

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**REENGROSSED**

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

LLS NO. 07-0496.01 Jane Ritter

**SENATE BILL 07-140**

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**SENATE SPONSORSHIP**

**Spence,** Wiens, Kopp, Harvey, Kester, McElhany, and Penry

**HOUSE SPONSORSHIP**

**Benfield,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF A TEACHER IDENTIFIER SYSTEM, AND,**  
102 **IN CONNECTION THEREWITH, CREATING THE QUALITY**  
103 **TEACHERS COMMISSION.**

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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.)*

Creates the effective teachers commission in the department of education ("department") to study the teacher gap in Colorado and to develop and implement a unique teacher identifier system by July 1, 2009. Instructs the department to implement the teacher identifier system. Creates the effective teachers fund.

Repeals the commission effective July 1, 2009.

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.*

SENATE  
3rd Reading Unamended  
February 23, 2007

SENATE  
Amended 2nd Reading  
February 22, 2007

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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 68**

5 **Quality Teachers Commission**

6 **22-68-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY  
7 **BE CITED AS THE "QUALITY TEACHERS ACT".**

8 **22-68-102. Legislative declaration.** (1) **THE GENERAL**  
9 **ASSEMBLY HEREBY FINDS AND DECLARES THAT:**

10 **(a) THE EDUCATION OF COLORADO'S CHILDREN IS IMPORTANT TO**  
11 **THE FUTURE OF THE STATE OF COLORADO, AND EACH CHILD IN COLORADO**  
12 **DESERVES A QUALITY EDUCATION. RESEARCH SHOWS THAT QUALITY**  
13 **EDUCATION INCREASES CORRESPONDINGLY WITH THE QUALITY AND**  
14 **EXPERIENCE OF TEACHERS AND PRINCIPALS.**

15 **(b) IN ITS DECEMBER 2006 REPORT, THE ALLIANCE FOR QUALITY**  
16 **TEACHING IDENTIFIED A SIGNIFICANT AND WIDENING "TEACHER GAP" THAT**  
17 **IS CORRELATED WITH STUDENT ACHIEVEMENT. THE TEACHER GAP REFERS**  
18 **TO THE PHENOMENON THAT POOR AND MINORITY STUDENTS ARE MORE**  
19 **LIKELY TO BE INSTRUCTED BY LESS-QUALIFIED OR LESS-EXPERIENCED**  
20 **TEACHERS THAN THEIR MORE AFFLUENT AND WHITE PEERS.**

21 **(c) RECENT RESEARCH CONFIRMS THAT A COORDINATED AND**  
22 **COMPREHENSIVE STATEWIDE DATA SYSTEM TO TRACK TEACHERS IS**  
23 **NECESSARY TO MAKE INFORMED POLICY DECISIONS TO ENHANCE THE**  
24 **QUALITY OF TEACHERS AND PRINCIPALS. THIS SYSTEM WOULD NOT ONLY**  
25 **TRACK DEMOGRAPHIC AND LICENSURE INFORMATION ABOUT TEACHERS,**

1 BUT ALSO WOULD HAVE THE ABILITY TO MONITOR CRITICAL FEATURES OF  
2 THE TEACHER AND PRINCIPAL WORKFORCE, INCLUDING CREDENTIALS,  
3 ENDORSEMENTS, QUALIFICATIONS, TURNOVER, PROJECTED SHORTAGES,  
4 DISTRIBUTION PATTERNS, AND WORKING CONDITIONS.

5 (d) COLORADO CURRENTLY MAINTAINS THREE SEPARATE  
6 STATE-LEVEL DATA SYSTEMS TO TRACK THE EMERGING AND CURRENT  
7 TEACHER AND PRINCIPAL WORKFORCE. WHILE THIS INFORMATION IS  
8 ADEQUATE FOR PROVIDING INFORMATION ABOUT THE OVERALL QUALITY  
9 OF TEACHERS AND PRINCIPALS AT A FIXED POINT IN TIME, DUE TO  
10 CAPACITY, ACCURACY, COORDINATION, AND ACCESSIBILITY, THE DATA IN  
11 THESE SYSTEMS ARE INSUFFICIENT TO LONGITUDINALLY ASSESS QUALITY  
12 AND EXPERIENCE OF TEACHERS AND PRINCIPALS.

