUANA IMPOSED PURSUANT TO PART 3 OF
17 ARTICLE 28.8 OF TITLE 39. FOR STATE FISCAL YEARS COMMENCING BEFORE
18 JULY 1, 2019, the state treasurer shall credit twelve and five-tenths
19 percent of the amount annually credited pursuant to this subsection (2)(d)
20 to the charter school facilities assistance account, which account is
21 created within the assistance fund. FOR EACH STATE FISCAL YEAR
22 COMMENCING ON OR AFTER JULY 1, 2019, THE STATE TREASURER SHALL
23 CREDIT TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT A
24 PERCENTAGE OF THE AMOUNT CREDITED PURSUANT TO THIS SUBSECTION
25 (2)(d) THAT IS EQUAL TO THE PERCENTAGE OF PUPIL ENROLLMENT, AS
26 DEFINED IN SECTION 22-54-103 (10), STATEWIDE REPRESENTED BY PUPILS
27 WHO WERE ENROLLED IN CHARTER SCHOOLS FOR THE PRIOR SCHOOL YEAR.

1 THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE STATE TREASURER
2 OF THE APPLICABLE PERCENTAGE NO LATER THAN JUNE 1 OF THE
3 IMMEDIATELY PRECEDING FISCAL YEAR.

4 (e) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2)(e), IF
5 POSSIBLE, OR AS SOON AS POSSIBLE THEREAFTER, THE STATE TREASURER
6 SHALL TRANSFER FOUR MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS
7 FROM THE ASSISTANCE FUND TO THE CHARTER SCHOOL FACILITIES
8 ASSISTANCE ACCOUNT OF THE ASSISTANCE FUND CREATED IN SUBSECTION
9 (2)(d) OF THIS SECTION.

10 (3) Subject to annual appropriation, the department may expend
11 moneys in the assistance fund for the purposes of paying the direct and
12 indirect administrative costs, including but not limited to the costs of
13 conducting or contracting for the financial assistance priority assessment
14 required by section 22-43.7-108 (1), incurred by the division, the board,
15 and the department in exercising their powers and duties pursuant to this
16 article, providing financial assistance, making payments required by
17 section 22-43.7-114, and paying any transaction costs necessarily incurred
18 in connection with the provision of financial assistance as authorized by
19 this article. FOR STATE FISCAL YEAR 2020-21, THE GENERAL ASSEMBLY
20 SHALL APPROPRIATE ONE HUNDRED SIXTY MILLION DOLLARS FROM THE
21 ASSISTANCE FUND FOR USE BY THE BOARD IN PROVIDING FINANCIAL
22 ASSISTANCE IN THE FORM OF MATCHING CASH GRANTS ONLY.

23 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-110, **amend**
24 (2)(a) introductory portion, (2)(a)(V), and (2)(a)(VI); and **add** (2)(a)(VII)
25 and (2)(a)(VIII) as follows:

26 **22-43.7-110. Financial assistance - grants - lease-purchase**
27 **agreements.** (2) Subject to the following requirements and limitations,

1 the board may also instruct the state treasurer to enter into lease-purchase
2 agreements on behalf of the state to provide financial assistance to
3 applicants by financing public school facility capital construction projects
4 for which the state board has recommended and the capital development
5 committee has authorized the provision of financial assistance that
6 involves a lease-purchase agreement pursuant to section 22-43.7-109 (7):

7 (a) Subject to the limitation specified in ~~paragraph (b) of this~~
8 ~~subsection (2)~~ SUBSECTION (2)(b) OF THIS SECTION, the maximum total
9 amount of annual lease payments payable by the state during any fiscal
10 year under the terms of all outstanding lease-purchase agreements entered
11 into by the state treasurer as instructed by the board pursuant to this
12 subsection (2) is:

- 13 (V) Ninety million dollars for the 2016-17 fiscal year; ~~and~~
- 14 (VI) One hundred million dollars for the 2017-18 ~~fiscal year and~~
15 ~~for each fiscal year thereafter.~~ AND 2018-19 FISCAL YEARS;
- 16 (VII) ONE HUNDRED FIVE MILLION DOLLARS FOR THE 2019-20
17 FISCAL YEAR; AND
- 18 (VIII) ONE HUNDRED TEN MILLION DOLLARS FOR THE 2020-21
19 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER.

