

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 11-0841.02 Nicole Myers

SENATE BILL 11-230

SENATE SPONSORSHIP

Bacon,

HOUSE SPONSORSHIP

Massey,

Senate Committees
Appropriations

House Committees
Education
Appropriations

A BILL FOR AN ACT

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

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 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.

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) (XI.5)
20 (A), Colorado Revised Statutes, pursuant to Senate Bill 11-230, enacted
21 in 2011, be available for appropriation during the 2011-12 budget year to
22 account for mid-year changes in pupil enrollment and the at-risk pupil
23 population and changes in assessed valuations and the specific ownership
24 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 - negative factor reduction cash fund - definitions -**
4 **repeal.** (1) (d) Except as otherwise provided in paragraph (e) of this
5 subsection (1), for each fiscal year, unrestricted general fund year-end
6 balances shall be retained as a reserve 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 SEPTEMBER 1, 2011, the state
14 treasurer shall transfer the general fund surplus designated in accordance
15 with section 24-75-201 (1) for the fiscal year 2010-11, less WHICH
16 REPRESENTS THE UNRESTRICTED GENERAL FUND BALANCE AFTER the
17 applicable amount of reserve required pursuant to this subparagraph
18 (XI.5), to the state education fund created in section 17 (4) of article IX
19 of the state constitution. Such transfer shall be made on the date on
20 which the state controller publishes the comprehensive annual financial
21 report of the state for the fiscal year 2010-11. AS FOLLOWS:

22 (A) THE FIRST SIXTY-SEVEN MILLION FIVE HUNDRED THOUSAND
23 DOLLARS OF GENERAL FUND SURPLUS SHALL BE TRANSFERRED TO THE
24 STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114, C.R.S.; AND

25 (B) ANY GENERAL FUND SURPLUS REMAINING AFTER THE
26 TRANSFER REQUIRED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS
27 SUBPARAGRAPH (XI.5) SHALL BE TRANSFERRED TO THE STATE EDUCATION

1 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
2 CONSTITUTION.

3 **SECTION 6.** 22-42-104, Colorado Revised Statutes, is amended
4 BY THE ADDITION OF A NEW SUBSECTION to read:

5 **22-42-104. Limit of bonded indebtedness.** (1.2) FOR BONDED
6 INDEBTEDNESS ISSUED AFTER JUNE 1, 2011, THE VALUATION FOR
7 ASSESSMENT OF TAXABLE PROPERTY FOR THE PURPOSES OF THIS SECTION
8 SHALL BE THE VALUATION FOR ASSESSMENT OF TAXABLE PROPERTY IN THE
9 DISTRICT AS IT EXISTED ON THE DECEMBER 10 PRIOR TO THE DATE OF
10 ISSUANCE OF THE BONDED INDEBTEDNESS. THE COUNTY ASSESSOR TO THE
11 BOARD OF COUNTY COMMISSIONERS SHALL REPORT THE VALUATION FOR
12 ASSESSMENT OF TAXABLE PROPERTY IN THE DISTRICT TO THE DISTRICT
13 AND THE DEPARTMENT OF EDUCATION ON EACH DECEMBER 10.

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

16 **22-41-102. Fund inviolate.** (3) (b) For the 2008-09 ~~2009-10~~, and
17 ~~2010-11~~ state fiscal ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL
18 YEAR, all interest or income earned on the investment of the moneys in
19 the public school fund not credited to the public school capital
20 construction assistance fund created in section 22-43.7-104 (1) pursuant
21 to section 22-43.7-104 (2) (b) (I) shall be transferred to the state public
22 school fund created in section 22-54-114.

23 **SECTION 8.** 36-1-116 (1) (a) (II) (B), Colorado Revised
24 Statutes, is amended to read:

25 **36-1-116. Disposition of rentals, royalties, and timber sale**
26 **proceeds.** (1) (a) (II) (B) For the 2008-09 ~~2009-10~~, and ~~2010-11~~ state
27 fiscal ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL YEAR, all proceeds

1 received by the state for the sale of timber on public school lands, rental
2 payments for the use and occupation of the surface of said lands, and
3 rentals or lease payments for sand, gravel, clay, stone, coal, oil, gas,
4 geothermal resources, gold, silver, or other minerals on said lands other
5 than proceeds, rentals, and payments allocated to the state land board trust
6 administration fund pursuant to section 36-1-145 (3) or credited to the
7 public school capital construction assistance fund created in section
8 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b) (I),
9 C.R.S., shall be transferred to the state public school fund created in
10 section 22-54-114, C.R.S.

11 **SECTION 9.** 36-1-116 (1) (c), Colorado Revised Statutes, is
12 amended to read:

13 **36-1-116. Disposition of rentals, royalties, and timber sale**
14 **proceeds.** (1) (c) For the 2008-09 ~~2009-10, and 2010-11~~ state fiscal
15 ~~years~~ YEAR THROUGH THE 2012-13 STATE FISCAL YEAR, royalties and
16 other payments for the depletion or extraction of a natural resource on
17 public school lands not allocated to the state land board trust
18 administration fund pursuant to section 36-1-145 (3), not credited to the
19 public school capital construction assistance fund created in section
20 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b) (I),
21 C.R.S., and not credited as specified in subparagraph (II) of paragraph (b)
22 of this subsection (1) shall be transferred to the state public school fund
23 created in section 22-54-114, C.R.S.