13 (e) THERE IS A CLEAR AND PRESENT NEED TO ENHANCE  
14 COLORADO'S EDUCATIONAL DATA SYSTEMS TO PROVIDE POLICYMAKERS  
15 WITH THE ACCURATE AND EFFECTIVE DATA REQUIRED TO BEGIN  
16 ADDRESSING QUESTIONS ABOUT QUALITY TEACHING AND LEARNING.

17 (f) ALTHOUGH COLORADO HAS TAKEN A MAJOR STEP TOWARD  
18 IMPROVING DATA THROUGH THE ENACTMENT OF HOUSE BILL 07-1048,  
19 WHICH CONCERNS LONGITUDINAL ANALYSIS OF STUDENT ASSESSMENTS,  
20 A COMPREHENSIVE LONGITUDINAL SYSTEM MUST ALSO INCLUDE THE  
21 DEVELOPMENT AND ADOPTION OF A UNIQUE TEACHER AND PRINCIPAL  
22 IDENTIFIER SYSTEM, INCLUDING A WELL-DESIGNED SYSTEM FOR  
23 INTEGRATING THE IDENTIFIER INTO EXISTING AND EMERGING DATABASES,  
24 IN PARTICULAR THE LONGITUDINAL GROWTH MODEL BEING DEVELOPED AS  
25 A RESULT OF HOUSE BILL 07-1048. THE IDENTIFIER WOULD PROVIDE THE  
26 MEANS TO UNDERSTAND THE CONNECTIONS AMONG STUDENT ACADEMIC  
27 GROWTH, TEACHER AND PRINCIPAL TRAINING, TEACHER QUALIFICATIONS,

1 AND TEACHER WORKING CONDITIONS, INCLUDING DEMOGRAPHICS,  
2 INDUCTION, PROFESSIONAL DEVELOPMENT, AND SCHOOL LEADERSHIP.

3 (g) THE IDENTIFIER SYSTEM AND EXISTING AND EMERGING  
4 DATABASES, IN PARTICULAR THE LONGITUDINAL GROWTH MODEL BEING  
5 DEVELOPED AS A RESULT OF HOUSE BILL 07-1048, SHOULD BE DESIGNED  
6 AND INTEGRATED IN SUCH A WAY AS TO ADEQUATELY AND  
7 SATISFACTORILY BALANCE PROTECTIONS FOR TEACHERS AND PRINCIPALS  
8 WHILE STILL PROVIDING BENEFICIAL INFORMATION TO POLICYMAKERS.  
9 THE IDENTIFIER SYSTEM SHOULD ALSO BE DESIGNED TO CREATE A  
10 POSITIVE IMPACT ON TEACHING AND LEARNING AND AT NO TIME SHOULD  
11 STATE LEVEL PUNITIVE ACTION RESULT FROM ANY DATA PRODUCED  
12 THROUGH THE USE OF THE IDENTIFIER.

13 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE  
14 BEST INTERESTS OF THE CITIZENS OF THE STATE OF COLORADO TO CREATE  
15 A COMMISSION TO ASSESS THE DEVELOPMENT AND IMPLEMENTATION OF  
16 A UNIQUE TEACHER IDENTIFIER SYSTEM THAT WOULD BE INTEGRATED  
17 WITH EXISTING AND EMERGING EDUCATIONAL DATABASES, IN PARTICULAR  
18 THE LONGITUDINAL GROWTH MODEL BEING DEVELOPED AS A RESULT OF  
19 HOUSE BILL 07-1048. THE COMMISSION SHALL ALSO STUDY THE TEACHER  
20 GAP AND RECOMMEND WAYS TO EFFECTIVELY RESOLVE IT FOR THE  
21 BETTERMENT OF THE CHILDREN OF COLORADO AND TO DEVELOP POLICY  
22 TOOLS TO ASSIST SCHOOL DISTRICTS IN CLOSING THE TEACHER GAP.

