

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 18-1228.02 Richard Sweetman x4333

SENATE BILL 18-269

SENATE SPONSORSHIP

Neville T. and Moreno,

HOUSE SPONSORSHIP

Neville P. and Bridges,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING FUNDING FOR LOCAL EDUCATION PROVIDERS**
102 **TO IMPLEMENT SCHOOL SECURITY IMPROVEMENTS TO PREVENT**
103 **INCIDENCES OF SCHOOL VIOLENCE, AND, IN CONNECTION**
104 **THEREWITH, CREATING THE SCHOOL SECURITY DISBURSEMENT**
105 **PROGRAM.**

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>.)

The bill creates the school security disbursement program (disbursement program) in the department of public safety (department).

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.

SENATE
3rd Reading Unamended
May 1, 2018

SENATE
2nd Reading Unamended
April 30, 2018

A school district, charter school, institute charter school, or board of cooperative services (local education provider) may apply for a disbursement by submitting an application to the department. A disbursement recipient may use the money for one or more of the purposes specified in the bill, which include building improvements to enhance security and training for school personnel. The department must review the applications received and disburse money to applicants that meet the application requirements. The department must give priority to applicants that commit to providing matching funds for the amount received. The disbursements are paid from money that is set aside in the school security disbursement program account that the bill creates within the school safety resources center fund. Each disbursement recipient must report to the department concerning its use of the money, and the department must annually provide a summary of the reports to committees of the general assembly. The disbursement program is repealed, effective July 1, 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 24-33.5-1810** as
3 follows:

4 **24-33.5-1810. School security disbursement program - created**
5 **- rules - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "DISBURSEMENT PROGRAM" MEANS THE SCHOOL SECURITY
8 DISBURSEMENT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

9 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
10 CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 1 OF ARTICLE
11 30.5 OF TITLE 22, AN INSTITUTE CHARTER SCHOOL THAT IS AUTHORIZED
12 PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR A BOARD OF
13 COOPERATIVE SERVICES AS DEFINED IN SECTION 22-5-103.

14 (2) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL SECURITY
15 DISBURSEMENT PROGRAM TO PROVIDE DISBURSEMENTS TO LOCAL
16 EDUCATION PROVIDERS TO USE FOR THE PURPOSES DESCRIBED IN

1 SUBSECTION (3) OF THIS SECTION TO IMPROVE SECURITY WITHIN PUBLIC
2 SCHOOLS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
3 SHALL DISBURSE MONEY TO APPLICANTS AS PROVIDED IN SUBSECTION (5)
4 OF THIS SECTION FROM MONEY CREDITED TO THE SCHOOL SECURITY
5 DISBURSEMENT PROGRAM ACCOUNT WITHIN THE SCHOOL SAFETY
6 RESOURCE CENTER CASH FUND CREATED IN SECTION 24-33.5-1807. IT IS
7 THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT
8 DISTRIBUTE THE MONEY CREDITED TO THE SCHOOL SECURITY
9 DISBURSEMENT PROGRAM ACCOUNT FOR THE DISBURSEMENT PROGRAM AS
10 QUICKLY AS PRACTICABLE BASED ON THE RECEIPT OF QUALIFYING
11 APPLICATIONS.

12 (3) A LOCAL EDUCATION PROVIDER THAT RECEIVES A
13 DISBURSEMENT FROM THE DISBURSEMENT PROGRAM MAY USE THE
14 DISBURSED MONEY ONLY FOR THE FOLLOWING PURPOSES:

15 (a) CAPITAL CONSTRUCTION THAT IMPROVES THE SECURITY OF A
16 PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE, INCLUDING ANY
17 STRUCTURE OR INSTALLED HARDWARE, DEVICE, OR EQUIPMENT THAT
18 PROTECTS A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE AND
19 THE STUDENTS, EDUCATORS, AND OTHER INDIVIDUALS WHO ATTEND,
20 WORK IN, OR VISIT A PUBLIC SCHOOL FACILITY OR ARE TRANSPORTED IN A
21 PUBLIC SCHOOL VEHICLE FROM THREATS OF PHYSICAL HARM INCLUDING
22 BUT NOT LIMITED TO ANY STRUCTURE OR INSTALLED HARDWARE, DEVICE,
23 OR EQUIPMENT THAT:

24 (I) PREVENTS THE ENTRY OF UNAUTHORIZED INDIVIDUALS INTO A
25 PUBLIC SCHOOL FACILITY OR A PROTECTED SPACE WITHIN A PUBLIC
26 SCHOOL FACILITY OR ONTO A PUBLIC SCHOOL VEHICLE;