20 **SECTION 3.** In Colorado Revised Statutes, **amend** 22-43.7-201
21 as follows:

22 **22-43.7-201. Full-day kindergarten facility capital**
23 **construction fund - creation - grants - definitions.** (1) ~~There is hereby~~
24 ~~established in the state treasury~~ The full-day kindergarten facility capital
25 construction fund, referred to in this part 2 as the "fund". "FUND", IS
26 HEREBY CREATED IN THE STATE TREASURY. The fund shall consist
27 CONSISTS of any ~~moneys annually appropriated thereto by the general~~

1 ~~assembly for the purposes of this part 2. All interest and income earned~~
2 ~~on the deposit of moneys in the fund shall be credited to the fund. Any~~
3 ~~unexpended and unencumbered moneys remaining in the fund at the end~~
4 ~~of a budget year shall remain in the fund and shall not be credited or~~
5 ~~transferred to the general fund or any other fund.~~ MONEY THAT THE
6 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE
7 STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
8 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE
9 FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY,
10 THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD MAY
11 EXPEND MONEY FROM THE FUND AS SPECIFIED IN THIS PART 2.

12 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS
13 SECTION, the public school capital construction assistance board shall use
14 the ~~moneys~~ MONEY in the fund to provide grants or matching grants to
15 any school district or institute charter school that is undertaking a capital
16 construction project to renovate a facility, rent a facility, or provide a
17 temporary auxiliary facility that will be used in conjunction with
18 providing a full-day kindergarten program. The board shall award a grant
19 or matching grant pursuant to this part 2 to a school district or institute
20 charter school only if, without the grant or matching grant, the school
21 district or institute charter school would be unable to provide a facility in
22 which to offer a full day of kindergarten to more students than were
23 offered a full day of kindergarten in the 2007-08 budget year. For
24 purposes of this part 2, "temporary auxiliary facility" means a temporary
25 building that will be placed on the same campus as a main educational
26 facility.

27 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS

1 SECTION, each budget year, the board shall use fifty percent of the moneys
2 MONEY in the fund to provide grants pursuant to this part 2 and fifty
3 percent of the moneys MONEY in the fund to provide matching grants
4 pursuant to this part 2.

5 (4) (a) AS USED IN THIS SUBSECTION (4), UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (I) "APPLICANT SHARE PERCENTAGE" MEANS, WITH RESPECT TO AN
8 APPLICANT, THE PERCENTAGE OF TOTAL EQUITABLY ADJUSTED FUNDING
9 STATEWIDE FOR BOTH ALL APPLICANTS AND ALL POTENTIAL APPLICANTS
10 WHO DO NOT ACTUALLY APPLY FOR GRANTS AS AUTHORIZED BY THIS
11 SUBSECTION (4) REPRESENTED BY THE EQUITABLY ADJUSTED FUNDING FOR
12 THE APPLICANT.

13 (II) "EQUITABLE ADJUSTMENT FACTOR" MEANS, WITH RESPECT TO
14 BOTH AN APPLICANT AND A POTENTIAL APPLICANT THAT DOES NOT
15 ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION (4)
16 THE SUM OF THE APPLICANT'S:

17 (A) SIZE FACTOR, AS DETERMINED PURSUANT TO SECTION
18 22-54-104 (5)(b)(I.5);

19 (B) PERCENTAGE OF ENROLLED PUPILS WHO ARE ELIGIBLE FOR
20 FREE OR REDUCED PRICE LUNCH;

21 (C) PERCENTAGE OF ENROLLED PUPILS WHO ARE ENGLISH
22 LANGUAGE LEARNERS, AS DEFINED IN SECTION 22-24-103 (4); AND

23 (D) PERCENTAGE OF ENROLLED PUPILS WHO ARE SPECIAL
24 EDUCATION STUDENTS.

