

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

REENGROSSED

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

LLS NO. 19-0107.01 Richard Sweetman x4333

HOUSE BILL 19-1008

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A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF GRANTS FOR CAREER AND TECHNICAL**
102 **EDUCATION CAPITAL CONSTRUCTION THROUGH THE "BUILDING**
103 **EXCELLENT SCHOOLS TODAY ACT".**

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 amends the "Building Excellent Schools Today Act" to allow the public school capital construction assistance board (board) to provide grants to support career and technical education capital construction, which is defined as:

! New construction or retrofitting of public school facilities

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.*

HOUSE
3rd Reading Unamended
January 28, 2019

HOUSE
Amended 2nd Reading
January 25, 2019

for certain career and technical education programs; and
! Equipment necessary for individual student learning and
classroom instruction, including equipment that provides
access to instructional materials or that is necessary for
professional use by a classroom teacher.

The bill requires the board to report annually to the capital
development committee and to the education and finance committees of
the house of representatives and the senate, or to any successor
committees, concerning the issuance and denial of career and technical
education capital construction grants during the preceding year.

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 (6); and **add** (6.7) as follows:

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

6 (6) "Capital construction" has the same meaning as set forth in
7 section 24-30-1301 (2); except that the term also includes technology, as
8 defined in section 22-43.7-109 (5)(a)(I)(B), AND CAREER AND TECHNICAL
9 EDUCATION CAPITAL CONSTRUCTION.

10 (6.7) "CAREER AND TECHNICAL EDUCATION CAPITAL
11 CONSTRUCTION" MEANS:

12 (a) NEW CONSTRUCTION OR RETROFITTING OF PUBLIC SCHOOL
13 FACILITIES FOR CAREER AND TECHNICAL EDUCATION PROGRAMS THAT
14 SATISFY THE STANDARDS PRESCRIBED IN SECTION 23-8-103 (2); AND

15 (b) EQUIPMENT NECESSARY FOR INDIVIDUAL STUDENT LEARNING
16 AND CLASSROOM INSTRUCTION, INCLUDING EQUIPMENT THAT PROVIDES
17 ACCESS TO INSTRUCTIONAL MATERIALS OR THAT IS NECESSARY FOR
18 PROFESSIONAL USE BY A CLASSROOM TEACHER.

19 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-109, **amend**
20 (5)(b); and **add** (5)(b.5) and (14) as follows:

1 **22-43.7-109. Financial assistance for public school capital**
2 **construction - application requirements - evaluation criteria - local**
3 **match requirements - technology grants - career and technical**
4 **education capital construction grants - rules - definition.** (5) The
5 board, taking into consideration the financial assistance priority
6 assessment conducted pursuant to section 22-43.7-108, shall prioritize
7 applications that describe public school facility capital construction
8 projects deemed eligible for financial assistance based on the following
9 criteria, in descending order of importance:

10 (b) Projects that will relieve overcrowding in public school
11 facilities, including but not limited to projects that will allow students to
12 move from temporary instructional facilities into permanent facilities; ~~and~~

13 (b.5) PROJECTS THAT WILL PROVIDE CAREER AND TECHNICAL
14 EDUCATION CAPITAL CONSTRUCTION IN PUBLIC SCHOOL FACILITIES; AND

15 (14) FOR FISCAL YEAR 2019-20 AND FOR EACH SUCCEEDING FISCAL
16 YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO
17 THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE
18 AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL
19 ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL
20 CONSTRUCTION GRANTS. IN CONJUNCTION WITH ITS ESTABLISHMENT OF AN
21 ANNUAL FINANCIAL ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION
22 (2)(a) OF THIS SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL
23 POTENTIAL APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS
24 APPROPRIATE, THAT IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR
25 FINANCIAL ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL
26 EDUCATION CAPITAL CONSTRUCTION GRANTS. TO BE ELIGIBLE FOR A
27 CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANT, AN

