

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 11-0841.02 Nicole Myers

**SENATE BILL 11-230**

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**SENATE SPONSORSHIP**

**Bacon,**

**HOUSE SPONSORSHIP**

**Massey,**

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**Senate Committees**  
Appropriations

**House Committees**  
Education  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND MAKING AN**  
102 **APPROPRIATION THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill amends the "Public School Finance Act of 1994" (Act) to modify the funding for public schools from kindergarten through the twelfth grade for the 2011-12 budget year and, in some circumstances, for budget years thereafter, as follows:

**Statewide base per pupil funding.** For the 2011-12 budget year,

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  
Am ended 3rd Reading  
April 25, 2011

HOUSE  
Am ended 2nd Reading  
April 21, 2011

SENATE  
3rd Reading Unam ended  
April 11, 2011

SENATE  
Am ended 2nd Reading  
April 8, 2011

the statewide base per pupil funding is increased to \$5,634.77, to account for a 1.9% inflation rate.

**Negative factor.** During the 2010 legislative session, the general assembly amended the Act for the 2010-11 and 2011-12 budget years to reduce the amount of the annual appropriation to fund the state's share of total program funding for all school districts and the funding for institute charter schools (total program funding) to assist in stabilizing the state budget. The general assembly accomplished the reduction to each district through a calculation that resulted in a factor, called the budget stabilization factor, to be applied to each district's total program funding amount in the applicable budget year.

To assist in stabilizing the state budget for the 2011-12 budget year, the general assembly has determined that an additional reduction in the amount of the annual appropriation to fund the state's share of total program funding is necessary. The bill reduces the total program funding amount that is currently reflected in law for the 2011-12 budget year by an additional \$250,000,000.

The bill changes the name of the factor used to accomplish the reduction in total program funding from the budget stabilization factor to the negative factor. In addition, the bill extends the negative factor to each budget year following the 2011-12 budget year without specifying at this time the amount of total program funding for any budget year after the 2011-12 budget year.

In addition to the changes to the Act, the bill modifies other provisions related to funding for public schools as follows:

**Determination of debt limit for bonded indebtedness.** Currently, a school district's debt limit is determined by the most recent assessed valuation certified to the district by the county assessor. The county assessor usually does a preliminary certification in August and a final certification in December. The bill changes the assessed valuation used to determine a district's limit of bonded indebtedness to the assessed valuation certified on the December 10 prior to the date on which the bonds are issued.

**State trust lands.** For the 2011-12 and 2012-13 state fiscal years, the bill transfers to the state public school fund, instead of the permanent school fund, moneys not otherwise allocated from:

- ! Interest or income earned on the investment of the moneys in the permanent school fund;
- ! Proceeds received by the state for the sale of timber on public school lands, rental payments for the use and occupation of the surface of said lands, and rentals or lease payments for minerals on said lands; and
- ! Royalties and other payments for the depletion or extraction of a natural resource on public school lands.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4           (a) For the 2010-11 budget year, the general assembly determined  
5 that stabilization of the state budget required a reduction in the annual  
6 appropriation to fund the state's share of total program funding for all  
7 districts and the funding for institute charter schools. As a result, for the  
8 2010-11 budget year, the general assembly reduced the total program  
9 funding amount to five billion two hundred twenty-five million two  
10 hundred forty-four thousand eight hundred eighty-five dollars  
11 (\$5,225,244,885).

12           (b) During the 2010 legislative session, the general assembly  
13 predicted that stabilization of the state budget for the 2011-12 budget year  
14 would again require a reduction in the annual appropriation to fund the  
15 state's share of total program funding for all districts and the funding for  
16 institute charter schools. As a result, the general assembly determined  
17 that total program funding for the 2011-12 budget year would be five  
18 billion four hundred thirty-eight million two hundred ninety-five thousand  
19 eight hundred twenty-three dollars (\$5,438,295,823).

20           (c) The general assembly has determined that stabilization of the  
21 state budget for the 2011-12 budget year requires a further reduction in  
22 the annual appropriation to fund the state's share of total program funding  
23 for all districts and the funding for institute charter schools than the  
24 reduction that was established during the 2010 legislative session. As a  
25 result, through Senate Bill 11-230, enacted in 2011, the general assembly  
26 has reduced the amount of total program funding for the 2011-12 budget

1 year by an additional two hundred twenty-seven million five hundred  
2 thousand dollars (\$227,500,000) from the total program funding amount  
3 that was previously established for the 2011-12 budget year.