25 (III) "EQUITABLY ADJUSTED FUNDING" MEANS, WITH RESPECT TO
26 BOTH AN APPLICANT AND A POTENTIAL APPLICANT WHO DOES NOT
27 ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION (4)

1 THE PRODUCT OF TOTAL APPLICANT PER PUPIL FUNDING AND THE
2 EQUITABLE ADJUSTMENT FACTOR.

3 (IV) "TOTAL APPLICANT PER PUPIL FUNDING" MEANS, WITH
4 RESPECT TO BOTH AN APPLICANT AND A POTENTIAL APPLICANT WHO DOES
5 NOT ACTUALLY APPLY FOR A GRANT AS AUTHORIZED BY THIS SUBSECTION
6 (4) THE PRODUCT OF THE NUMBER OF CHILDREN ENROLLED IN A FULL-DAY
7 KINDERGARTEN EDUCATIONAL PROGRAM PROVIDED BY THE APPLICANT
8 DURING THE 2019-20 BUDGET YEAR AND THE APPLICANT'S PER PUPIL
9 FUNDING AMOUNT, AFTER APPLICATION OF SECTION 22-54-104 (5)(g), FOR
10 THE 2019-20 BUDGET YEAR.

11 (b) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER
12 TWENTY-FIVE MILLION DOLLARS FROM THE ASSISTANCE FUND TO THE
13 FUND. DURING THE 2018-19 BUDGET YEAR, THE BOARD SHALL ACCEPT
14 APPLICATIONS FROM APPLICANTS THAT WILL PROVIDE A FULL-DAY
15 KINDERGARTEN EDUCATIONAL PROGRAM FOR THE 2019-20 BUDGET YEAR
16 FOR FINANCIAL ASSISTANCE IN THE FORM OF FORMULA-BASED GRANTS IN
17 A TOTAL AMOUNT OF UP TO TWENTY-FIVE MILLION DOLLARS FOR THE
18 2019-20 BUDGET YEAR. THE BOARD SHALL ESTABLISH GRANT
19 APPLICATION REQUIREMENTS AND DEADLINES THAT ALLOW APPLICANTS
20 TO EFFICIENTLY PROVIDE THE INFORMATION NEEDED TO ALLOW THE
21 BOARD TO QUICKLY DETERMINE THE ESTIMATED AMOUNT OF THE
22 FORMULA-BASED GRANT TO BE AWARDED TO EACH APPLICANT AND
23 EXPEDITE DISTRIBUTION OF THE FORMULA-BASED GRANTS.

24 (c) THE AMOUNT OF THE GRANT TO BE PROVIDED TO EACH
25 APPLICANT PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION IS
26 DETERMINED BY THE FOLLOWING FORMULA:

27 THE LESSER OF \$25,000,000 X THE APPLICANT SHARE

1 PERCENTAGE OR THE AMOUNT ACTUALLY APPLIED FOR BY
2 THE APPLICANT.

3 ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FROM THE
4 FUND TO THE ASSISTANCE FUND ANY PORTION OF THE TWENTY-FIVE
5 MILLION DOLLARS PREVIOUSLY TRANSFERRED FROM THE ASSISTANCE
6 FUND TO THE FUND AS REQUIRED BY SUBSECTION (4)(b) OF THIS SECTION
7 THAT IS NOT DISTRIBUTED TO APPLICANTS AS FORMULA-BASED GRANTS
8 DURING THE 2019-20 BUDGET YEAR.

9 (d) ON JULY 1, 2019, OR AS SOON AS FEASIBLE THEREAFTER, THE
10 BOARD SHALL CAUSE TO BE DISTRIBUTED TO EACH APPLICANT EIGHTY
11 PERCENT OF THE ESTIMATED AMOUNT OF THE APPLICANT'S
12 FORMULA-BASED GRANT. AS SOON AS FEASIBLE FOLLOWING THE FINAL
13 DETERMINATION OF STATEWIDE AND APPLICANT FULL-DAY KINDERGARTEN
14 ENROLLMENT FOR THE 2019-20 BUDGET YEAR AND NO LATER THAN
15 FEBRUARY 15, 2020, THE BOARD SHALL DETERMINE THE FINAL AMOUNT
16 OF EACH APPLICANT'S FORMULA-BASED GRANT AND CAUSE TO BE
17 DISTRIBUTED TO EACH APPLICANT ANY ADDITIONAL AMOUNT NEEDED TO
18 ENSURE THAT EACH APPLICANT RECEIVES THE FULL FINAL AMOUNT OF ITS
19 GRANT.

