

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

**ENGROSSED**

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

LLS NO. 06-0604.01 Richard Sweetman

**HOUSE BILL 06-1283**

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**HOUSE SPONSORSHIP**

**Merrifield,** Paccione, Benefield, Pommer, Solano, and Todd

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT EACH SCHOOL DISTRICT SPEND AT**  
102 **LEAST A SPECIFIED PERCENTAGE OF ITS TOTAL OPERATIONAL**  
103 **EXPENDITURES ON SERVICES THAT DIRECTLY AFFECT STUDENT**  
104 **ACHIEVEMENT, AND MAKING AN APPROPRIATION THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Requires each school district to report its annual budget to the department of education in a standard format.

Defines "operational expenditures" and "services that directly affect student achievement", and requires each school district to spend a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
April 27, 2006

minimum percentage of its operational expenditures on services that directly affect student achievement.

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

2           **SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY  
3 THE ADDITION OF A NEW ARTICLE to read:

4   **ARTICLE 54.5**

5   **Public School Expenditures Accountability Act**

6           **22-54.5-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND  
7 MAY BE CITED AS THE "PUBLIC SCHOOL EXPENDITURES ACCOUNTABILITY  
8 ACT".

9           **22-54.5-102. Legislative declaration.** (1) THE GENERAL  
10 ASSEMBLY FINDS AND DETERMINES THAT:

11           (a) COLORADO'S SCHOOL DISTRICTS HAVE THE RESPONSIBILITY TO  
12 ENSURE THAT OPERATIONAL EXPENDITURES MAXIMIZE THE QUALITY OF  
13 EACH STUDENT'S EDUCATIONAL EXPERIENCE;

14           (b) COLORADO'S PUBLIC SCHOOL STUDENTS HAVE THE RIGHT TO  
15 REALIZE THE IMMEDIATE EFFECTS OF ADDITIONAL RESOURCES, WHETHER  
16 THESE RESOURCES ARE PROVIDED THROUGH NEW OR REALLOCATED  
17 FUNDING, THAT ARE FOCUSED ON SERVICES THAT DIRECTLY AFFECT EACH  
18 STUDENT'S ACHIEVEMENT;

19           (c) TAXPAYERS, INCLUDING PARENTS AND BUSINESS OWNERS IN  
20 EACH SCHOOL DISTRICT, HAVE A RIGHT TO KNOW WHETHER THEIR TAX  
21 DOLLARS ARE BEING APPROPRIATELY BUDGETED AND SPENT BY THEIR  
22 SCHOOL DISTRICTS TO PROVIDE STUDENTS WITH AN OPPORTUNITY FOR A  
23 QUALITY EDUCATION.

24           (2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT, TO  
25 ENSURE ACCOUNTABILITY IN SCHOOL DISTRICT BUDGETING TO TAXPAYERS

1 AND STUDENTS, IT IS NECESSARY TO REQUIRE EACH SCHOOL DISTRICT:

2 (a) TO ADOPT AN ANNUAL BUDGET REPORT IN A STANDARD  
3 FORMAT THAT PROVIDES TRANSPARENCY AND COMPARABILITY FROM  
4 DISTRICT TO DISTRICT FOR THE PURPOSE OF PUBLIC INSPECTION; AND

5 (b) TO SPEND A MINIMUM PERCENTAGE OF ITS OPERATIONAL  
6 EXPENDITURES ON SERVICES THAT DIRECTLY AFFECT STUDENT  
7 ACHIEVEMENT.

