

SB072\_L.005

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.SB16-072 be amended as follows:

1 Amend printed bill, page 4, after line 12 insert:

2 "SECTION 2. In Colorado Revised Statutes, 22-43.7-109, amend  
3 (3); and repeal (1) (b) as follows:

4 **22-43.7-109. Financial assistance for public school capital  
5 construction - application requirements - evaluation criteria - local  
6 match requirements.** (1) For fiscal years commencing on or after July  
7 1, 2008, the board, with the support of the division and subject to the  
8 approval of the state board and, in the case of financial assistance that  
9 involves lease-purchase agreements, subject to both the preliminary  
10 approval of the state board and the final approval of the capital  
11 development committee, regarding financial assistance awards as  
12 specified in this section, shall provide financial assistance as specified in  
13 this section subject to the following limitations:

14 (b) ~~The board may provide financial assistance to a charter school  
15 that first occupies a public school facility on or after May 22, 2008, only  
16 if the public school facility occupied by the charter school complied with  
17 all public school facilities construction guidelines addressing health and  
18 safety issues established by the board pursuant to section 22-43.7-107 (2)  
19 (a) at the time the charter school first occupied the facility.~~

20 (3) A CHARTER SCHOOL THAT CHOOSES TO APPLY FOR FINANCIAL  
21 ASSISTANCE MUST APPLY DIRECTLY TO THE BOARD. A charter school shall  
22 notify its authorizer ~~that it intends to apply~~ IF THE CHARTER SCHOOL  
23 APPLIES for financial assistance. ~~at least four months prior to the  
24 application submission deadline. The charter school shall forward its  
25 application for financial assistance to its authorizer, which shall forward  
26 the application to the board together with a letter indicating the  
27 authorizer's position on the application. The Colorado school for the deaf  
28 and blind shall ALSO apply for financial assistance directly. Financial  
29 assistance awarded to a charter school as a matching cash grant shall be  
30 provided to the authorizer, which shall distribute all financial assistance  
31 received as a grant to the charter school and may not retain any portion of  
32 such moneys for any purpose. All other financial assistance shall be  
33 provided in the form of lease payments made by the board directly to a  
34 lessor or trustee as required by the terms of the applicable lease-purchase  
35 agreement."~~

36 Renumber succeeding sections accordingly.

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