4 (d) The total program funding amount for the 2011-12 budget  
5 year, absent any reductions in funding by the general assembly and taking  
6 into consideration increased funding for inflation, predicted growth in  
7 pupil enrollment, predicted growth in the at-risk pupil population,  
8 predicted changes in assessed valuations, and the specific ownership tax  
9 from the prior year, would be approximately five billion nine hundred  
10 eighty-seven million one hundred nine thousand sixteen dollars  
11 (\$5,987,109,016). The actual total program funding amount for the  
12 2011-12 budget year, after applying the required additional reduction to  
13 stabilize the state's budget, is five billion two hundred ten million seven  
14 hundred ninety-five thousand eight hundred twenty-three dollars  
15 (\$5,210,795,823). This results in a difference of seven hundred  
16 seventy-six million three hundred thirteen thousand one hundred  
17 ninety-three dollars (\$776,313,193).

18 (2) The general assembly intends that the moneys transferred to  
19 the state public school fund pursuant to section 24-75-201.1 (1) (d)  
20 (XI.5), Colorado Revised Statutes, pursuant to Senate Bill 11-230,  
21 enacted in 2011, be available for appropriation during the 2011-12 budget  
22 year to account for mid-year changes in pupil enrollment and the at-risk  
23 pupil population and changes in assessed valuations and the specific  
24 ownership tax from the prior year.

25 **SECTION 2.** 22-54-104 (5) (a), Colorado Revised Statutes, is  
26 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

27 **22-54-104. District total program.** (5) For purposes of the

1 formulas used in this section:

2 (a) (XVIII) FOR THE 2011-12 BUDGET YEAR, THE STATEWIDE BASE  
3 PER PUPIL FUNDING SHALL BE \$5,634.77, WHICH IS AN AMOUNT EQUAL TO  
4 \$5,529.71 SUPPLEMENTED BY \$105.06 TO ACCOUNT FOR INFLATION.

5 **SECTION 3.** The introductory portion to 22-54-104 (5) (g) (I)  
6 and 22-54-104 (5) (g) (I) (B), Colorado Revised Statutes, as amended by  
7 Senate Bill 11-157, are amended to read:

8 **22-54-104. District total program.** (5) For purposes of the  
9 formulas used in this section:

10 (g) (I) For the 2010-11 ~~and 2011-12 budget years~~ BUDGET YEAR  
11 AND EACH BUDGET YEAR THEREAFTER, the general assembly determines  
12 that stabilization of the state budget requires a reduction in the amount of  
13 the annual appropriation to fund the state's share of total program funding  
14 for all districts and the funding for institute charter schools. The  
15 department of education shall implement the reduction in total program  
16 funding through the application of a ~~state budget stabilization~~ NEGATIVE  
17 factor as provided in this paragraph (g). For the 2010-11 ~~and 2011-12~~  
18 ~~budget years~~ BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, the  
19 department of education and the staff of the legislative council shall  
20 determine, based on budget projections, the amount of such reduction to  
21 ensure the following:

22 (B) That, for the 2011-12 budget year, the sum of the total  
23 program funding for all districts, including the funding for institute  
24 charter schools, AFTER APPLICATION OF THE NEGATIVE FACTOR, is not less  
25 than ~~five billion four hundred thirty-eight million two hundred ninety-five~~  
26 ~~thousand eight hundred twenty-three dollars (\$5,438,295,823)~~ FIVE  
27 BILLION TWO HUNDRED TEN MILLION SEVEN HUNDRED NINETY-FIVE

1 THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS (\$5,210,795,823);  
2 except that the department of education and the staff of the legislative  
3 council shall make mid-year revisions to replace projections with actual  
4 figures including, but not limited to, actual pupil enrollment, assessed  
5 valuations, and specific ownership tax revenue from the prior year, to  
6 determine any necessary changes in the amount of the reduction to  
7 maintain a total program funding amount for the 2011-12 budget year that  
8 is equal to the TOTAL PROGRAM FUNDING amount AS initially established  
9 pursuant to this sub-subparagraph (B).