24 **SECTION 10.** 39-29-109.5 (2), Colorado Revised Statutes, is
25 amended to read:

26 **39-29-109.5. Interest differential - public school energy**
27 **efficiency fund - creation - uses - definitions - repeal.** (2) On

1 December 1, 2007, and the first day of every third month thereafter up to
2 and including September 1, 2010 SEPTEMBER 1, 2015, the legislative
3 council staff shall calculate the interest differential earned during the
4 prior calendar quarter and notify the state treasurer of such amount. Upon
5 receiving notice, the treasurer shall transfer an amount equal to the
6 interest differential from the severance tax funds to the public school
7 energy efficiency fund, which is hereby created in the state treasury;
8 except that the total transfer to the fund for any state fiscal year shall not
9 exceed one million five hundred thousand dollars. Moneys in the fund
10 are hereby continuously appropriated to the governor's energy office for
11 the purposes set forth in subsection (3) of this section. All income and
12 interest derived from the deposit and investment of the moneys in the
13 fund shall be credited to the fund.

14 **SECTION 11.** 22-54-104 (4.5) (c) (III), Colorado Revised
15 Statutes, is amended to read:

16 **22-54-104. District total program.** (4.5) A district's on-line
17 funding shall be determined in accordance with the following formulas:

18 (c) (III) In any budget year in which the provisions of paragraph
19 (g) of subsection (5) of this section apply, the department of education
20 shall calculate a district's ~~state budget stabilization~~ reduction amount for
21 on-line funding by multiplying the ~~state budget stabilization~~ NEGATIVE
22 factor calculated for the applicable budget year pursuant to
23 sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection
24 (5) of this section by the district's on-line funding calculated pursuant to
25 subparagraph (II) of this paragraph (c) for the applicable budget year. A
26 district's on-line funding for the applicable budget year shall be the
27 greater of:

1 (A) The district's on-line funding amount calculated for the
2 applicable budget year pursuant to subparagraph (II) of this paragraph (c)
3 minus the district's ~~state budget stabilization~~ reduction amount calculated
4 for the applicable budget year pursuant to this subparagraph (III) for
5 on-line funding; or

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

10 **SECTION 12.** 22-54-104 (4.7) (c), Colorado Revised Statutes, is
11 amended to read:

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

23 (I) The district's ASCENT program funding calculated for the
24 applicable budget year pursuant to paragraph (b) of this subsection (4.7)
25 minus the district's ~~state budget stabilization~~ reduction amount calculated
26 for the applicable budget year pursuant to this paragraph (c) for ASCENT
27 program funding; or

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

5 **SECTION 13. Appropriation - adjustments in 2011 long bill.**

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

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

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

19 (3) The cash funds appropriation for assistance to public schools,
20 public school finance, for the state share of districts' total program
21 funding, is increased by thirty-six million dollars (\$36,000,000). Said
22 sum shall be from the state public school fund created in section
23 22-54-114 (1), Colorado Revised Statutes.

24 (4) The cash funds appropriation for assistance to public schools,
25 public school finance, for the state share of districts' total program
26 funding, is increased by twenty-two million five hundred thousand dollars
27 (\$22,500,000). Said sum shall be from the state education fund created

1 in section 17 (4) (a) of article IX of the State Constitution.

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

8 (6) The cash funds appropriation for assistance to public schools,
9 grant programs, distributions, and other assistance, for facility school
10 funding, is decreased by six hundred fifty-three thousand dollars
11 (\$653,000). Said sum shall be from the state education fund created in
12 section 17 (4) (a) of article IX of the State Constitution.

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

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

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

26 (1) The general fund appropriation for assistance to public schools,
27 public school finance, for the state share of districts' total program

1 funding, is decreased by one hundred seventy-five million nine hundred
2 forty-six thousand eight hundred seventy dollars (\$175,946,870).

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

9 **SECTION 15.** The appropriation to the department of education
10 for the fiscal year beginning July 1, 2011, as enacted in Part III (2) (A)
11 Footnote 7 of section 2 of SB 11-209, is amended to read:

12 **Section 2. Appropriation.**
13 7 Department of Education, Assistance to Public Schools,
14 Public School Finance, State Share of Districts' Total
15 Program Funding -- It is the intent of the General Assembly
16 that the Department of Education be authorized to utilize
17 up to ~~\$4,647,614~~ \$4,433,980 of this appropriation to fund
18 qualified students designated as Accelerating Students
19 Through Concurrent Enrollment (ASCENT) Program
20 participants as authorized pursuant to Section 22-35-108,
21 C.R.S. This amount is calculated based on an estimated
22 753 participants funded at a rate of ~~\$6,172.13~~ \$5,888.42
23 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

24 **SECTION 16. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.