

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

ENGROSSED

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

LLS NO. 20-0911.01 Shelby Ross x4510

SENATE BILL 20-185

SENATE SPONSORSHIP

Bridges and Tate, Coram, Donovan, Fields, Garcia, Lee, Lundeen, Priola, Rankin, Rodriguez, Todd, Williams A., Winter

HOUSE SPONSORSHIP

Tipper and Wilson,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO IMAGINATION**
102 **LIBRARY 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 requires the state librarian in the department of education (department) to contract with a Colorado nonprofit organization (contractor) for the creation and operation of the Colorado imagination library program (program). The contractor shall manage the daily operations of the program, including but not limited to:

! Establishing county-based affiliate programs in all

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
Amended 2nd Reading
June 4, 2020

- Colorado counties and city and counties;
- ! Advancing and strengthening the affiliate programs to ensure enrollment growth;
- ! Developing, promoting, and coordinating a public awareness campaign to make donors aware of the opportunity to donate to the affiliate program and make the public aware of the opportunity to register eligible children to receive books through the program; and
- ! Contracting with a national nonprofit foundation that exists for the sole purpose of working with local entities to identify eligible children and mail age-appropriate, high-quality books each month to those children at no cost to families.

The bill requires the contractor to submit a report to the department which shall then submit the report to the general assembly on the total number of eligible children in each county or city and county in Colorado and how many eligible children are enrolled in the program in each county or city and county.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) A child's early years play a pivotal role in the child's literacy
5 abilities. Literacy skills learned between birth and age 5 often predict
6 literacy in later years. Children who struggle with literacy in kindergarten
7 through third grade are unlikely to catch up to their peers, and the
8 proficiency gap widens as students grow older.

9 (b) In 2019, the National Assessment of Educational Progress
10 (NAEP) indicated that just 40% of Colorado students in fourth grade
11 could read proficiently;

12 (c) NAEP results also demonstrate that Colorado has not made
13 progress in improving literacy among historically underserved students.
14 Similar to NAEP results in 1998, in 2019, Colorado's African American
15 and Hispanic and Latino fourth graders saw average reading scores that

1 were 24 and 27 points lower, respectively, than the average score of their
2 Caucasian peers. Also similar to results in 1998, in 2019, Colorado
3 children from low-income families saw an average reading score that was
4 30 points lower than higher income students.

5 (d) Access to printed reading materials is a key component in
6 ensuring literacy among young children. Children with more exposure to
7 printed reading materials excel in comprehension, technical reading, and
8 spelling.

9 (e) Children in many of Colorado's small rural school districts on
10 the eastern side of the state do not have access to a public library and
11 therefore see zero per-student circulation of child reading materials
12 through a library;

13 (f) Some larger rural school districts with larger percentages of
14 children living in poverty and children of color have only one public
15 library to serve their student populations and therefore see low circulation
16 of reading materials; and

17 (g) Reading proficiently by the end of third grade is essential to
18 mastering other academic subjects. Students who struggle with literacy
19 are 4 times more likely to eventually drop out of school without earning
20 their high school diploma.

21 (2) Therefore, the general assembly finds that it is imperative for
22 children from birth to 5 years old have access to high-quality,
23 age-appropriate books on a monthly basis at no cost to families.

24 **SECTION 2.** In Colorado Revised Statutes, **add** 24-90-120 as
25 follows:

26 **24-90-120. Colorado imagination library program - creation**
27 **- request for proposal - state librarian duties - report - definitions.**

1 (1) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:

3 (a) "COUNTY-BASED AFFILIATE PROGRAMS" MEANS A LOCAL
4 AFFILIATE OF THE COLORADO IMAGINATION LIBRARY PROGRAM THAT
5 OPERATES WITHIN A COUNTY OR CITY AND COUNTY.

6 (b) "ELIGIBLE CHILD" MEANS A CHILD FROM BIRTH TO THE CHILD'S
7 FIFTH BIRTHDAY.

8 (c) "NATIONAL NONPROFIT FOUNDATION" MEANS A NATIONAL
9 NONPROFIT FOUNDATION THAT EXISTS FOR THE SOLE PURPOSE OF
10 WORKING WITH LOCAL ENTITIES TO IDENTIFY ELIGIBLE CHILDREN AND
11 MAIL AGE-APPROPRIATE, HIGH-QUALITY BOOKS EACH MONTH TO THOSE
12 CHILDREN AT NO COST TO FAMILIES.

