

CHAPTER 49

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 24-017

BY SENATOR(S) Lundeen and Bridges, Fields, Gardner, Hinrichsen, Kirkmeyer, Liston, Rich, Smallwood, Van Winkle;
also REPRESENTATIVE(S) McLachlan and Pugliese, Bacon, Bird, Duran, English, Kipp, Lieder, Marshall, Snyder, Weinberg,
Weissman, Young, McCluskie.

AN ACT

CONCERNING THE DISTRIBUTION AMOUNTS MADE BY THE STATE TO A SCHOOL DISTRICT DURING THE BUDGET YEAR THAT COMPRISE THE STATE'S SHARE OF A SCHOOL DISTRICT'S TOTAL PROGRAM.

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

SECTION 1. In Colorado Revised Statutes, 22-54-115, **amend** (1) introductory portion; and **add** (1.1) and (1.2) as follows:

22-54-115. Distribution from state public school fund. (1) No later than June 30 of each year, the state board shall determine the amount of the state's share of the district's total program for the budget year beginning on July 1, and the total thereof for all districts. ~~which amount shall be payable in twelve approximately equal monthly payments during such budget year; except that:~~ THE DEPARTMENT OF EDUCATION SHALL PAY THE UNPAID AMOUNT OF THE STATE'S SHARE OF EACH DISTRICT'S TOTAL PROGRAM TO EACH DISTRICT IN A PATTERN OVER THE REMAINING MONTHS OF THE BUDGET YEAR THAT CONSIDERS THE PROJECTED TIMING OF WHEN EACH DISTRICT RECEIVES THE DISTRICT'S PROPERTY TAX COMPONENT OF ITS TOTAL PROGRAM SO THAT THE STATE'S SHARE OF THE DISTRICT'S TOTAL PROGRAM EACH MONTH IS AN AMOUNT THAT WHEN COMBINED WITH THE DISTRICT'S PROPERTY TAX COMPONENT OF ITS TOTAL PROGRAM IS AS EQUAL MONTH TO MONTH AS MATHEMATICALLY POSSIBLE. TO DETERMINE THE PATTERN PURSUANT TO THIS SUBSECTION (1), THE DEPARTMENT OF EDUCATION SHALL ASSUME THAT EACH DISTRICT RECEIVES THE SPECIFIC OWNERSHIP TAX COMPONENT OF THE DISTRICT'S SHARE OF ITS TOTAL PROGRAM IN TWELVE APPROXIMATELY EQUAL MONTHLY PAYMENTS BASED UPON THE ANNUAL PROJECTION AND THAT THE DISTRICT RECEIVES THE PROPERTY TAX COMPONENT OF THE DISTRICT'S SHARE OF ITS TOTAL PROGRAM

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

IN THREE APPROXIMATELY EQUAL PAYMENTS BASED UPON THE ANNUAL PROJECTION IN MARCH, MAY, AND JUNE EACH YEAR. ADDITIONALLY:

(1.1)(a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, UPON THE REQUEST OF A SCHOOL DISTRICT, THE DEPARTMENT OF EDUCATION SHALL PAY THE STATE'S SHARE OF THE DISTRICT'S TOTAL PROGRAM FOR THE BUDGET YEAR IN TWELVE APPROXIMATELY EQUAL MONTHLY PAYMENTS DURING THE BUDGET YEAR, AND UNLESS REQUESTED OTHERWISE BY THE SCHOOL DISTRICT, THE DEPARTMENT OF EDUCATION SHALL PAY THE STATE'S SHARE OF THE DISTRICT'S TOTAL PROGRAM FOR THE BUDGET YEAR IN TWELVE APPROXIMATELY EQUAL MONTHLY PAYMENTS IN EACH BUDGET YEAR THEREAFTER.

(b) A SCHOOL DISTRICT MUST MAKE A REQUEST PURSUANT TO THIS SUBSECTION (1.1) ON OR BEFORE JULY 1 OF THE APPLICABLE BUDGET YEAR FOR THE APPLICABLE BUDGET YEAR.

(1.2) THE DEPARTMENT OF EDUCATION SHALL NOT CHANGE A SCHOOL DISTRICT'S DISTRIBUTION SCHEDULE PURSUANT TO SUBSECTION (1) OR (1.1) OF THIS SECTION DURING THE CURRENT BUDGET YEAR FOR THE CURRENT BUDGET YEAR.

SECTION 2. In Colorado Revised Statutes, 22-54-124, **amend** (4)(c); and **add** (4)(d) as follows:

22-54-124. State aid for charter schools - use of state education fund money - definitions. (4) (c) For the 2009-10 budget year ~~and each budget year thereafter~~ THROUGH THE 2023-24 BUDGET YEAR, the department of education shall distribute the total amount to be distributed pursuant to this section to each eligible school district and eligible institute charter school in twelve approximately equal monthly payments during the applicable budget year in conjunction with the distribution of the state's share of district total program pursuant to section 22-54-115.

(d) FOR THE 2024-25 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE THE TOTAL AMOUNT TO BE DISTRIBUTED PURSUANT TO THIS SECTION TO EACH ELIGIBLE SCHOOL DISTRICT AND ELIGIBLE INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-54-115.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: April 4, 2024