

SB256_L.012

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB09-256 be amended as follows:

1 Amend printed bill, page 39, after line 4, insert the following:

2 "SECTION 20. Article 44 of title 22, Colorado Revised Statutes,
3 is amended BY THE ADDITION OF A NEW PART to read:

4 PART 3
5 PUBLIC SCHOOL FINANCIAL TRANSPARENCY ACT

6 22-44-301. **Short title.** THIS PART 3 SHALL BE KNOWN AND MAY
7 BE CITED AS THE "PUBLIC SCHOOL FINANCIAL TRANSPARENCY ACT".

8 22-44-302. **Legislative declaration.** (1) THE GENERAL
9 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

10 (a) TAXPAYERS SHOULD HAVE ACCESS TO DETAILS REGARDING
11 HOW PUBLIC SCHOOLS ARE SPENDING TAXPAYER DOLLARS AND WHAT
12 PERFORMANCE RESULTS THE PUBLIC SCHOOLS ACHIEVE THROUGH THOSE
13 EXPENDITURES; AND

14 (b) EASIER ACCESS TO AND STORAGE OF ELECTRONIC DATA
15 SHOULD FACILITATE INCREASING TRANSPARENCY IN PUBLIC SCHOOL
16 FINANCIAL AND BUDGET MATTERS.

17 (2) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO
18 DIRECT EACH SCHOOL DISTRICT BOARD OF EDUCATION, BOARD OF
19 COOPERATIVE SERVICES, DISTRICT CHARTER SCHOOL, AND INSTITUTE



1 CHARTER SCHOOL AND THE STATE CHARTER SCHOOL INSTITUTE TO POST
2 FINANCIAL INFORMATION ON SEARCHABLE BUDGET DATABASE WEB SITES.

3 **22-44-303. Definitions.** AS USED IN THIS PART 3, UNLESS THE
4 CONTEXT OTHERWISE REQUIRES:

5 (1) (a) "ENTITY" MEANS A CORPORATION, ASSOCIATION, UNION,
6 LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, GRANTEE,
7 CONTRACTOR, LOCAL GOVERNMENT, OR OTHER LEGAL ENTITY INCLUDING
8 A NONPROFIT CORPORATION.

9 (b) "ENTITY" SHALL NOT INCLUDE AN INDIVIDUAL RECIPIENT OF
10 STATE PUBLIC ASSISTANCE OR PUBLIC ASSISTANCE PROVIDED BY THE
11 LOCAL EDUCATION PROVIDER.

12 (2) "LOCAL EDUCATION PROVIDER" MEANS:

13 (a) A SCHOOL DISTRICT, OTHER THAN A JUNIOR COLLEGE DISTRICT,
14 ORGANIZED AND EXISTING PURSUANT TO LAW;

15 (b) A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO
16 ARTICLE 5 OF THIS TITLE;

17 (c) THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED
18 PURSUANT TO SECTION 22-30.5-503;

19 (d) A DISTRICT CHARTER SCHOOL AUTHORIZED PURSUANT TO PART
20 1 OF ARTICLE 30.5 OF THIS TITLE; OR

21 (e) AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO
22 PART 5 OF ARTICLE 30.5 OF THIS TITLE.

23 (3) "PUBLIC RECORD" SHALL HAVE THE SAME MEANING AS SET
24 FORTH IN SECTION 24-72-202 (6), C.R.S.

25 (4) "SEARCHABLE BUDGET DATABASE WEB SITE" OR "WEB SITE"
26 MEANS A WEB SITE THAT ALLOWS THE PUBLIC AT NO COST TO REVIEW THE
27 FOLLOWING INFORMATION:

28 (a) THE AMOUNT AND SOURCE OF MONEYS RECEIVED BY THE
29 LOCAL EDUCATION PROVIDER; AND



1 (b) MONEYS EXPENDED BY THE LOCAL EDUCATION PROVIDER,
2 INCLUDING:

3 (I) THE NAME AND PRINCIPAL LOCATION OR ADDRESS OF THE
4 ENTITY RECEIVING MONEYS; EXCEPT THAT INFORMATION CONCERNING A
5 PAYMENT TO AN EMPLOYEE OF THE LOCAL EDUCATION PROVIDER SHALL
6 IDENTIFY THE INDIVIDUAL EMPLOYEE BY POSITION AND BUSINESS ADDRESS
7 ONLY;

8 (II) THE AMOUNT OF EXPENDED MONEYS;

9 (III) THE FUNDING SOURCE OF THE EXPENDED MONEYS;

10 (IV) THE NAME OF THE BUDGET PROGRAM OR ACTIVITY RECEIVING
11 THE MONEYS; AND

12 (V) A DESCRIPTION OF THE PLANNED USE OF THE MONEYS.

13 **22-44-304. Searchable budget database web site - creation.**

14 (1) NO LATER THAN SEPTEMBER 1, 2011, EACH LOCAL EDUCATION
15 PROVIDER SHALL DEVELOP, MAINTAIN, AND MAKE PUBLICLY AVAILABLE
16 A SINGLE, SEARCHABLE BUDGET DATABASE WEB SITE. THE WEB SITE
17 SHALL CONTAIN ONLY INFORMATION THAT IS A PUBLIC RECORD OR THAT
18 IS NOT CONFIDENTIAL OR OTHERWISE PROTECTED FROM PUBLIC
19 DISCLOSURE PURSUANT TO STATE OR FEDERAL LAW.

20 (2) THE LOCAL EDUCATION PROVIDER SHALL, TO THE EXTENT
21 PRACTICABLE, UPDATE THE FINANCIAL DATA CONTAINED ON THE WEB SITE
22 MONTHLY. THE FINANCIAL DATA SHALL BE PROVIDED IN A STRUCTURED
23 FORMAT THAT MAY BE DOWNLOADED. THE WEB SITE SHALL INCLUDE A
24 METHOD BY WHICH A USER OF THE WEB SITE MAY PROVIDE FEEDBACK
25 CONCERNING THE ORGANIZATION OR UTILITY OF THE WEB SITE. THE
26 LOCAL EDUCATION PROVIDER SHALL ARCHIVE THE FINANCIAL DATA,
27 WHICH SHALL REMAIN ACCESSIBLE AND SEARCHABLE FOR A MINIMUM OF
28 FIVE YEARS.

29 (3) THE PROVISIONS OF THIS PART 3 SHALL NOT APPLY TO A LOCAL
30 EDUCATION PROVIDER THAT, AS OF JANUARY 1, 2009, DOES NOT HAVE AN
31 EXISTING WEB SITE, OTHER THAN A SEARCHABLE BUDGET DATABASE WEB
32 SITE, THAT PROVIDES INFORMATION CONCERNING THE LOCAL EDUCATION
33 PROVIDER AND IS ROUTINELY MAINTAINED BY THE LOCAL EDUCATION



1 PROVIDER. AT SUCH TIME AS A LOCAL EDUCATION PROVIDER HAS A WEB
2 SITE THAT PROVIDES INFORMATION CONCERNING THE LOCAL EDUCATION
3 PROVIDER, THE LOCAL EDUCATION PROVIDER SHALL COMPLY WITH THE
4 PROVISIONS OF THIS PART 3."

5 Renumber succeeding sections accordingly.

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