10 **SECTION 4.** 22-54-104 (5) (g) (II), (5) (g) (III), (5) (g) (IV), and  
11 (5) (g) (V), Colorado Revised Statutes, are amended to read:

12 **22-54-104. District total program.** (5) For purposes of the  
13 formulas used in this section:

14 (g) (II) For the 2010-11 ~~and 2011-12 budget years~~ BUDGET YEAR  
15 ANDEACH BUDGET YEAR THEREAFTER, the department of education shall:

16 (A) Calculate the ~~state budget stabilization~~ NEGATIVE factor for  
17 the ~~2010-11 and 2011-12 budget years~~ APPLICABLE BUDGET YEAR by  
18 dividing the reduction in total program funding for the ~~2010-11 or~~  
19 ~~2011-12 budget year,~~ as applicable BUDGET YEAR, as specified in  
20 subparagraph (I) of this paragraph (g), by the sum of the total program  
21 funding amounts of all districts AS CALCULATED PURSUANT TO  
22 SUBSECTION (2) OF THIS SECTION, including the funding for institute  
23 charter schools, for the ~~2010-11 or 2011-12~~ APPLICABLE budget year; as  
24 applicable; and

25 (B) Calculate each district's and each institute charter school's  
26 ~~state budget stabilization~~ reduction amount by multiplying the ~~state~~  
27 ~~budget stabilization~~ NEGATIVE factor by the district's total program

1 funding calculated pursuant to subsection (2) of this section for the  
2 ~~2010-11 or 2011-12 budget year~~, as applicable BUDGET YEAR for the  
3 district and for any institute charter school located within the district.

4 (III) For the ~~2010-11 and 2011-12 budget years~~ BUDGET YEAR  
5 AND EACH BUDGET YEAR THEREAFTER, except as otherwise provided in  
6 subparagraphs (IV) and (V) of this paragraph (g), a district's total  
7 program shall be the greater of:

8 (A) The amount calculated pursuant to subsection (2) of this  
9 section for the ~~2010-11 or 2011-12 budget year~~, as applicable BUDGET  
10 YEAR, including funding for any institute charter school located within the  
11 district, minus the district's ~~state budget stabilization~~ reduction amount for  
12 the ~~2010-11 or 2011-12 budget year~~, as applicable BUDGET YEAR; or

13 (B) An amount equal to the base per pupil funding amount  
14 specified in paragraph (a) of subsection (5) of this section for the ~~2010-11~~  
15 ~~or 2011-12~~ APPLICABLE budget year, ~~as applicable~~, multiplied by the  
16 district's funded pupil count for the ~~2010-11 or 2011-12 budget year~~, as  
17 applicable BUDGET YEAR.

18 (IV) For the ~~2010-11 and 2011-12 budget years~~ BUDGET YEAR,  
19 AND EACH BUDGET YEAR THEREAFTER, the total program funding for a  
20 district that levies the number of mills calculated pursuant to section  
21 22-54-106 (2) (a) (II) shall be the amount calculated pursuant to  
22 subsection (2) of this section for the ~~2010-11 or 2011-12 budget year~~, as  
23 applicable BUDGET YEAR. Any such district shall use the revenues  
24 generated by the number of mills that the district levies pursuant to  
25 section 22-54-106 (2) (a) (II) to replace any categorical program support  
26 funds that the district would otherwise be eligible to receive from the  
27 state; except that the amount of categorical program support funds that

1 the district is required to replace shall not exceed an amount equal to the  
2 district's ~~state budget stabilization~~ reduction amount. The department  
3 shall use the amount of categorical program support funds replaced by  
4 property tax revenue pursuant to this subparagraph (IV) to make  
5 payments of categorical program support funds to eligible districts as  
6 specified in section 22-54-107 (4).