20 (e) AS SOON AS POSSIBLE AFTER RECEIVING EACH DISTRIBUTION
21 DESCRIBED IN THIS SECTION, THE AUTHORIZER FOR A CHARTER SCHOOL
22 THAT OPERATES A FULL-DAY KINDERGARTEN EDUCATIONAL PROGRAM
23 SHALL DISTRIBUTE TO THE CHARTER SCHOOL, IN A LUMP SUM, ONE
24 HUNDRED PERCENT OF THE AMOUNT RECEIVED THAT IS ATTRIBUTABLE TO
25 THE FULL-DAY KINDERGARTEN PUPILS ENROLLED IN THE CHARTER
26 SCHOOL.

27 (f) AN APPLICANT MAY EXPEND A FORMULA-BASED GRANT

1 RECEIVED PURSUANT TO THIS SUBSECTION (4) DURING THE 2019-20
2 BUDGET YEAR FOR THE PURPOSE OF ACQUIRING FURNITURE, FIXTURES, OR
3 OTHER FIXED OR MOVEABLE EQUIPMENT, EXCLUDING CONSTRUCTION
4 EQUIPMENT, THAT IS NEEDED TO CONDUCT A FULL-DAY KINDERGARTEN
5 EDUCATIONAL PROGRAM OR A PRESCHOOL EDUCATIONAL PROGRAM.

6 **SECTION 4.** In Colorado Revised Statutes, 22-54-124, **amend**
7 (3)(a)(IV)(B); and **add** (3)(a)(IV)(C) as follows:

8 **22-54-124. State aid for charter schools - use of state education**
9 **fund money - definitions.** (3) (a) (IV) (B) The total amount of state
10 education fund ~~moneys~~ MONEY to be appropriated for all eligible districts
11 and all eligible institute charter schools for the 2015-16 budget year and
12 FOR each budget year thereafter THROUGH THE 2018-19 BUDGET YEAR is
13 twenty million dollars.

14 (C) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEY TO BE
15 APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND ALL ELIGIBLE INSTITUTE
16 CHARTER SCHOOLS FOR THE 2019-20 BUDGET YEAR AND FOR EACH
17 BUDGET YEAR THEREAFTER IS TWENTY MILLION DOLLARS MULTIPLIED BY
18 THE QUOTIENT OF THE NUMBER OF STUDENTS INCLUDED IN THE STATEWIDE
19 FUNDED PUPIL COUNT WHO WERE ENROLLED IN CHARTER SCHOOLS FOR
20 THE SCHOOL YEAR IMMEDIATELY PRECEDING THE BUDGET YEAR AND THE
21 NUMBER OF STUDENTS INCLUDED IN THE STATEWIDE FUNDED PUPIL COUNT
22 WHO WERE ENROLLED IN CHARTER SCHOOLS FOR THE 2017-18 SCHOOL
23 YEAR.

24 **SECTION 5.** In Colorado Revised Statutes, **amend** 39-28.8-305
25 as follows:

26 **39-28.8-305. Distribution of tax collected - repeal.** (1) All
27 money received and collected in payment of the tax imposed by this part

1 3 shall be transmitted to the state treasurer, who shall distribute the money
2 as follows:

3 (a) (I) ~~Until June 30, 2018, the first forty million dollars received~~
4 ~~and collected annually shall be transferred to the public school capital~~
5 ~~construction assistance fund created by article 43.7 of title 22 or to any~~
6 ~~successor fund dedicated to a similar purpose; and~~

7 (II) (A) ~~On and after~~ FOR THE STATE FISCAL YEAR COMMENCING
8 July 1, 2018, the greater of the first forty million dollars received and
9 collected annually or ninety percent of the money received and collected
10 annually shall be transferred to the public school capital construction
11 assistance fund created by article 43.7 of title 22 or to any successor fund
12 dedicated to a similar ~~purpose; and~~ PURPOSE.