27 (II) PREVENTS UNDESIRE OBJECTS AND SUBSTANCES FROM

1 ENTERING A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE;
2 (III) SOUNDS WARNINGS WHEN A THREAT IS PRESENT;
3 (IV) CAN BE USED TO EXPEDITE COMMUNICATION WHEN A THREAT
4 IS PRESENT; OR
5 (V) ENABLES AUTHORIZED INDIVIDUALS TO VISUALLY MONITOR
6 THE PUBLIC SCHOOL FACILITY OR ITS GROUNDS OR THE PUBLIC SCHOOL
7 VEHICLE;
8 (b) TRAINING IN STUDENT THREAT ASSESSMENT, WHICH TRAINING
9 IS PROVIDED TO ALL SCHOOL BUILDING STAFF WHO HAVE CONTACT WITH
10 STUDENTS;
11 (c) TRAINING FOR ON-SITE SCHOOL RESOURCE OFFICERS EMPLOYED
12 BY THE LOCAL EDUCATION PROVIDER AS OF THE EFFECTIVE DATE OF THIS
13 SECTION; AND
14 (d) SCHOOL EMERGENCY RESPONSE TRAINING FOR ALL SCHOOL
15 BUILDING STAFF.
16 (4) A LOCAL EDUCATION PROVIDER MAY APPLY FOR A
17 DISBURSEMENT BY SUBMITTING AN APPLICATION TO THE DEPARTMENT
18 THAT INCLUDES THE FOLLOWING INFORMATION:
19 (a) THE PURPOSE OR PURPOSES DESCRIBED IN SUBSECTION (3) OF
20 THIS SECTION FOR WHICH THE APPLICANT IS REQUESTING THE
21 DISBURSEMENT;
22 (b) THE AMOUNT OF DISBURSED MONEY REQUESTED BASED ON AN
23 ITEMIZED ESTIMATE OF THE EXPECTED COST OF THE PURPOSE OR PURPOSES
24 FOR WHICH THE APPLICANT IS REQUESTING THE DISBURSEMENT AND
25 TAKING INTO ACCOUNT THE REQUIREMENT OF MATCHING MONEY, IF
26 APPLICABLE, PURSUANT TO SUBSECTION (6) OF THIS SECTION;
27 (c) EVIDENCE OF THE AVAILABILITY OF AND COMMITMENT OF THE

1 APPLICANT TO USE FINANCIAL RESOURCES TO MATCH THE AMOUNT OF THE
2 DISBURSEMENT;

3 (d) THE APPLICANT'S COMMITMENT TO PROVIDE INFORMATION TO
4 THE DEPARTMENT AS REQUIRED FOR THE ANNUAL REPORT DESCRIBED IN
5 SUBSECTION (6) OF THIS SECTION; AND

6 (e) ANY ADDITIONAL INFORMATION, AS SPECIFIED BY RULE OF THE
7 EXECUTIVE DIRECTOR, THAT IS NECESSARY FOR THE DEPARTMENT TO
8 EVALUATE THE LIKELY EFFECTIVENESS OF THE APPLICANT'S USE OF THE
9 DISBURSED MONEY IN IMPROVING SECURITY IN PUBLIC SCHOOL FACILITIES
10 OR VEHICLES.

11 (5) THE DEPARTMENT SHALL REVIEW EACH APPLICATION RECEIVED
12 PURSUANT TO SUBSECTION (4) OF THIS SECTION AND, SUBJECT TO
13 AVAILABLE APPROPRIATIONS, SHALL DISBURSE MONEY TO THE APPLICANT
14 IF THE DEPARTMENT DETERMINES THAT THE APPLICATION MEETS THE
15 REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS SECTION AND THE
16 PURPOSE OR PURPOSES FOR WHICH THE APPLICANT INTENDS TO USE THE
17 DISBURSED MONEY IS LIKELY TO IMPROVE SECURITY IN PUBLIC SCHOOL
18 FACILITIES OR VEHICLES. THE DEPARTMENT SHALL GIVE PRIORITY TO
19 APPLICANTS THAT COMMIT TO PROVIDING FINANCIAL RESOURCES TO
20 MATCH THE AMOUNT OF THE DISBURSEMENT. THE DEPARTMENT SHALL
21 DETERMINE THE DISBURSEMENT AMOUNT TAKING INTO ACCOUNT THE
22 AMOUNT IDENTIFIED IN THE APPLICATION.