23 **22-68-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "COMMISSION" MEANS THE QUALITY TEACHERS COMMISSION  
26 CREATED PURSUANT TO SECTION 22-68-104.

27 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION

1 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

2 (3) "FUND" MEANS THE QUALITY TEACHERS FUND CREATED IN  
3 SECTION 22-68-105.

4 (4) "IDENTIFIER" MEANS A UNIQUE TEACHER IDENTIFIER AS  
5 STUDIED BY THE COMMISSION PURSUANT TO SECTION 22-68-104.

6 (5) "PRINCIPAL" MEANS ANY PERSON WHO IS EMPLOYED AS THE  
7 CHIEF EXECUTIVE OFFICER OR AN ASSISTANT CHIEF EXECUTIVE OFFICER OF  
8 ANY SCHOOL IN THE STATE AND WHO ADMINISTERS, DIRECTS, OR  
9 SUPERVISES THE EDUCATION INSTRUCTIONAL PROGRAM IN SUCH SCHOOL.

10 (6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
11 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE  
12 STATE CONSTITUTION.

13 (7) "TEACHER" MEANS A PERSON:

14 (a) WHO HOLDS AN ALTERNATIVE, AN INITIAL, OR A PROFESSIONAL  
15 TEACHER LICENSE ISSUED PURSUANT TO THE PROVISIONS OF ARTICLE 60.5  
16 OF THIS TITLE AND WHO IS EMPLOYED BY A SCHOOL DISTRICT TO INSTRUCT,  
17 DIRECT, OR SUPERVISE AN INSTRUCTIONAL PROGRAM; OR

18 (b) WHO IS EMPLOYED BY A DISTRICT CHARTER SCHOOL OR AN  
19 INSTITUTE CHARTER SCHOOL TO INSTRUCT, DIRECT, OR SUPERVISE AN  
20 INSTRUCTIONAL PROGRAM.

21 (8) "TEACHER GAP" MEANS THE DOCUMENTED PHENOMENON THAT  
22 A POOR OR MINORITY STUDENT IS MORE LIKELY TO BE TAUGHT BY A  
23 LESS-QUALIFIED OR LESS-EXPERIENCED TEACHER THAN THE STUDENT'S  
24 MORE AFFLUENT OR WHITE PEERS.

25 **22-68-104. Quality teachers commission - creation -**  
26 **membership - duties.** (1) THERE IS HEREBY CREATED IN THE  
27 DEPARTMENT THE QUALITY TEACHERS COMMISSION. THE COMMISSION

1 SHALL HAVE THE FOLLOWING PURPOSES:

2 (a) TO EXAMINE THE TEACHER GAP IN COLORADO TO DETERMINE  
3 WHY IT EXISTS, WHY IT IS WIDENING, AND HOW IT DIRECTLY AFFECTS  
4 STUDENT ACHIEVEMENT;

5 (b) TO GATHER FROM SCHOOL DISTRICTS DATA CONCERNING  
6 POLICIES AND PRACTICES THAT HAVE BEEN FOUND TO BE EFFECTIVE IN  
7 REDUCING THE TEACHER GAP IN EACH SCHOOL DISTRICT AND, ON THE  
8 BASIS OF THE DATA, TO MAKE SPECIFIC RECOMMENDATIONS FOR REDUCING  
9 THE TEACHER GAP STATEWIDE;

10 (c) TO STUDY THE FEASIBILITY OF ESTABLISHING AN IDENTIFIER  
11 PROTOCOL FOR TEACHERS AND A STRUCTURE FOR INTEGRATING THE  
12 IDENTIFIER INTO THE STATE'S EXISTING AND EMERGING EDUCATIONAL  
13 DATABASES, IN PARTICULAR THE LONGITUDINAL GROWTH MODEL BEING  
14 DEVELOPED AS A RESULT OF HOUSE BILL 07-1048, TO IMPROVE DATA  
15 QUALITY AND INCREASE THE KNOWLEDGE BASE REGARDING TEACHING  
16 AND ITS RELATIONSHIP WITH STUDENT LEARNING; AND

17 (d) TO STUDY THE FEASIBILITY OF ESTABLISHING AN IDENTIFIER  
18 PROTOCOL FOR PRINCIPALS THAT WOULD BE INTEGRATED WITH A TEACHER  
19 IDENTIFIER PROTOCOL AND THE STATE'S EXISTING AND EMERGING  
20 EDUCATIONAL DATABASES, IN PARTICULAR THE LONGITUDINAL GROWTH  
21 MODEL BEING DEVELOPED AS A RESULT OF HOUSE BILL 07-1048.

