

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

**ENGROSSED**

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

LLS NO. 17-0461.01 Jason Gelender x4330

**HOUSE BILL 17-1082**

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**HOUSE SPONSORSHIP**

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**Tate,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING CLARIFICATION THAT FINANCIAL ASSISTANCE UNDER**  
102 **THE "BUILDING EXCELLENT SCHOOLS TODAY ACT" INCLUDES**  
103 **TECHNOLOGY GRANTS.**

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**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>.)*

State law requires the first \$40 million of retail marijuana excise tax revenue annually collected to be credited to the public school capital construction assistance fund (assistance fund). **Sections 2 and 5** of the bill require the next \$5 million of retail marijuana excise tax revenue to be credited to a newly created technology grant account of the assistance

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

HOUSE  
Amended 2nd Reading  
March 31, 2017

fund for the purpose of providing "Building Excellent Schools Today Act" (BEST) financial assistance in the form of technology grants to public schools as specified in **section 4**.

**Sections 3 and 4** define the term "technology" for purposes of both the existing statute that gives high priority to BEST applications for projects that are designed to incorporate technology into the educational environment and the new technology grant program to include hardware, devices, or equipment necessary for individual student learning and classroom instruction, including access to electronic instructional materials, or necessary for professional use by a classroom teacher. For additional clarification, **section 1** amends the definition of "capital construction" used for purposes of BEST to include "technology", as defined in the bill.

Section 4 also requires the public school capital construction assistance board, when evaluating applications for BEST financial assistance, to consider the extent to which retail marijuana excise tax revenue credited to the public school capital construction assistance fund is derived from each county of the state.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-43.7-103, **amend**  
3 introductory portion and (6) as follows:

4 **22-43.7-103. Definitions.** As used in this ~~article~~ ARTICLE 43.7,  
5 unless the context otherwise requires:

6 (6) "Capital construction" has the same meaning as set forth in  
7 section 24-30-1301 (2); ~~C.R.S.~~ EXCEPT THAT THE TERM ALSO INCLUDES  
8 TECHNOLOGY, AS DEFINED IN SECTION 22-43.7-109 (5)(a)(I)(B).

9   
10 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-107, **amend**  
11 (2)(b) as follows:

12 **22-43.7-107. Public school facility construction guidelines -**  
13 **establishment by board - use.** (2) The public school facility  
14 construction guidelines shall identify and describe the capital  
15 construction, renovation, and equipment needs in public school facilities

1 and means of addressing those needs that will provide educational and  
2 safety benefits at a reasonable cost. In preparing the guidelines, the board  
3 shall address the following considerations:

4 (b) Technology, including but not limited to telecommunications  
5 and internet connectivity technology, ~~and~~ technology for individual  
6 student learning and classroom instruction, AND TECHNOLOGY, AS  
7 DEFINED IN SECTION 22-43.7-109 (5)(a)(I)(B), WHICH INCLUDES  
8 HARDWARE, DEVICES, OR EQUIPMENT NECESSARY FOR INDIVIDUAL  
9 STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING ACCESS  
10 TO ELECTRONIC INSTRUCTIONAL MATERIALS, OR NECESSARY FOR  
11 PROFESSIONAL USE BY A CLASSROOM TEACHER;

12 **SECTION 3.** In Colorado Revised Statutes, 22-43.7-109, **amend**  
13 (5)(a)(I); and **add** (13) as follows:

14 **22-43.7-109. Financial assistance for public school capital**  
15 **construction - application requirements - evaluation criteria - local**  
16 **match requirements - technology grants - rules - definition.** (5) The  
17 board, taking into consideration the financial assistance priority  
18 assessment conducted pursuant to section 22-43.7-108, shall  
19 prioritize applications that describe public school facility capital  
20 construction projects deemed eligible for financial assistance based on the  
21 following criteria, in descending order of importance:

22 (a) (I) (A) Projects that will address safety hazards or health  
23 concerns at existing public school facilities, including concerns relating  
24 to public school facility security, and projects that are designed to  
25 incorporate technology into the educational environment.

26 (B) AS USED IN THIS SUBSECTION (5)(a)(I), "TECHNOLOGY" MEANS  
27 HARDWARE, DEVICES, OR EQUIPMENT NECESSARY FOR INDIVIDUAL

1 STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING ACCESS  
2 TO ELECTRONIC INSTRUCTIONAL MATERIALS, OR NECESSARY FOR  
3 PROFESSIONAL USE BY A CLASSROOM TEACHER.