7 (V) For the 2010-11 ~~and 2011-12 budget years~~ BUDGET YEAR AND  
8 EACH BUDGET YEAR THEREAFTER, if a district levies the number of mills  
9 calculated pursuant to section 22-54-106 (2) (a) (I) and the district's ~~state~~  
10 ~~budget stabilization~~ reduction amount exceeds the district's state share of  
11 total program funding, such district's total program funding shall be the  
12 amount calculated pursuant to subsection (2) of this section for the  
13 ~~2010-11 or 2011-12 budget year, as applicable~~ BUDGET YEAR, minus the  
14 district's state aid. Any such district shall use the revenues generated by  
15 the number of mills that the district levies pursuant to section 22-54-106  
16 (2) (a) (I) to replace any categorical program support funds that the  
17 district would otherwise be eligible to receive from the state; except that  
18 the amount of categorical program support funds that the district is  
19 required to replace shall not exceed an amount equal to the remainder of  
20 the district's ~~state budget stabilization~~ reduction amount after the  
21 reduction to the district's total program has been applied pursuant to this  
22 subparagraph (V). The department OF EDUCATION shall use the amount  
23 of categorical program support funds replaced by property tax revenue  
24 pursuant to this subparagraph (V) to make payments of categorical  
25 program support funds to eligible districts as specified in section  
26 22-54-107 (4).

27 **SECTION 5.** 24-75-201.1 (1) (d) (XI.5), Colorado Revised



1 Statutes, as enacted by Senate Bill 11-156, is amended to read:

2 **24-75-201.1. Restriction on state appropriations - legislative**  
3 **declaration - definitions - repeal.** (1) (d) Except as otherwise  
4 provided in paragraph (e) of this subsection (1), for each fiscal year,  
5 unrestricted general fund year-end balances shall be retained as a reserve  
6 in the following amounts:

7 (XI.5) For the fiscal year 2010-11, two and three-tenths percent  
8 of the amount appropriated for expenditure from the general fund for that  
9 fiscal year. The additional amount of general fund moneys made  
10 available for appropriation by the reduction in the required reserve from  
11 four percent to two and three-tenths percent may be appropriated during  
12 the fiscal year 2010-11 for any lawful purpose. Notwithstanding any  
13 provision of law to the contrary, ON THE DATE ON WHICH THE STATE  
14 CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL FINANCIAL REPORT  
15 OF THE STATE FOR THE FISCAL YEAR 2010-11, the state treasurer shall  
16 transfer the general fund surplus designated in accordance with section  
17 24-75-201 (1) for the fiscal year 2010-11, less WHICH REPRESENTS THE  
18 UNRESTRICTED GENERAL FUND BALANCE AFTER the applicable amount of  
19 reserve required pursuant to this subparagraph (XI.5), to the state  
20 education fund created in section 17 (4) of article IX of the state  
21 constitution. Such transfer shall be made on the date on which the state  
22 controller publishes the comprehensive annual financial report of the state  
23 for the fiscal year 2010-11. AS FOLLOWS:

24 (A) EXCEPT AS OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH  
25 (B) OF THIS SUBPARAGRAPH (XI.5), THE GENERAL FUND SURPLUS SHALL  
26 BE TRANSFERRED TO THE STATE EDUCATION FUND CREATED IN SECTION 17  
27 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

1 (B) AN AMOUNT EQUAL TO THE ADDITIONAL ESTIMATED REVENUE  
2 SHALL BE TRANSFERRED TO THE STATE PUBLIC SCHOOL FUND CREATED IN  
3 SECTION 22-54-114, C.R.S.; EXCEPT THAT THE TRANSFER PURSUANT TO  
4 THIS SUB-SUBPARAGRAPH (B) SHALL NOT EXCEED SIXTY-SEVEN MILLION  
5 FIVE HUNDRED THOUSAND DOLLARS. FOR PURPOSES OF THIS  
6 SUB-SUBPARAGRAPH (B), "ADDITIONAL ESTIMATED REVENUE" MEANS THE  
7 AMOUNT BY WHICH THE JUNE 2011 ESTIMATE OF GENERAL FUND REVENUE  
8 PREPARED BY THE OFFICE OF STATE PLANNING AND BUDGETING FOR THE  
9 2010-11 FISCAL YEAR EXCEEDS THE MARCH 2011 ESTIMATE OF GENERAL  
10 FUND REVENUE PREPARED BY THE OFFICE OF STATE PLANNING AND  
11 BUDGETING FOR THE 2010-11 FISCAL YEAR.