1 APPLICANT FOR FINANCIAL ASSISTANCE MUST APPLY SPECIFICALLY FOR
2 THAT GRANT IN ACCORDANCE WITH THE FINANCIAL ASSISTANCE TIMELINE
3 ESTABLISHED BY THE BOARD PURSUANT TO SUBSECTION (2)(a) OF THIS
4 SECTION AND MUST SUBMIT AN APPLICATION IN THE FORM PRESCRIBED BY
5 THE BOARD PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE BOARD
6 MAY AWARD CAREER AND TECHNICAL EDUCATION CAPITAL
7 CONSTRUCTION GRANTS TO FUND CAREER AND TECHNICAL EDUCATION
8 CAPITAL CONSTRUCTION PROJECTS. IN AWARDING GRANTS, THE BOARD
9 SHALL CONSIDER WHETHER EACH GRANT APPLICATION DESCRIBES A
10 CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION PROJECT
11 THAT CONCERNS A PROFESSIONAL FIELD THAT IS IDENTIFIED AS A KEY
12 INDUSTRY IN THE MOST RECENT ANNUAL COLORADO TALENT REPORT
13 PRODUCED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL PURSUANT
14 TO SECTION 24-46.3-103 (3). NOTHING IN THIS SUBSECTION (14) PROHIBITS
15 THE BOARD FROM CONSIDERING OTHER FACTORS IN AWARDING AND
16 DENYING CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION
17 GRANTS.

18 **SECTION 3.** In Colorado Revised Statutes, 22-43.7-111, **amend**
19 (1)(a)(III), (1)(a)(IV), and (1)(d) introductory portion as follows:

20 **22-43.7-111. Reporting requirements - auditing by state**
21 **auditor.** (1) Notwithstanding section 24-1-136 (11)(a)(I), no later than
22 February 15, 2010, and no later than each February 15 thereafter, the
23 board shall present a written report to the education and finance
24 committees of the house of representatives and the senate and the capital
25 development committee, or any successor committees, regarding the
26 provision of financial assistance to applicants pursuant to this article 43.7.
27 The report must include, at a minimum:

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

3 (III) A list of the public school facility capital construction
4 projects for which financial assistance has been provided, which must
5 include:

6 (A) A sublist of projects for which financial assistance has been
7 provided in the form of technology grants pursuant to section 22-43.7-109
8 (13);

9 (B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE
10 HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION
11 CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

12 (C) A brief description of each project;

13 (D) A statement of the amount and type of financial assistance
14 provided for each project and, where applicable, the amount of financial
15 assistance committed to be provided for but not yet provided for each
16 project;

17 (E) A statement of the amount of matching ~~moneys~~ MONEY
18 provided by the applicant for each project and, where applicable, the
19 amount of matching ~~moneys~~ MONEY committed to be provided by the
20 applicant but not yet provided for each project; and

21 (F) A summary of the reasons of the board and the state board for
22 providing financial assistance for the project; and

23 (IV) A list of the public school facility capital construction
24 projects for which financial assistance has been provided during the prior
25 fiscal year, which must include:

26 (A) A sublist of projects for which financial assistance has been
27 provided in the form of technology grants pursuant to section 22-43.7-109

1 (13);

2 (B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE
3 HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION
4 CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

5 (C) A brief description of each project;

6 (D) A statement of the amount and type of financial assistance
7 provided for each project; and

8 (E) A statement of the amount of matching ~~moneys~~ MONEY
9 provided by the applicant for each project.

10 (d) A list of the financial assistance applications for public school
11 facility capital construction that were denied financial assistance during
12 the prior fiscal year, which must include a sublist of denied applications
13 for projects for which financial assistance in the form of technology
14 grants was requested pursuant to section 22-43.7-109 (13) AND A SUBLIST
15 OF DENIED APPLICATIONS FOR WHICH FINANCIAL ASSISTANCE IN THE FORM
16 OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS
17 WAS REQUESTED PURSUANT TO SECTION 22-43.7-109 (14), AND that
18 includes for each project:

19 **SECTION 4. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.