8 **22-54.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
9 CONTEXT OTHERWISE REQUIRES:

10 (1)(a) "OPERATIONAL EXPENDITURES" MEANS ALL EXPENDITURES  
11 MADE BY A SCHOOL DISTRICT, WITH THE EXCEPTION OF THE FOLLOWING  
12 EXPENDITURES RELATED TO TYPES OF REVENUES:

13 (I) ALL MONEYS REQUIRED TO BE SET ASIDE FOR CAPITAL RESERVE  
14 AND RISK-MANAGEMENT FUNDING PURSUANT TO SECTION 22-54-105 (2);

15 (II) ALL MONEYS RECEIVED FOR CAPITAL CONSTRUCTION  
16 PURSUANT TO SECTION 22-54-117 OR 22-54-124;

17 (III) ALL MONEYS TRANSFERRED TO A DISTRICT CHARTER SCHOOL  
18 PURSUANT TO SECTION 22-30.5-112;

19 (IV) ALL MONEYS RECEIVED AS A MILL LEVY OVERRIDE PURSUANT  
20 TO SECTION 22-54-107.5 OR 22-54-108 THAT ARE UNRELATED TO  
21 SERVICES THAT DIRECTLY AFFECT STUDENT ACHIEVEMENT;

22 (V) ALL MONEYS SET ASIDE FOR THE SCHOOL DISTRICT'S  
23 OPERATING RESERVE FUND PURSUANT TO SECTION 22-44-106;

24 (VI) ALL MONEYS REQUIRED TO BE SET ASIDE FOR THE SCHOOL  
25 DISTRICT'S EMERGENCY RESERVE FUND PURSUANT TO SECTION 20 OF  
26 ARTICLE X OF THE STATE CONSTITUTION;

27 (VII) LOCAL REVENUES RECEIVED THROUGH LOCAL BOND

1 ELECTIONS, INCLUDING INTEREST EARNINGS AND SPECIFIC OWNERSHIP  
2 TAXES RELATED TO BOND REDEMPTION FUNDS;

3 (VIII) BOND REDEMPTION FUNDS;

4 (IX) LOCAL, STATE, FEDERAL, AND PRIVATE FUNDS RECEIVED FOR  
5 A DESIGNATED PURPOSE THAT ARE UNRELATED TO SERVICES THAT  
6 DIRECTLY AFFECT STUDENT ACHIEVEMENT;

7 (X) ENTERPRISE FUNDS FROM PROGRAMS THAT ARE UNRELATED  
8 TO SERVICES THAT DIRECTLY AFFECT STUDENT ACHIEVEMENT;

9 (XI) TRUST AND AGENCY FUNDS RECEIVED FOR A DESIGNATED  
10 PURPOSE; AND

11 (XII) INTERNAL SERVICE FUNDS, AS SUCH FUNDS ARE DEFINED BY  
12 GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR GOVERNMENTS, WITH  
13 THE EXCEPTION OF PROPERTY TAX REVENUES OR ALLOCATIONS  
14 ATTRIBUTABLE TO THE GENERAL FUND PURSUANT TO SECTION 22-54-105  
15 AND THE CORRESPONDING EXPENDITURES OF SUCH PROPERTY TAXES OR  
16 ALLOCATIONS.

17 (2) (a) "SERVICES THAT DIRECTLY AFFECT STUDENT  
18 ACHIEVEMENT" MEANS PROGRAMS AND SERVICES FUNDED BY A SCHOOL  
19 DISTRICT'S TOTAL BUDGET THAT HAVE AN IMMEDIATE EFFECT ON THE  
20 QUALITY OF A STUDENT'S EDUCATIONAL EXPERIENCE, INCLUDING BUT NOT  
21 LIMITED TO:

22 (I) SALARIES AND BENEFITS OF SCHOOL PERSONNEL WHO HOLD  
23 EDUCATOR OR OTHER PROFESSIONAL LICENSES OR CERTIFICATIONS,  
24 INCLUDING BUT NOT LIMITED TO PRINCIPALS, ASSISTANT PRINCIPALS,  
25 ACADEMIC OR DISCIPLINARY DEANS, TEACHERS, SUBSTITUTE TEACHERS,  
26 SCHOOL LIBRARIANS AND MEDIA SPECIALISTS, SCHOOL COUNSELORS,  
27 SCHOOL NURSES, SCHOOL PSYCHOLOGISTS, AND SCHOOL SOCIAL WORKERS;