12 SECTION 6. 22-54-114, Colorado Revised Statutes, is amended  
13 BY THE ADDITION OF A NEW SUBSECTION to read:

14 22-54-114. State public school fund. (2.7) THE GENERAL  
15 ASSEMBLY INTENDS THAT THE MONEYS TRANSFERRED TO THE STATE  
16 PUBLIC SCHOOL FUND PURSUANT TO SECTION 24-75-201.1 (1) (d) (XI.5),  
17 C.R.S., PURSUANT TO SENATE BILL 11-230, ENACTED IN 2011, BE  
18 AVAILABLE FOR APPROPRIATION DURING THE 2011-12 BUDGET YEAR TO  
19 ACCOUNT FOR MID-YEAR CHANGES IN PUPIL ENROLLMENT AND THE  
20 AT-RISK PUPIL POPULATION AND CHANGES IN ASSESSED VALUATIONS AND  
21 THE SPECIFIC OWNERSHIP TAX FROM THE PRIOR YEAR.

22 SECTION 7. 22-42-104, Colorado Revised Statutes, is amended  
23 BY THE ADDITION OF A NEW SUBSECTION to read:

24 22-42-104. Limit of bonded indebtedness. (1.2) FOR BONDED  
25 INDEBTEDNESS ISSUED AFTER JUNE 1, 2011, THE VALUATION FOR  
26 ASSESSMENT OF TAXABLE PROPERTY FOR THE PURPOSES OF THIS SECTION  
27 SHALL BE THE VALUATION FOR ASSESSMENT OF TAXABLE PROPERTY IN THE

1 DISTRICT AS IT EXISTED ON THE DECEMBER 10 PRIOR TO THE DATE OF  
2 ISSUANCE OF THE BONDED INDEBTEDNESS. THE COUNTY ASSESSOR TO THE  
3 BOARD OF COUNTY COMMISSIONERS SHALL REPORT THE VALUATION FOR  
4 ASSESSMENT OF TAXABLE PROPERTY IN THE DISTRICT TO THE DISTRICT  
5 AND THE DEPARTMENT OF EDUCATION ON EACH DECEMBER 10.

6 **SECTION 8.** 22-41-102 (3) (b), Colorado Revised Statutes, is  
7 amended to read:

8 **22-41-102. Fund inviolate.** (3) (b) For the 2008-09 ~~2009-10~~, and  
9 ~~2010-11~~ state fiscal ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL  
10 YEAR, all interest or income earned on the investment of the moneys in  
11 the public school fund not credited to the public school capital  
12 construction assistance fund created in section 22-43.7-104 (1) pursuant  
13 to section 22-43.7-104 (2) (b) (I) shall be transferred to the state public  
14 school fund created in section 22-54-114.

15 **SECTION 9.** 36-1-116 (1) (a) (II) (B), Colorado Revised  
16 Statutes, is amended to read:

17 **36-1-116. Disposition of rentals, royalties, and timber sale**  
18 **proceeds.** (1) (a) (II) (B) For the 2008-09 ~~2009-10~~, and ~~2010-11~~ state  
19 fiscal ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL YEAR, all proceeds  
20 received by the state for the sale of timber on public school lands, rental  
21 payments for the use and occupation of the surface of said lands, and  
22 rentals or lease payments for sand, gravel, clay, stone, coal, oil, gas,  
23 geothermal resources, gold, silver, or other minerals on said lands other  
24 than proceeds, rentals, and payments allocated to the state land board trust  
25 administration fund pursuant to section 36-1-145 (3) or credited to the  
26 public school capital construction assistance fund created in section  
27 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b) (I),

1 C.R.S., shall be transferred to the state public school fund created in  
2 section 22-54-114, C.R.S.

3 **SECTION 10.** 36-1-116 (1) (c), Colorado Revised Statutes, is  
4 amended to read:

5 **36-1-116. Disposition of rentals, royalties, and timber sale**  
6 **proceeds.** (1) (c) For the 2008-09 ~~2009-10, and 2010-11~~ state fiscal  
7 ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL YEAR, royalties and  
8 other payments for the depletion or extraction of a natural resource on  
9 public school lands not allocated to the state land board trust  
10 administration fund pursuant to section 36-1-145 (3), not credited to the  
11 public school capital construction assistance fund created in section  
12 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b) (I),  
13 C.R.S., and not credited as specified in subparagraph (II) of paragraph (b)  
14 of this subsection (1) shall be transferred to the state public school fund  
15 created in section 22-54-114, C.R.S.

