

SB256_L.059

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee_____
DateCommittee on Education.

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

SB09-256 be amended as follows:

- 1 Amend reengrossed bill, page 3, strike lines 9 through 14.
- 2 Strike pages 4 and 5.
- 3 Page 6, strike lines 1 and 2.
- 4 Renumber succeeding sections accordingly.
- 5 Page 8, strike lines 15 through 27.
- 6 Page 9, strike lines 1 through 21 and substitute the following:
 - 7 "SECTION 4. The introductory portion to 22-54-104 (2) (a)
 - 8 (VIII), Colorado Revised Statutes, is amended to read:
 - 9 **22-54-104. District total program.** (2) (a) (VIII) Except as
 - 10 otherwise provided in this subsection (2), ~~subsection (6)~~ PARAGRAPH(g)
 - 11 OF SUBSECTION (5) OR SUBSECTION (6) of this section, or section
 - 12 22-54-104.3, a district's total program for the 2007-08 budget year and
 - 13 budget years thereafter shall be the greater of the following:
 - 14 **SECTION 5.** 22-54-104 (5), Colorado Revised Statutes, is
 - 15 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
 - 16 (5) For purposes of the formulas used in this section:



1 (g) (I) IF THE GENERAL ASSEMBLY DETERMINES IN A BUDGET YEAR
2 THAT A STATE FINANCIAL CRISIS REQUIRES A REDUCTION OF THE ANNUAL
3 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL
4 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, THE
5 GENERAL ASSEMBLY BY BILL SHALL SPECIFY THE TOTAL AMOUNT OF THE
6 REDUCTION. USING THE TOTAL AMOUNT OF THE REDUCTION, THE
7 DEPARTMENT SHALL CALCULATE THE FINANCIAL CRISIS FACTOR FOR THE
8 APPLICABLE BUDGET YEAR AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
9 PARAGRAPH (g) AND SHALL APPLY THE FINANCIAL CRISIS FACTOR TO THE
10 CALCULATION OF EACH DISTRICT'S TOTAL PROGRAM AND TO THE
11 CALCULATION OF EACH INSTITUTE CHARTER SCHOOL'S FUNDING FOR THE
12 APPLICABLE BUDGET YEAR.

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

32 (III) FOR THE 2009-10 BUDGET YEAR, THE REDUCTION IN THE
33 APPROPRIATION FOR THE STATE'S SHARE OF TOTAL PROGRAM SHALL BE
34 ONE HUNDRED TEN MILLION DOLLARS."

35 Page 21, after line 5, insert the following:

36 "SECTION 12. 22-54-106 (1) (b), Colorado Revised Statutes, is
37 amended, and the said 22-54-106 is further amended BY THE



1 ADDITION OF A NEW SUBSECTION, to read:

2 **22-54-106. Local and state shares of district total program.**
3 (1) (b) Except as provided in subsections ~~(8)~~ and ~~(11)~~ SUBSECTIONS (8),
4 (11), AND (12) of this section, the state's share of a district's total program
5 shall be the difference between the district's total program and the
6 district's share of its total program; except that no district shall receive
7 less in state aid than an amount established by the general assembly in the
8 annual general appropriation act based upon the amount of school lands
9 and mineral lease moneys received pursuant to the provisions of article
10 41 of this title and section 34-63-102 (2), C.R.S., multiplied by the
11 district's funded pupil count.

12 (12) IF THE GENERAL ASSEMBLY DETERMINES IN A BUDGET YEAR
13 THAT A STATE FINANCIAL CRISIS REQUIRES A REDUCTION OF THE ANNUAL
14 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL
15 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS AND
16 APPLIES THE FINANCIAL CRISIS FACTOR AS DETERMINED PURSUANT TO
17 SECTION 22-54-104 (5) (g), THE STATE'S SHARE FOR EACH DISTRICT SHALL
18 BE REDUCED BY THE AMOUNT OF THE REDUCTION IN THE DISTRICT'S TOTAL
19 PROGRAM AS CALCULATED PURSUANT TO SECTION 22-54-104 (5) (g) (II),
20 OR BY THE TOTAL AMOUNT OF THE DISTRICT'S STATE SHARE, WHICHEVER
21 IS LESS. THE FUNDING FOR EACH INSTITUTE CHARTER SCHOOL SHALL BE
22 REDUCED IN PROPORTION TO THE REDUCTION IN THE TOTAL PROGRAM OF
23 THE DISTRICT FROM WHICH THE INSTITUTE CHARTER SCHOOL'S FUNDING IS
24 WITHHELD."

25 Renumber succeeding sections accordingly.

26 Page 63, strike lines 26 and 27.

27 Page 64, strike lines 1 through 11.

28 Reletter succeeding paragraphs accordingly.

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