23 (6) (a) ON OR BEFORE AUGUST 1, 2019, AND ON OR BEFORE
24 AUGUST 1 EACH YEAR THEREAFTER, EACH LOCAL EDUCATION PROVIDER
25 THAT RECEIVED A DISBURSEMENT IN THE PRECEDING SCHOOL YEAR SHALL
26 SUBMIT A REPORT TO THE DEPARTMENT SPECIFYING THE AMOUNT
27 RECEIVED; THE SOURCE AND AMOUNT OF MATCHING MONEY PROVIDED, IF

1 APPLICABLE; AND THE PURPOSE OR PURPOSES FOR WHICH THE LOCAL
2 EDUCATION PROVIDER USED THE DISBURSED MONEY, INCLUDING AN
3 ITEMIZED ACCOUNTING OF HOW THE MONEY WAS EXPENDED.

4 (b) BEGINNING WITH THE ANNUAL PRESENTATION IN 2019
5 PROVIDED BY THE DEPARTMENT TO THE COMMITTEES OF REFERENCE
6 PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE IN THE
7 ANNUAL PRESENTATION A SUMMARY OF THE REPORTS RECEIVED
8 PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION. ON OR BEFORE
9 JANUARY 15, 2020, AND ON OR BEFORE JANUARY 15 EACH YEAR
10 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A SUMMARY OF THE
11 REPORTS RECEIVED PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION TO
12 THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
13 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

14 (7) THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES
15 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
16 4 OF THIS TITLE 24, TO ESTABLISH THE TIME FRAMES FOR SUBMITTING
17 DISBURSEMENT APPLICATIONS AND AWARDING DISBURSEMENTS AND TO
18 SPECIFY ANY ADDITIONAL INFORMATION THAT MUST BE INCLUDED IN
19 DISBURSEMENT APPLICATIONS AS DESCRIBED IN SUBSECTION (4)(e) OF THIS
20 SECTION.

21 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

22 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1807,
23 **amend** (3) and (4); and **add** (6) as follows:

24 **24-33.5-1807. School safety resource center cash fund - repeal.**

25 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF THIS SECTION,
26 the ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation
27 by the general assembly to the department for the direct and indirect costs

1 associated with implementing this part 18. Any ~~moneys~~ MONEY in the
2 fund not expended for the purposes of this part 18 may be invested by the
3 state treasurer as provided by law. All interest and income derived from
4 the investment and deposit of ~~moneys~~ MONEY in the fund shall be credited
5 to the fund.

6 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF
7 THIS SECTION, the department is authorized to expend ~~moneys~~ MONEY
8 from the fund for the purposes of this part 18.

9 (b) The department may expend up to two percent of the ~~moneys~~
10 MONEY annually appropriated from the fund, NOT INCLUDING MONEY
11 CREDITED TO THE SCHOOL SECURITY DISBURSEMENT PROGRAM ACCOUNT
12 PURSUANT TO SUBSECTION (6) OF THIS SECTION, to offset the costs
13 incurred in implementing this part 18.

14 (6) (a) THERE IS HEREBY CREATED IN THE FUND THE SCHOOL
15 SECURITY DISBURSEMENT PROGRAM ACCOUNT, REFERRED TO IN THIS
16 SUBSECTION (6) AS THE "ACCOUNT". EFFECTIVE JULY 1, 2018, THE STATE
17 TREASURER SHALL CREDIT THIRTY MILLION DOLLARS FROM THE AMOUNT
18 APPROPRIATED TO THE FUND FOR THE 2018-19 FISCAL YEAR TO THE
19 ACCOUNT. THE AMOUNT CREDITED TO THE ACCOUNT IS CONTINUOUSLY
20 APPROPRIATED TO THE DEPARTMENT TO IMPLEMENT THE SCHOOL
21 SECURITY DISBURSEMENT PROGRAM CREATED IN SECTION 24-33.5-1810.
22 THE DEPARTMENT MAY EXPEND UP TO ONE PERCENT OF THE AMOUNT
23 CREDITED TO THE ACCOUNT FOR THE ADMINISTRATIVE EXPENSES
24 INCURRED IN IMPLEMENTING THE SCHOOL SECURITY DISBURSEMENT
25 PROGRAM.

26 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2021.
27 ANY AMOUNT REMAINING IN THE ACCOUNT AS OF JULY 1, 2021, SHALL BE

1 CREDITED TO THE FUND.

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