1           (II) SALARIES AND BENEFITS OF SCHOOL PERSONNEL WHO DO NOT  
2           HOLD EDUCATOR OR OTHER PROFESSIONAL LICENSES OR CERTIFICATIONS,  
3           INCLUDING BUT NOT LIMITED TO PARAPROFESSIONALS, BUS DRIVERS, FOOD  
4           SERVICE EMPLOYEES, SCHOOL SUPPORT STAFF, AND ATHLETIC COACHES;

5           (III) SUPPLIES, MATERIALS, EQUIPMENT, AND TECHNOLOGY  
6           INTENDED TO SERVE AN INSTRUCTIONAL PURPOSE;

7           (IV) INSTRUCTIONAL SERVICES PURCHASED BY A SCHOOL DISTRICT  
8           FROM INDIVIDUALS OR ENTITIES OUTSIDE THE SCHOOL DISTRICT;

9           (V) INSTRUCTIONAL SERVICES PROVIDED THROUGH ENTERPRISE  
10          PROGRAMS, INCLUDING BUT NOT LIMITED TO PRESCHOOL, FULL-DAY  
11          KINDERGARTEN, BEFORE- AND AFTER-SCHOOL PROGRAMS, TUTORING, AND  
12          EXTENDED-DAY PROGRAMS;

13          (VI) EXTRACURRICULAR STUDENT ACTIVITIES, INCLUDING BUT  
14          NOT LIMITED TO ATHLETICS; AND

15          (VII) CERTAIN SUPPORT SERVICES PROVIDED AT THE SCHOOL  
16          LEVEL, INCLUDING:

17           (A) INSTRUCTIONAL SUPPORT, INCLUDING BUT NOT LIMITED TO  
18           THE COORDINATION, DELIVERY, EVALUATION, AND TECHNOLOGICAL  
19           SUPPORT OF TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT,  
20           CURRICULUM DEVELOPMENT, AND STUDENT TESTING;

21           (B) STUDENT SUPPORT, INCLUDING BUT NOT LIMITED TO THE  
22           COORDINATION, DELIVERY, EVALUATION, AND TECHNOLOGICAL SUPPORT  
23           OF COLLEGE PLACEMENT SERVICES, STUDENT HEALTH CARE AND MEDICAL  
24           SERVICES, NUTRITIONAL SERVICES, AND ATTENDANCE AND OTHER  
25           STUDENT RECORD-KEEPING SERVICES;

26           (C) FOOD SERVICES FOR STUDENTS; AND

27           (D) TRANSPORTATION FOR STUDENTS.

1 (b) "SERVICES THAT DIRECTLY AFFECT STUDENT ACHIEVEMENT"  
2 DOES NOT INCLUDE:

3 (I) CENTRAL SCHOOL DISTRICT OFFICE SERVICES AND BUSINESS  
4 SERVICES, INCLUDING BUT NOT LIMITED TO ACCOUNTING, BUDGETING,  
5 PAYROLL, RECEIVING, PURCHASING, PLANNING, RECRUITING, HUMAN  
6 RESOURCES ADMINISTRATION, RISK MANAGEMENT ADMINISTRATION, AND  
7 COMMUNICATIONS;

8 (II) GENERAL SCHOOL DISTRICT ADMINISTRATION, INCLUDING BUT  
9 NOT LIMITED TO:

10 (A) SALARIES AND BENEFITS OF SCHOOL DISTRICT  
11 SUPERINTENDENTS, ASSISTANT SUPERINTENDENTS, AND OTHER PERSONNEL  
12 ASSOCIATED WITH CENTRAL SCHOOL DISTRICT OFFICE SERVICES AND  
13 BUSINESS SERVICES, AS THESE SERVICES ARE DESCRIBED IN  
14 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b); AND

15 (B) ADMINISTRATIVE FUNCTIONS, INCLUDING BUT NOT LIMITED TO  
16 COSTS ASSOCIATED WITH SCHOOL DISTRICT DIRECTORS, LEGAL MATTERS,  
17 AUDITS, FEES PAID TO THE COUNTY TREASURER, AND ELECTIONS; OR

18 (III) OPERATIONS AND MAINTENANCE OF FACILITIES, INCLUDING  
19 BUT NOT LIMITED TO PROPERTY INSURANCE PAYMENTS; MAINTENANCE  
20 AND REPAIR OF BUILDINGS, GROUNDS, VENTILATION SYSTEMS, EQUIPMENT,  
21 AND SECURITY SYSTEMS; AND THE SALARIES AND BENEFITS OF CUSTODIAL,  
22 MAINTENANCE, AND GROUNDS PERSONNEL.