22 (2) (a) THE COMMISSION SHALL CONSIST OF THIRTEEN  
23 COMMISSIONERS TO BE APPOINTED BY THE GOVERNOR ON OR BEFORE JULY  
24 1, 2007. THE COMMISSION SHALL CONSIST OF THE FOLLOWING  
25 MEMBERSHIP:

26 (I) ONE REPRESENTATIVE FROM THE STATE BOARD;

27 (II) ONE REPRESENTATIVE FROM THE DEPARTMENT WHO HAS

1 EXPERTISE IN DATA SYSTEMS;  
2 (III) ONE REPRESENTATIVE FROM THE COLORADO COMMISSION ON  
3 HIGHER EDUCATION;  
4 (IV) ONE REPRESENTATIVE FROM THE GOVERNOR'S OFFICE;  
5 (V) ONE REPRESENTATIVE FROM A STATEWIDE MEMBERSHIP  
6 ORGANIZATION THAT REPRESENTS TEACHERS;  
7 (VI) ONE REPRESENTATIVE FROM A STATEWIDE ORGANIZATION  
8 THAT REPRESENTS SCHOOL EXECUTIVES;  
9 (VII) ONE REPRESENTATIVE FROM A STATEWIDE ORGANIZATION  
10 THAT REPRESENTS SCHOOL DISTRICT BOARDS OF EDUCATION;  
11 (VIII) ONE SCHOOL PRINCIPAL;  
12 (IX) TWO TEACHERS WHO COMPLETED THEIR TEACHER  
13 PREPARATION IN COLORADO;  
14 (X) ONE PARENT OF A STUDENT ENROLLED IN A PUBLIC SCHOOL;  
15 (XI) ONE REPRESENTATIVE FROM AN EDUCATION POLICY OR  
16 ADVOCACY GROUP; AND  
17 (XII) ONE REPRESENTATIVE FROM AN EXISTING COUNCIL WHOSE  
18 MEMBERS ARE DEANS OF EDUCATION.  
19 (b) THE COMMISSIONERS SHALL SERVE WITHOUT COMPENSATION  
20 AND WITHOUT REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES  
21 INCURRED IN THE PERFORMANCE OF THEIR DUTIES.  
22 (c) THE FIRST MEETING OF THE COMMISSION SHALL OCCUR ON OR  
23 BEFORE AUGUST 1, 2007. SUBSEQUENT MEETING SCHEDULES SHALL BE  
24 DETERMINED BY THE COMMISSION. AT THE FIRST MEETING OF THE  
25 COMMISSION, THE COMMISSIONERS SHALL ELECT A CHAIRPERSON AND A  
26 VICE-CHAIRPERSON FROM THE MEMBERSHIP.  
27 (3) THE COMMISSION SHALL FUNCTION FOR A TWO-YEAR PERIOD.

1 ON OR BEFORE JANUARY 15, 2008, AND AGAIN ON OR BEFORE JANUARY  
2 15, 2009, THE COMMISSION SHALL REPORT THE OUTCOMES OF ITS DUTIES  
3 TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND  
4 THE SENATE, OR ANY SUCCESSOR COMMITTEES. THE COMMISSION SHALL  
5 MAKE A FINAL REPORT ON OR BEFORE JULY 1, 2009, ON ITS FINDINGS AND  
6 DUTIES TO THE EDUCATION COMMITTEES OF THE HOUSE OF  
7 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

8 (4) THE COMMISSION'S DUTIES FOR THE FIRST YEAR SHALL  
9 INCLUDE, AT A MINIMUM:

10 (a) PERFORMING A DETAILED EXAMINATION OF THE TEACHER GAP  
11 AT THE STATE, SCHOOL DISTRICT, AND SCHOOL LEVELS; AND

12 (b) CREATING A WELL-DESIGNED POLICY FOR ESTABLISHING AN  
13 IDENTIFIER PROTOCOL. IN DESIGNING THE IDENTIFIER PROTOCOL, THE  
14 COMMISSION SHALL CONSIDER THE FOLLOWING:

15 (I) CLEAR PARAMETERS FOR WHERE THE IDENTIFIER WILL BE  
16 HOUSED, HOW IT WILL OPERATE, WHAT DATA WILL BE COLLECTED, AND  
17 HOW DATA WILL BE ACCESSED AND DISSEMINATED;

18 (II) HOW TO INTEGRATE THE IDENTIFIER INTO EXISTING AND  
19 EMERGING DATA SYSTEMS, IN PARTICULAR THE LONGITUDINAL GROWTH  
20 MODEL BEING DEVELOPED AS A RESULT OF HB 07-1048, AS SEAMLESSLY  
21 AS POSSIBLE WHILE CONSIDERING CAPACITY, PERSONNEL, FISCAL, AND  
22 RESOURCE CONDITIONS;

23 (III) THE CAPACITY OF THE DEPARTMENT TO IMPLEMENT AN  
24 IDENTIFIER PROTOCOL, INCLUDING THE STAFFING, EXTERNAL TECHNICAL  
25 EXPERTISE, TECHNOLOGY, AND INFRASTRUCTURE NECESSARY FOR  
26 SUCCESSFUL IMPLEMENTATION;

27 (IV) THE IDENTIFICATION OF PROTECTIONS FOR INDIVIDUAL

1 TEACHERS AND PRINCIPALS IN RELATION TO HOW THE IDENTIFIER DATA  
2 WILL BE USED;

3 (V) HOW TO CREATE A PILOT IDENTIFIER PROTOCOL DURING THE  
4 COMMISSION'S SECOND YEAR SO THE COMMISSION CAN MONITOR AND  
5 STUDY ITS OPERATION BEFORE FULL IMPLEMENTATION IF THE COMMISSION  
6 RECOMMENDS PROCEEDING WITH FULL IMPLEMENTATION OF AN IDENTIFIER  
7 PROTOCOL AT THE END OF ITS SECOND YEAR; AND

8 (VI) FACTORS OR PROBLEMS THAT MAY ARISE AS A RESULT OF  
9 IMPLEMENTING TEACHER AND PRINCIPAL IDENTIFIER PROTOCOLS,  
10 INCLUDING BUT NOT LIMITED TO STATE INTERFERENCE IN THE LOCAL  
11 BARGAINING PROCESS, PUBLIC CONCERN REGARDING THE TRANSFER OF  
12 QUALITY TEACHERS AWAY FROM HIGH-PERFORMING SCHOOLS, AND  
13 FACTORS THAT IMPACT THE PRODUCTIVITY AND MORALE OF QUALITY  
14 TEACHERS IN LOW-PERFORMING SCHOOLS.

15 (c) IDENTIFYING POSITIVE USES FOR THE DATA GLEANED FROM A  
16 TEACHER IDENTIFIER SYSTEM TO IMPROVE TEACHING AND LEARNING,  
17 INCLUDING BUT NOT LIMITED TO IMPROVEMENT OF TEACHER PREPARATION  
18 PROGRAMS, TEACHER INDUCTION, PROFESSIONAL DEVELOPMENT,  
19 WORKING CONDITIONS, AND MENTOR PROGRAMS.

20 (d) DEVELOPING A SET OF RECOMMENDATIONS FOR THE GENERAL  
21 ASSEMBLY TO CONSIDER CONCERNING WHETHER TO PROCEED WITH  
22 IMPLEMENTING A PILOT IDENTIFIER PROTOCOL, AND, IF SO, HOW IT SHOULD  
23 BE STRUCTURED.