13 (d) "PROGRAM" MEANS THE COLORADO IMAGINATION LIBRARY
14 PROGRAM CREATED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

15 (2) SUBJECT TO AVAILABLE APPROPRIATIONS, INCLUDING ANY
16 APPROPRIATIONS REQUIRED PURSUANT TO SUBSECTION (4)(a) OF THIS
17 SECTION. THE STATE LIBRARIAN IN THE DEPARTMENT OF EDUCATION SHALL
18 CONTRACT WITH A COLORADO NONPROFIT ORGANIZATION FOR THE
19 CREATION AND OPERATION OF THE COLORADO IMAGINATION LIBRARY
20 PROGRAM. THE CONTRACTOR SHALL:

21 (a) EXIST FOR THE SOLE PURPOSE OF CREATING AND OPERATING
22 THE PROGRAM;

23 (b) MANAGE THE DAILY OPERATIONS OF THE PROGRAM, INCLUDING
24 BUT NOT LIMITED TO ESTABLISHING COUNTY-BASED AFFILIATE PROGRAMS
25 IN ALL COLORADO COUNTIES AND CITIES AND COUNTIES AND ADVANCING
26 AND STRENGTHENING THE AFFILIATE PROGRAMS TO ENSURE ENROLLMENT
27 GROWTH;

1 (c) DEVELOP, PROMOTE, AND COORDINATE A PUBLIC AWARENESS
2 CAMPAIGN TO MAKE DONORS AWARE OF THE OPPORTUNITY TO DONATE TO
3 THE AFFILIATE PROGRAM AND MAKE THE PUBLIC AWARE OF THE
4 OPPORTUNITY TO REGISTER ELIGIBLE CHILDREN TO RECEIVE BOOKS
5 THROUGH THE PROGRAM; AND

6 (d) CONTRACT WITH A NATIONAL NONPROFIT FOUNDATION TO
7 PROVIDE AGE-APPROPRIATE, HIGH-QUALITY BOOKS EACH MONTH TO
8 ELIGIBLE CHILDREN AT NO COST TO FAMILIES.

9 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
10 BEFORE JULY 1 OF THE YEAR AFTER THE STATE LIBRARIAN ENTERS INTO A
11 CONTRACT PURSUANT TO SUBSECTION (2) OF THIS SECTION, AND EACH
12 JULY 1 THEREAFTER, THE CONTRACTOR SHALL SUBMIT A REPORT TO THE
13 DEPARTMENT OF EDUCATION WHICH SHALL THEN SUBMIT THE REPORT TO
14 THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF
15 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE
16 TOTAL NUMBER OF ELIGIBLE CHILDREN RESIDING IN EACH COUNTY OR CITY
17 AND COUNTY IN COLORADO AND HOW MANY ELIGIBLE CHILDREN ARE
18 ENROLLED IN THE PROGRAM IN EACH COUNTY OR CITY AND COUNTY.

19 (4) (a) THE CONTRACTOR, IN OPERATING THE PROGRAM PURSUANT
20 TO SUBSECTION (2) OF THIS SECTION, SHALL PAY TO THE NATIONAL
21 NONPROFIT FOUNDATION FIFTY PERCENT OF THE STATEWIDE COST TO
22 PROVIDE BOOKS TO ELIGIBLE CHILDREN ENROLLED IN THE PROGRAM, AS
23 DETERMINED BY THE NATIONAL NONPROFIT FOUNDATION. LESS ANY GIFTS,
24 GRANTS, OR DONATIONS RECEIVED BY THE DEPARTMENT OF EDUCATION,
25 THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE MONEY FROM
26 THE GENERAL FUND TO THE DEPARTMENT OF EDUCATION FOR THE STATE'S
27 SHARE OF THE COST TO PROVIDE THE BOOKS, AND THE STATE LIBRARIAN

1 SHALL DISTRIBUTE THE MONEY TO THE CONTRACTOR.

2 (b) EACH COUNTY-BASED AFFILIATE PROGRAM SHALL PAY TO THE
3 CONTRACTOR THE REMAINDER OF THE COST, AS DETERMINED BY THE
4 NATIONAL NONPROFIT FOUNDATION, TO PROVIDE BOOKS TO THE ELIGIBLE
5 CHILDREN ENROLLED IN THE COUNTY OR CITY AND COUNTY.

6 (5) THE DEPARTMENT OF EDUCATION MAY SEEK, ACCEPT, AND
7 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES
8 FOR THE IMPLEMENTATION OF THIS SECTION.

9 **SECTION 3. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2020 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.