16 **SECTION 11.** 39-29-109.5 (2), Colorado Revised Statutes, is  
17 amended to read:

18 **39-29-109.5. Interest differential - public school energy**  
19 **efficiency fund - creation - uses - definitions - repeal.** (2) On  
20 December 1, 2007, and the first day of every third month thereafter up to  
21 and including ~~September 1, 2010~~ SEPTEMBER 1, 2015, the legislative  
22 council staff shall calculate the interest differential earned during the  
23 prior calendar quarter and notify the state treasurer of such amount. Upon  
24 receiving notice, the treasurer shall transfer an amount equal to the  
25 interest differential from the severance tax funds to the public school  
26 energy efficiency fund, which is hereby created in the state treasury;  
27 except that the total transfer to the fund for any state fiscal year shall not

1 exceed one million five hundred thousand dollars. Moneys in the fund  
2 are hereby continuously appropriated to the governor's energy office for  
3 the purposes set forth in subsection (3) of this section. All income and  
4 interest derived from the deposit and investment of the moneys in the  
5 fund shall be credited to the fund.

6 **SECTION 12.** 22-54-104 (4.5) (c) (III), Colorado Revised  
7 Statutes, is amended to read:

8 **22-54-104. District total program.** (4.5) A district's on-line  
9 funding shall be determined in accordance with the following formulas:

10 (c) (III) In any budget year in which the provisions of paragraph  
11 (g) of subsection (5) of this section apply, the department of education  
12 shall calculate a district's ~~state budget stabilization~~ reduction amount for  
13 on-line funding by multiplying the ~~state budget stabilization~~ NEGATIVE  
14 factor calculated for the applicable budget year pursuant to  
15 sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection  
16 (5) of this section by the district's on-line funding calculated pursuant to  
17 subparagraph (II) of this paragraph (c) for the applicable budget year. A  
18 district's on-line funding for the applicable budget year shall be the  
19 greater of:

20 (A) The district's on-line funding amount calculated for the  
21 applicable budget year pursuant to subparagraph (II) of this paragraph (c)  
22 minus the district's ~~state budget stabilization~~ reduction amount calculated  
23 for the applicable budget year pursuant to this subparagraph (III) for  
24 on-line funding; or

25 (B) An amount equal to the base per pupil funding amount  
26 specified in paragraph (a) of subsection (5) of this section for the  
27 applicable budget year multiplied by the district's on-line pupil enrollment

1 for the applicable budget year.

2 **SECTION 13.** 22-54-104 (4.7) (c), Colorado Revised Statutes, is  
3 amended to read:

4 **22-54-104. District total program.** (4.7) (c) In any budget year  
5 in which the provisions of paragraph (g) of subsection (5) of this section  
6 apply, the department of education shall calculate a district's ~~state budget~~  
7 ~~stabilization~~ reduction amount for ASCENT program funding by  
8 multiplying the ~~state budget stabilization~~ NEGATIVE factor calculated for  
9 the applicable budget year pursuant to sub-subparagraph (A) of  
10 subparagraph (II) of paragraph (g) of subsection (5) of this section by the  
11 amount of the district's ASCENT program funding calculated pursuant to  
12 paragraph (b) of this subsection (4.7) for the applicable budget year. A  
13 district's ASCENT program funding for the applicable budget year shall  
14 be the greater of:

15 (I) The district's ASCENT program funding calculated for the  
16 applicable budget year pursuant to paragraph (b) of this subsection (4.7)  
17 minus the district's ~~state budget stabilization~~ reduction amount calculated  
18 for the applicable budget year pursuant to this paragraph (c) for ASCENT  
19 program funding; or

20 (II) An amount equal to the base per pupil funding amount  
21 specified in paragraph (a) of subsection (5) of this section for the  
22 applicable budget year multiplied by the district's ASCENT program  
23 pupil enrollment for the applicable budget year.

