

SB256\_L.113

PROPOSED CONFERENCE COMMITTEE AMENDMENT  
ON SB09-256

*[See Explanation at End of Amendment]*

BY REPRESENTATIVE(S)  
also SENATOR(S)

SB09-256 be amended as follows:

1 Amend proposed First Conference Committee Report of the First  
2 Conference Committee, page 1, strike lines 1 and 2 and substitute the  
3 following:

4 "Amend rerevised bill, page 3, after line 8, insert the following:

5 "SECTION 2. The introductory portion to 22-54-104 (2) (a)  
6 (VIII), Colorado Revised Statutes, is amended to read:

7 **22-54-104. District total program.** (2) (a) (VIII) Except as  
8 otherwise provided in this subsection (2), ~~subsection (6)~~ PARAGRAPH (g)  
9 OF SUBSECTION (5) OR SUBSECTION (6) of this section, or section  
10 22-54-104.3, a district's total program for the 2007-08 budget year and  
11 budget years thereafter shall be the greater of the following:

12 **SECTION 3.** 22-54-104 (5), Colorado Revised Statutes, is  
13 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

14 (5) For purposes of the formulas used in this section:

15 (g) (I) IF THE GENERAL ASSEMBLY DETERMINES IN A BUDGET YEAR  
16 THAT A STATE FINANCIAL CRISIS REQUIRES A REDUCTION OF THE ANNUAL  
17 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL  
18 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, THE  
19 GENERAL ASSEMBLY BY BILL SHALL SPECIFY THE TOTAL AMOUNT OF THE  
20 REDUCTION. USING THE TOTAL AMOUNT OF THE REDUCTION, THE  
21 DEPARTMENT OF EDUCATION SHALL CALCULATE THE FINANCIAL CRISIS  
22 FACTOR FOR THE APPLICABLE BUDGET YEAR AS PROVIDED IN  
23 SUBPARAGRAPH (II) OF THIS PARAGRAPH (g) AND SHALL APPLY THE

1 FINANCIAL CRISIS FACTOR TO THE CALCULATION OF EACH DISTRICT'S  
2 TOTAL PROGRAM AND TO THE CALCULATION OF EACH INSTITUTE CHARTER  
3 SCHOOL'S FUNDING FOR THE APPLICABLE BUDGET YEAR.

4 (II) THE DEPARTMENT OF EDUCATION SHALL CALCULATE THE  
5 FINANCIAL CRISIS FACTOR FOR AN APPLICABLE BUDGET YEAR BY DIVIDING  
6 THE REDUCTION IN THE APPROPRIATION FOR THE APPLICABLE BUDGET  
7 YEAR, AS SPECIFIED BY THE GENERAL ASSEMBLY BY BILL, BY THE SUM OF  
8 THE TOTAL PROGRAM OF ALL DISTRICTS. THE DEPARTMENT OF EDUCATION  
9 SHALL CALCULATE EACH DISTRICT'S FINANCIAL CRISIS REDUCTION AS AN  
10 AMOUNT EQUAL TO THE FINANCIAL CRISIS FACTOR MULTIPLIED BY THE  
11 DISTRICT'S TOTAL PROGRAM AS CALCULATED PURSUANT TO  
12 SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS  
13 SECTION OR PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION,  
14 WHICHEVER IS APPLICABLE. IN ANY YEAR IN WHICH THE GENERAL  
15 ASSEMBLY DETERMINES A REDUCTION OF THE ANNUAL APPROPRIATION TO  
16 FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL DISTRICTS AND THE  
17 FUNDING FOR INSTITUTE CHARTER SCHOOLS IS NECESSARY, A DISTRICT'S  
18 TOTAL PROGRAM SHALL BE THE AMOUNT CALCULATED PURSUANT TO  
19 SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS  
20 SECTION OR PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION,  
21 WHICHEVER IS APPLICABLE, MINUS THE DISTRICT'S FINANCIAL CRISIS  
22 REDUCTION AMOUNT CALCULATED PURSUANT TO THIS SUBPARAGRAPH  
23 (II).

24 (III) FOR THE 2009-10 BUDGET YEAR, THE REDUCTION IN THE  
25 APPROPRIATION FOR THE STATE'S SHARE OF TOTAL PROGRAM SHALL BE  
26 FIFTY MILLION DOLLARS."

27 Renumber succeeding sections accordingly.

28 "Page 11 of the rerevised bill, strike lines 20 and 21 and substitute the  
29 following:"

30 Renumber succeeding sections accordingly.

31 Page 5 of the committee report, after line 4, insert the following:

32 "Page 38 of the rerevised bill, after line 27, insert the following:

33 "(b) The appropriation to the department of education, assistance



- 1 to public schools, public school finance, for the state share of districts'  
2 total program funding, is decreased by fifty million dollars (\$50,000,000)  
3 pursuant to section 22-54-104 (5) (g) (III), Colorado Revised Statutes.  
4 Said sum shall be cash funds from the state education fund created in  
5 section 17 (4) (a) of article IX of the state constitution.".";
- 6 strike lines 14 through 31 of the committee report.
- 7 Strike page 6 of the committee report.
- 8 Page 7 of the committee report, strike lines 1 through 7;
- 9 line 8 of the committee report, strike "Page" and substitute "Amend  
10 rerevised bill, page".

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**Explanation:** Reinstates the financial crisis factor. For the 2009-10 budget year, requires a \$50 million reduction in the appropriation for the state's share of total program.

*This amendment is within the scope of the differences between the two houses.*

