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Revised Fiscal Note

(replaces fiscal note dated February 29, 2024)

Drafting Number: LLS 24-0223 Date: April 18, 2024
Prime Sponsors: Rep. Willford Bill Status: House Appropriations
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Bill Topic: NONCURRICULAR TIME PROGRAMS

Summary of Fiscal Impact:
State Revenue [] State Transfer [x] Local Government []
State Expenditure [x] TABOR Refund [] School District [x]

The bill creates a task force to evaluate school district time-to-eat policies, and a grant program to support social emotional learning through play. The bill increases state expenditures and school district workload on an ongoing basis.

Appropriation Summary: For FY 2024-25, the bill requires appropriations totaling \$263,733. See State Appropriations section.

Fiscal Note Status: The revised fiscal note reflects the introduced bill, as amended by the House Education Committee.

Table 1
State Fiscal Impacts Under HB 24-1301

Table with 4 columns: Category, Sub-category, Budget Year FY 2024-25, and Out Year FY 2025-26. Rows include Revenue, Expenditures (General Fund, Cash Funds, Centrally Appropriated, Total Expenditures, Total FTE), Transfers (General Fund, Cash Funds, Net Transfer), and Other Budget Impacts (General Fund Reserve).

1 This transfer is assumed to be made through an appropriation from the General Fund to the Safe and Healthy Play Grant Program Fund.

Summary of Legislation

The bill creates a task force to evaluate school district time-to-eat policies and a grant program to support social emotional learning through play.

Time-To-Eat Task Force. The bill creates the Time-To-Eat Task Force in the Colorado Department of Education (CDE) to evaluate school district policies on the time allotted for students to eat lunch. The bill specifies what the task force must consider in their work, including various components of current district policies, outcomes, and existing research on lunch time policies.

The bill specifies the membership of the task force. Members serve without compensation, except that the student and parent representatives must receive per diem. The task force must meet at least four times, but no more than five times from July to January 2025. CDE must provide staff assistance, data support, and contract with a facilitator for the task force. By February 1, 2025, the task force must submit a report on its findings and recommendations to the relevant committees of the General Assembly.

Safe and Healthy Play Grant Program. The bill creates the Safe and Healthy Play Grant Program in CDE to provide grants for schools and districts to partner with a community organization to provide social emotional learning through play.

To be eligible, schools and districts must have at least 50 percent of their students qualify for free and reduced-price lunch and employ a full-time physical education teacher. Grants are awarded on a first-come-first-served basis and may not exceed \$20,000 per school.

The bill creates the Safe and Healthy Play Grant Program Fund, which is continuously appropriated to CDE for the program. CDE must include an update on the grant program at its SMART Act hearing, beginning January 2025.

State Transfers

Appropriations from the General Fund to the Safe and Healthy Play Grant Program Fund are at the discretion of the General Assembly. The fiscal note assumes that \$150,000 in FY 2024-25 and FY 2025-26 will be transferred from the General Fund to the fund for the Safe and Healthy Play Grant Program. It is assumed that this transfer will occur via an appropriation to the account from the General Fund. Future transfers to the fund are at the discretion of the General Assembly and will be addressed through the annual budget process.

State Expenditures

The bill increases state expenditures in CDE by about \$264,000 in FY 2024-25 and \$150,000 in FY 2025-26, primarily from the Safe and Healthy Play Grant Program Fund as well as the General Fund in the first year only. Costs are shown in Table 2 and discussed below.

The level of the grant program funding may be set at the discretion of the General Assembly. The fiscal note assumes that the \$150,000 transferred to the cash fund for the grant program in FY 2024-25 and FY 2025-26. Task force costs are paid from the General Fund and will be incurred in FY 2024-25 only.

Table 2
Expenditures Under HB 24-1301

	FY 2024-25	FY 2025-26
Department of Education		
Personal Services	\$77,660	\$28,133
Operating Expenses	\$896	\$384
Task Force Facilitator	\$62,000	
Task Force Member Compensation & Translation	\$3,500	-
Grants	\$104,754	\$115,571
Centrally Appropriated Costs ¹	\$14,922	\$5,912
Total Cost	\$263,732	\$150,000
Total FTE	0.7 FTE	0.3 FTE

¹ Centrally appropriated costs associated with the task force (\$7,700 in FY 2024-25) are not included in the bill's appropriation. Indirect costs associated with the grant program (totaling \$13,135 in FY 2024-25 and FY 2025-26) are assumed to be paid out of the cash fund.

Staff. In FY 2024-25, CDE requires 0.7 FTE. Of this amount, 0.3 FTE is to support the task force and 0.4 FTE is to administer the grant program. In FY 2025-26, CDE requires 0.3 FTE to support the grant program. Duties include program staff to work with grantees, handle applications and reporting, and manage contracts and payments. Should a portion of the grant funding remain unspent FY 2025-26, staff costs will continue in future years.

Standard operating and capital outlay costs are included. Staff costs for the task force are paid from the General Fund and staff for the grant program are paid from the cash fund.

Task force costs. CDE requires \$65,500 for task force costs, including \$62,000 to contract for a facilitator, \$2,500 for member compensation, and \$1,000 for translation of task force materials. Facilitator contract costs assume 310 hours at a rate of \$200 per hour. The fiscal note assumes that all meetings will be held remotely. These costs are paid from the General Fund. The fiscal note assumes that CDE will provide currently existing, public data to the task force and is not required to collect additional data as a result of the bill.

Grants. Based on the assumed level of funding, the fiscal note estimates that about \$104,700 in FY 2024-25 and \$115,000 in FY 2025-26 will be available for grants after administrative expenses. Assuming grants ranging from \$10,000 to \$20,000 each, the program results in between 5 and 12 grants awarded per year. Should the number and timing of grant applications shift between years, grant distributions and associated workload may differ from this estimate.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance, supplemental employee retirement payments, and indirect cost assessments are shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

School District

The bill increases revenue and expenditures for any school district that chooses to participate in the grant program. Additionally, workload will increase for any school district staff that are members of the task force.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

For FY 2024-25, the bill requires the following appropriations from the General Fund:

- \$106,033 to the Colorado Department of Education, and 0.3 FTE; and
- \$150,000 to the Safe and Healthy Play Grant Program. No further appropriation from the cash fund is required as it is continuously appropriated to the CDE.

State and Local Government Contacts

Education

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).