24 **SECTION 14. Appropriation - adjustments in 2011 long bill.**  
25 For the implementation of this act, appropriations made in the annual  
26 general appropriation act to the department of education for the fiscal  
27 year beginning July 1, 2011 shall be adjusted as follows:

1           (1) The appropriation for management and administration, for state  
2 charter school institute administration, oversight, and management, is  
3 decreased by four hundred eighty-one dollars (\$481). Said sum shall be  
4 from reappropriated funds transferred from the assistance to public  
5 schools, public school finance, state share of districts' total program  
6 funding line item appropriation.

7           (2) The general fund appropriation for assistance to public schools,  
8 public school finance, for the state share of districts' total program  
9 funding, is decreased by two hundred eighty-four million eight hundred  
10 ten thousand four hundred sixty-five dollars (\$284,810,465).

11           (3) The cash funds appropriation for assistance to public schools,  
12 public school finance, for the state share of districts' total program  
13 funding, is increased by thirty-six million dollars (\$36,000,000). Said  
14 sum shall be from the state public school fund created in section  
15 22-54-114 (1), Colorado Revised Statutes.

16           (4) The cash funds appropriation for assistance to public schools,  
17 public school finance, for the state share of districts' total program  
18 funding, is increased by twenty-two million three hundred seventy-nine  
19 thousand eight hundred eighty-five dollars (\$22,379,885). Said sum  
20 shall be from the state education fund created in section 17 (4) (a) of  
21 article IX of the State Constitution.

22           (5) The cash funds appropriation for assistance to public schools,  
23 public school finance, for hold-harmless full-day kindergarten funding,  
24 is decreased by three hundred twenty-nine thousand eight hundred  
25 ninety-seven dollars (\$329,897). Said sum shall be from the state  
26 education fund created in section 17 (4) (a) of article IX of the State  
27 Constitution.

1           (6) The cash funds appropriation for assistance to public schools,  
2           grant programs, distributions, and other assistance, for facility school  
3           funding, is decreased by six hundred fifty-three thousand dollars  
4           (\$653,000). Said sum shall be from the state education fund created in  
5           section 17 (4) (a) of article IX of the State Constitution.

6           (7) The general fund appropriation for the school for the deaf and  
7           the blind, for personal services, is increased by fifty-seven thousand three  
8           hundred thirty-five dollars (\$57,335).

9           (8) The appropriation for the school for the deaf and the blind, for  
10          personal services, is decreased by fifty-seven thousand three hundred  
11          thirty-five dollars (\$57,335). Said sum shall be from reappropriated funds  
12          transferred from the assistance to public schools, grant programs,  
13          distributions, and other assistance, facility school funding line item  
14          appropriation.

15           **SECTION 15. Appropriation - adjustments in 2011 long bill.**

16          For the implementation of this act, appropriations made in the annual  
17          general appropriation act to the department of education for the fiscal  
18          year beginning July 1, 2011 shall be adjusted as follows:

19           (1) The general fund appropriation for assistance to public schools,  
20           public school finance, for the state share of districts' total program  
21           funding, is decreased by one hundred seventy-five million nine hundred  
22           forty-six thousand eight hundred seventy dollars (\$175,946,870).

23           (2) The cash funds appropriation for assistance to public schools,  
24           public school finance, for the state share of districts' total program  
25           funding, is increased by one hundred seventy-five million nine hundred  
26           forty-six thousand eight hundred seventy dollars (\$175,946,870). Said  
27           sum shall be from the state education fund created in section 17 (4) (a) of



1 article IX of the State Constitution.

2 **SECTION 16.** The appropriation to the department of education  
3 for the fiscal year beginning July 1, 2011, as enacted in Part III (2) (A)  
4 Footnote 7 of section 2 of SB 11-209, is amended to read:

5 **Section 2. Appropriation.**

6 7 Department of Education, Assistance to Public Schools,  
7 Public School Finance, State Share of Districts' Total  
8 Program Funding -- It is the intent of the General Assembly  
9 that the Department of Education be authorized to utilize  
10 up to ~~\$4,647,614~~ \$4,433,980 of this appropriation to fund  
11 qualified students designated as Accelerating Students  
12 Through Concurrent Enrollment (ASCENT) Program  
13 participants as authorized pursuant to Section 22-35-108,  
14 C.R.S. This amount is calculated based on an estimated  
15 753 participants funded at a rate of ~~\$6,172.13~~ \$5,888.42  
16 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

17 **SECTION 17. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.