23 (3) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION.

24 **22-54.5-104. Annual budget reporting.** (1) EACH SCHOOL  
25 DISTRICT SHALL PREPARE AN ANNUAL BUDGET AS REQUIRED BY SECTION  
26 22-44-105 AND FILE THAT BUDGET WITH THE DEPARTMENT OF EDUCATION  
27 ON OR BEFORE DECEMBER 31, 2007, AND ON OR BEFORE DECEMBER 31

1 EACH YEAR THEREAFTER.

2 (2) THE STATE BOARD SHALL DESIGNATE A STANDARD FORMAT  
3 FOR THE SCHOOL DISTRICTS' ANNUAL BUDGETS BY JULY 1, 2007.

4 (3) EACH SCHOOL DISTRICT SHALL ADOPT THE DESIGNATED  
5 ANNUAL BUDGET FORMAT PURSUANT TO SECTION 22-44-110. THE  
6 STANDARD FORMAT FOR THE ANNUAL BUDGET SHALL SUMMARIZE  
7 REVENUES BY REVENUE SOURCE AND SHALL SUMMARIZE EXPENDITURES  
8 BY FUNCTION, FUND, AND OBJECT AS THESE TERMS ARE DEFINED IN  
9 SECTION 22-44-102.

10 (4) THE ANNUAL BUDGET REPORT FORMAT DESIGNATED BY THE  
11 STATE BOARD SHALL BE SUBSTANTIALLY CONSISTENT FROM YEAR TO  
12 YEAR.

13 **22-54.5-105. Expenditures on student services.** (1) EXCEPT AS  
14 OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION AND IN SECTION  
15 22-54.5-106 (2), IN THE 2007-08 BUDGET YEAR, AND IN EACH BUDGET  
16 YEAR THEREAFTER, EACH SCHOOL DISTRICT SHALL SPEND AT LEAST  
17 SEVENTY-FIVE PERCENT OF ITS OPERATIONAL EXPENDITURES ON SERVICES  
18 THAT DIRECTLY AFFECT STUDENT ACHIEVEMENT. EXPENDITURES BY A  
19 CHARTER SCHOOL WITHIN A SCHOOL DISTRICT SHALL NOT BE CONSIDERED  
20 EXPENDITURES BY THAT SCHOOL DISTRICT.

21 (2) A SCHOOL DISTRICT MAY HOLD A PUBLIC ELECTION FOR THE  
22 PURPOSE OF DETERMINING WHETHER VOTERS IN THE SCHOOL DISTRICT  
23 WISH TO EXEMPT THE SCHOOL DISTRICT FROM THE OPERATIONAL  
24 EXPENDITURES REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS  
25 SECTION. IF A MAJORITY OF VOTERS IN A SCHOOL DISTRICT VOTE TO  
26 EXEMPT THE SCHOOL DISTRICT FROM THE OPERATIONAL EXPENDITURES  
27 REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE SCHOOL

1 DISTRICT SHALL BE EXEMPT FROM THE OPERATIONAL EXPENDITURES  
2 REQUIREMENT.

3 (3) THE STATE BOARD SHALL ANNUALLY DETERMINE WHETHER A  
4 SCHOOL DISTRICT HAS SATISFIED THE OPERATIONAL EXPENDITURES  
5 REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION. THE STATE  
6 BOARD SHALL BASE THIS DETERMINATION UPON THE END-OF-YEAR  
7 FINANCIAL AUDIT OF THE SCHOOL DISTRICT'S BUDGET CONDUCTED  
8 PURSUANT TO SECTION 22-32-109 (1) (k) AND NOT UPON THE ANNUAL  
9 BUDGET PREPARED BY THE SCHOOL DISTRICT PURSUANT TO SECTIONS  
10 22-44-105 AND 22-54.5-104.

