

Colorado Legislative Council Staff Fiscal Note

LOCAL

CONDITIONAL FISCAL IMPACT

Drafting Number: LLS 09-0739

Date: February 13, 2009

Prime Sponsor(s): Sen. Spence

Bill Status: Senate Education

Fiscal Analyst: Josh Abram (303-866-3561)

TITLE: CONCERNING CHARTER SCHOOL PARTICIPATION IN SCHOOL DISTRICT BOND ELECTIONS.

Fiscal Impact Summary	FY 2009-2010	FY 2010-2011
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: The bill is effective 90 days following final adjournment of the General Assembly unless a referendum petition is filed (August 4, 2009, if final adjournment is May 6, 2009).		
Appropriation Summary for FY 2009-2010: None required.		
Local School District Impact: See Local School District section.		

Summary of Legislation

This bill requires that a school district that is considering a bond election to finance capital construction invite district charter schools to take part in discussions for such an election no later than June 1 in the affected election year. The bill removes the requirement in current law that school districts evaluate:

- ▶ the capital construction plans submitted by district charter schools; or
- ▶ the necessity to incur debt or raise revenue from a mill levy to fund the capital construction of district charter schools.

School districts are required to prioritize the needs of charter school capital construction in relation to the needs of the entire district, and notify the charter school in writing if the district has so prioritized.

If a school district does prioritize the capital construction needs, it must include these costs in the ballot question. The bill removes the option of submitting a separate mill levy for these costs. If a school district does not prioritize the needs, the district must inform the charter school in writing and include the reasons specifying why the needs were not included in the prioritized list; however, if differences cannot be resolved, the district shall include the charter school's capital construction needs in the ballot question.

Charter schools may request that a school district board submit a ballot question to approve a special mill levy; however, the charter school must pay for any cost of submitting such a ballot question. If the school district submits a separate mill levy ballot question at the same time as a bond ballot question, costs for the separate question shall be borne as agreed upon between the school district and the charter school.

The bill removes the requirement that any charter school capital construction financed by bonds automatically revert to the district if the charter school loses its charter, fails to pay for the capital construction, or ceases to operate.

Local School District Impact

This bill requires that school districts include the amount requested for district charter school capital construction in any bond election conducted for their own capital construction needs. Requiring the school district to include the needs of charter schools may increase the total amount requested in a ballot question. Any change to revenue or expenditures for school district capital construction is conditioned on voter approval of the bonds. For this reason, the bill is assessed as having a conditional fiscal impact on school districts.

Departments Contacted

Education

Secretary of State

County Clerks