13 (B) THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1,
14 2020.

15 (III) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2019, AND
16 FOR EACH STATE FISCAL YEAR THEREAFTER, ALL OF THE MONEY RECEIVED
17 AND COLLECTED ANNUALLY SHALL BE TRANSFERRED TO THE PUBLIC
18 SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND CREATED BY ARTICLE
19 43.7 OF TITLE 22 OR TO ANY SUCCESSOR FUND DEDICATED TO A SIMILAR
20 PURPOSE.

21 (b) (I) Any amount remaining after the transfer IS MADE pursuant
22 to ~~subsection (1)(a)~~ SUBSECTION (1)(a)(II) of this section shall be
23 transferred to the public school fund created in section 3 of article IX of
24 the state constitution, which is the same as the public school fund
25 described in section 22-41-102.

26 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2020.

27 **SECTION 6. Appropriation.** For the 2019-20 state fiscal year,

1 \$50,000,000 is appropriated to the department of education. This
2 appropriation is from the public school capital construction assistance
3 fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the
4 department may use this appropriation for public school capital
5 construction assistance board cash grants.

6 **SECTION 7. Appropriation.** For the 2019-20 state fiscal year,
7 \$25,000,000 is appropriated to the department of education. This
8 appropriation is from the full-day kindergarten facility capital
9 construction fund created in section 22-43.7-201 (1), C.R.S. To
10 implement this act, the department may use this appropriation for grants
11 made pursuant to section 22-43.7-201 (4), C.R.S.

12 **SECTION 8. Appropriation.** For the 2019-20 state fiscal year,
13 \$5,000,000 is appropriated to the department of education. This
14 appropriation is from the public school capital construction assistance
15 fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the
16 department may use this appropriation for public school capital
17 construction assistance board lease payments.

18 **SECTION 9. Appropriation.** For the 2019-20 state fiscal year,
19 \$656,559 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 aid to charter school
23 facilities.

APPROPRIATION FROM

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

SECTION 10. Appropriation to the department of education for the fiscal year beginning July 1, 2018. In Session Laws of Colorado 2018, section 2 of chapter 424, (HB 18-1322), **amend** Part III (2)(C)(2) and the affected totals, as the affected totals are amended by SB19-128 and as the affected totals are further amended by section 8 of SB19-207, as follows:

Section 2. Appropriation.

PART III

DEPARTMENT OF EDUCATION

(2) ASSISTANCE TO PUBLIC SCHOOLS

(C) Grant Programs, Distributions, and Other Assistance

(2) Capital Construction

Division of Public School

Capital Construction

Assistance

1,407,245

1,407,245^f

(15.0 FTE)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Public School Capital						
2	Construction Assistance						
3	Board - Lease Payments	81,000,000			81,000,000 ^f		
4	Public School Capital						
5	Construction Assistance						
6	Board - Cash Grants ⁵	70,000,000			70,000,000 ^f		
7	Financial Assistance						
8	Priority Assessment	150,000			150,000 ^f		
9	State Aid for Charter						
10	School Facilities	25,000,000			25,000,000 ^g		
11		29,250,000			29,250,000 ^g		
12		<u>177,557,245</u>					
13		181,807,245					
14							
15	^f These amounts shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S.						

APPROPRIATION FROM

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

^g Of this amount, \$20,000,000 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, and ~~\$5,000,000~~ \$9,250,000 shall be from the Charter School Facilities Assistance Account, an account within the Public School Capital Construction Assistance Fund, created in Section 22-43.7-104 (2)(d), 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.

TOTALS PART III

(EDUCATION)	\$5,683,206,524	\$3,101,068,143	\$885,333,333 ^a	\$1,040,224,578^b	\$39,385,509 ^c	\$617,194,961 ^d
	<u>\$5,687,456,524</u>			<u>1,044,474,578^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, \$4,046,629 contains an (I) notation.

^c Of this amount, \$20,100,000 contains an (I) notation.

^d This amount contains an (I) notation.

1 **SECTION 11. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.