11 (4) BEFORE DECEMBER 31, 2008, AND BEFORE DECEMBER 31 EACH  
12 YEAR THEREAFTER, THE STATE BOARD SHALL REPORT TO THE GENERAL  
13 ASSEMBLY A LIST OF ALL SCHOOL DISTRICTS IN THE STATE THAT:

14 (a) FAILED IN THE PRECEDING SCHOOL YEAR TO SATISFY THE  
15 OPERATIONAL EXPENDITURES REQUIREMENT SPECIFIED IN SUBSECTION (1)  
16 OF THIS SECTION; AND

17 (b) ARE NOT EXEMPT FROM THE OPERATIONAL EXPENDITURES  
18 REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION AS A RESULT  
19 OF A LOCAL ELECTION HELD PURSUANT TO SUBSECTION (2) OF THIS  
20 SECTION OR A WAIVER ISSUED PURSUANT TO SECTION 22-54.5-106 (2) (a).

21 (5) THE GENERAL ASSEMBLY MAY IMPOSE SANCTIONS UPON A  
22 SCHOOL DISTRICT THAT FAILS TO SATISFY THE OPERATIONAL  
23 EXPENDITURES REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS  
24 SECTION UNLESS THE SCHOOL DISTRICT IS EXEMPT FROM THE  
25 REQUIREMENT AS A RESULT OF A LOCAL ELECTION HELD PURSUANT TO  
26 SUBSECTION (2) OF THIS SECTION OR A WAIVER ISSUED PURSUANT TO  
27 SECTION 22-54.5-106 (2) (a).

1           **22-54.5-106. Enforcement - waivers - local elections.**

2           (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) AND (3) OF THIS  
3           SECTION, IF A SCHOOL DISTRICT FAILS TO SATISFY THE OPERATIONAL  
4           EXPENDITURES REQUIREMENT SPECIFIED IN SECTION 22-54.5-105 (1) IN  
5           THE 2007-08 BUDGET YEAR OR A BUDGET YEAR THEREAFTER, THE SCHOOL  
6           DISTRICT SHALL INCREASE ITS OPERATIONAL EXPENDITURES ON SERVICES  
7           THAT DIRECTLY AFFECT STUDENT ACHIEVEMENT BY TWO PERCENT OF ITS  
8           TOTAL OPERATIONAL EXPENDITURES EACH YEAR UNTIL THE SCHOOL  
9           DISTRICT SATISFIES THE OPERATIONAL EXPENDITURES REQUIREMENT  
10          SPECIFIED IN SECTION 22-54.5-105 (1).

11          (2) (a) A SCHOOL DISTRICT THAT HAS FAILED TO SATISFY THE  
12          OPERATIONAL EXPENDITURES REQUIREMENT SPECIFIED IN SECTION  
13          22-54.5-105 (1) MAY APPLY TO THE STATE BOARD FOR A WAIVER,  
14          PURSUANT TO SECTION 22-2-117, EXCUSING THE SCHOOL DISTRICT FROM  
15          COMPLIANCE WITH THE OPERATIONAL EXPENDITURES REQUIREMENT.

16          (b) A SCHOOL DISTRICT THAT APPLIES FOR A WAIVER PURSUANT TO  
17          THIS SUBSECTION (2) SHALL SPECIFY IN THE APPLICATION THE MANNER IN  
18          WHICH IT SHALL COMPLY WITH THE INTENT OF THE OPERATIONAL  
19          EXPENDITURES REQUIREMENT AND SHALL BE ACCOUNTABLE TO THE STATE  
20          BOARD FOR SUCH COMPLIANCE.