4 [REDACTED]  
5 (13) FOR FISCAL YEAR 2018-19 AND FOR EACH SUCCEEDING FISCAL  
6 YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO  
7 THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE  
8 AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL  
9 ASSISTANCE IN THE FORM OF TECHNOLOGY [REDACTED] GRANTS. IN  
10 CONJUNCTION WITH ITS ESTABLISHMENT OF AN ANNUAL FINANCIAL  
11 ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION (2)(a) OF THIS  
12 SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL POTENTIAL  
13 APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS APPROPRIATE, THAT  
14 IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR FINANCIAL ASSISTANCE  
15 IN THE FORM OF TECHNOLOGY GRANTS. TO BE ELIGIBLE FOR A  
16 TECHNOLOGY GRANT, AN APPLICANT FOR FINANCIAL ASSISTANCE MUST  
17 APPLY SPECIFICALLY FOR SUCH A GRANT IN ACCORDANCE WITH THE  
18 FINANCIAL ASSISTANCE TIMELINE ESTABLISHED BY THE BOARD PURSUANT  
19 TO SUBSECTION (2)(a) OF THIS SECTION AND MUST SUBMIT AN APPLICATION  
20 IN THE FORM PRESCRIBED BY THE BOARD PURSUANT TO SUBSECTION (4) OF  
21 THIS SECTION. THE BOARD MAY AWARD A TECHNOLOGY GRANT TO FUND  
22 TECHNOLOGY, INCLUDING BUT NOT LIMITED TO COMMUNICATIONS AND  
23 INTERNET CONNECTIVITY TECHNOLOGY, TECHNOLOGY FOR INDIVIDUAL  
24 STUDENT LEARNING AND CLASSROOM INSTRUCTION, AND TECHNOLOGY AS  
25 DEFINED IN SUBSECTION (5)(a)(I)(B) OF THIS SECTION.

26 [REDACTED]  
27 **SECTION 4.** In Colorado Revised Statutes, 22-43.7-111, **amend**

1 (1) introductory portion, (1)(a)(III), (1)(a)(IV), and (1)(d) introductory  
2 portion as follows:

3 **22-43.7-111. Reporting requirements - auditing by state**  
4 **auditor.** (1) No later than February 15, 2010, and no later than each  
5 February 15 thereafter, the board shall present a written report to the  
6 education and finance committees of the house of representatives and the  
7 senate and the capital development committee, or any successor  
8 committees, regarding the provision of financial assistance to applicants  
9 pursuant to this ~~article~~ ARTICLE 43.7. The report must include, at a  
10 minimum:

11 (a) An accounting of the financial assistance provided through the  
12 prior fiscal year that includes:

13 (III) A list of the public school facility capital construction  
14 projects for which financial assistance has been provided, ~~including~~  
15 WHICH MUST INCLUDE A SUBLIST OF PROJECTS FOR WHICH FINANCIAL  
16 ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF TECHNOLOGY GRANTS  
17 PURSUANT TO SECTION 22-43.7-109 (13), a brief description of each  
18 project, a statement of the amount and type of financial assistance  
19 provided for each project and, where applicable, the amount of financial  
20 assistance committed to be provided for but not yet provided for each  
21 project, a statement of the amount of matching moneys provided by the  
22 applicant for each project and, where applicable, the amount of matching  
23 moneys committed to be provided by the applicant but not yet provided  
24 for each project, and a summary of the reasons of the board and the state  
25 board for providing financial assistance for the project; and

26 (IV) A list of the public school facility capital construction  
27 projects for which financial assistance has been provided during the prior

1 fiscal year, including WHICH MUST INCLUDE A SUBLIST OF PROJECTS FOR  
2 WHICH FINANCIAL ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF  
3 TECHNOLOGY GRANTS PURSUANT TO SECTION 22-43.7-109 (13), a brief  
4 description of each project, a statement of the amount and type of  
5 financial assistance provided for each project, and a statement of the  
6 amount of matching moneys provided by the applicant for each project.

7 (d) A list of the financial assistance applications for public school  
8 facility capital construction that were denied financial assistance during  
9 the prior fiscal year, WHICH MUST INCLUDE A SUBLIST OF DENIED  
10 APPLICATIONS FOR PROJECTS FOR WHICH FINANCIAL ASSISTANCE IN THE  
11 FORM OF TECHNOLOGY GRANTS WAS REQUESTED PURSUANT TO SECTION  
12 22-43.7-109 (13), that includes for each project:

13 **SECTION 5. Applicability.** This act applies to applications for  
14 financial assistance considered by the public school capital construction  
15 assistance board on or after the effective date of this act.

16 **SECTION 6. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.