24 (5) THE COMMISSION'S DUTIES FOR THE SECOND YEAR SHALL  
25 INCLUDE, AT A MINIMUM:

26 (a) CONTINUING TO GATHER AND STUDY INFORMATION ON THE  
27 TEACHER GAP, INCLUDING SUCCESSES AND SETBACKS IN ADDRESSING AND

1 REDUCING THE TEACHER GAP;

2 (b) MAKING POLICY RECOMMENDATIONS TO THE GENERAL  
3 ASSEMBLY FOR REDUCING THE TEACHER GAP IN THE SHORT-TERM AND  
4 ELIMINATING THE TEACHER GAP IN THE LONG-TERM;

5 (c) MONITORING AND STUDYING A PILOT IDENTIFIER PROTOCOL, IF  
6 ONE IS RECOMMENDED BY THE COMMISSION AT THE END OF THE FIRST  
7 YEAR AND ESTABLISHED BY THE DEPARTMENT, AND MAKING  
8 RECOMMENDATIONS FOR REMOVING SYSTEM DEFICIENCIES, IMPROVING  
9 THE SYSTEM, AND PREPARING FOR A STATEWIDE IMPLEMENTATION OF AN  
10 IDENTIFIER SYSTEM; AND

11 (d) BY THE END OF THE SECOND YEAR, HAVING A STATEWIDE  
12 IDENTIFIER SYSTEM READY FOR IMPLEMENTATION IF A STATEWIDE  
13 IDENTIFIER SYSTEM IS RECOMMENDED BY THE COMMISSION AT THE END OF  
14 THE SECOND YEAR.

15 (6) (a) AT THE END OF THE FIRST YEAR, IF THE COMMISSION  
16 RECOMMENDS THE ESTABLISHMENT OF AN IDENTIFIER PROTOCOL, THE  
17 DEPARTMENT SHALL IMPLEMENT A PILOT IDENTIFIER PROTOCOL, SUBJECT  
18 TO AVAILABLE FUNDING FROM GIFTS, GRANTS, AND DONATIONS.

19 (b) AT THE END OF THE SECOND YEAR, IF THE COMMISSION  
20 FURTHER RECOMMENDS EXPANSION OF THE PILOT IDENTIFIER PROTOCOL  
21 TO A STATEWIDE LEVEL, THE DEPARTMENT SHALL IMPLEMENT THE PILOT  
22 IDENTIFIER PROTOCOL ON A STATEWIDE LEVEL, SUBJECT TO AVAILABLE  
23 FUNDING FROM GIFTS, GRANTS, AND DONATIONS.

24 **22-68-105. Quality teachers fund - creation.** THE COMMISSION  
25 IS HEREBY AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR  
26 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS  
27 ARTICLE, INCLUDING GIFTS, GRANTS, OR DONATIONS THAT INCLUDE

1 STATED CONDITIONS OF USE; EXCEPT THAT A GIFT, GRANT, OR DONATION  
2 SHALL NOT BE ACCEPTED IF THE CONDITIONS ATTACHED TO THE GIFT,  
3 GRANT, OR DONATION REQUIRE ITS EXPENDITURE IN A MANNER CONTRARY  
4 TO LAW. ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS,  
5 GRANTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE  
6 TREASURER, WHO SHALL CREDIT THE SAME TO THE QUALITY TEACHERS  
7 FUND, WHICH FUND IS HEREBY CREATED. THE MONEYS CREDITED TO THE  
8 FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE  
9 IMPLEMENTATION OF THIS ARTICLE. ANY MONEYS IN THE FUND NOT  
10 EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE INVESTED BY THE  
11 STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME  
12 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND  
13 SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL  
14 UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN  
15 IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE  
16 GENERAL FUND OR ANY OTHER FUND; EXCEPT THAT ANY MONEYS  
17 REMAINING IN THE FUND AS OF JULY 1, 2009, SHALL BE CREDITED TO THE  
18 GENERAL FUND.

19 **22-68-106. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE JULY  
20 1, 2009.

21 **SECTION 2. No appropriation.** The general assembly has  
22 determined that this act can be implemented within existing  
23 appropriations, and therefore no separate appropriation of state moneys  
24 is necessary to carry out the purposes of this act.

25 **SECTION 3. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, and safety.