21          (c) IF A SCHOOL DISTRICT THAT HAS FAILED TO MEET THE  
22          OPERATIONAL EXPENDITURES REQUIREMENT SPECIFIED IN SECTION  
23          22-54.5-105 (1) APPLIES TO THE STATE BOARD FOR A WAIVER PURSUANT  
24          TO THIS SUBSECTION (2), THE STATE BOARD MAY, PURSUANT TO SECTION  
25          22-2-117, APPROVE A WAIVER EXCUSING THE SCHOOL DISTRICT FROM  
26          COMPLIANCE WITH THE OPERATIONAL EXPENDITURES REQUIREMENT.

27          (d) THE STATE BOARD MAY IDENTIFY CRITERIA FOR APPROVAL OR

1 DENIAL OF A WAIVER PURSUANT TO THIS SUBSECTION (2).

2 (e) IF THE STATE BOARD GRANTS A WAIVER TO A SCHOOL DISTRICT  
3 PURSUANT TO THIS SUBSECTION (2), THE STATE BOARD MAY ORALLY  
4 NOTIFY THE SCHOOL DISTRICT OF THE DECISION TO GRANT THE WAIVER.  
5 IF THE STATE BOARD DENIES A WAIVER TO A SCHOOL DISTRICT PURSUANT  
6 TO THIS SUBSECTION (2), THE STATE BOARD SHALL NOTIFY THE SCHOOL  
7 DISTRICT IN WRITING THAT THE REQUEST HAS BEEN DENIED AND SPECIFY  
8 THE REASONS FOR THE DENIAL.

9 (f) IF THE STATE BOARD GRANTS A WAIVER TO A SCHOOL DISTRICT  
10 PURSUANT TO THIS SUBSECTION (2), THE WAIVER SHALL BE VALID FOR ONE  
11 YEAR, AFTER WHICH TIME THE SCHOOL DISTRICT SHALL EITHER:

12 (I) MEET THE OPERATIONAL EXPENDITURES REQUIREMENT  
13 SPECIFIED IN SECTION 22-54.5-105 (1);

14 (II) REAPPLY TO THE STATE BOARD FOR ANOTHER WAIVER; OR

15 (III) BECOME EXEMPT FROM THE OPERATIONAL EXPENDITURES  
16 REQUIREMENT SPECIFIED IN SECTION 22-54.5-105 (1) AS THE RESULT OF A  
17 PUBLIC ELECTION HELD PURSUANT TO SECTION 22-54.5-105 (2).

18 (3) PURSUANT TO SECTION 22-54.5-105 (2), THE VOTERS OF A  
19 SCHOOL DISTRICT MAY, THROUGH A PUBLIC ELECTION, EXEMPT THE  
20 SCHOOL DISTRICT FROM THE OPERATIONAL EXPENDITURES REQUIREMENT  
21 SPECIFIED IN SECTION 22-54.5-105 (1).

22 **SECTION 2.** 22-44-111, Colorado Revised Statutes, is amended  
23 BY THE ADDITION OF A NEW SUBSECTION to read:

24 **22-44-111. Budget - filing.** (3) THE BOARD OF EDUCATION SHALL  
25 REPORT ITS ADOPTED BUDGET TO THE DEPARTMENT OF EDUCATION ON OR  
26 BEFORE DECEMBER 31, 2007, AND ON OR BEFORE DECEMBER 31 EACH  
27 YEAR THEREAFTER, IN ACCORDANCE WITH SECTION 22-54.5-104.

1           **SECTION 3. Appropriation.** In addition to any other  
2           appropriation, there is hereby appropriated, out of any moneys in the  
3           general fund not otherwise appropriated, to the department of education,  
4           for the fiscal year beginning July 1, 2006, the sum of twenty-five  
5           thousand two hundred forty-five dollars (\$25,245) and 0.3 FTE, or so  
6           much thereof as may be necessary, for the implementation of this act.

7           **SECTION 4. Safety clause.** The general assembly hereby finds,  
8           determines, and declares that this act is necessary for the immediate  
9           preservation of the public peace, health, and safety.