

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0223.01 Richard Sweetman x4333

HOUSE BILL 13-1047

HOUSE SPONSORSHIP

Schafer,

SENATE SPONSORSHIP

Todd,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CLARIFYING THAT, IF A STUDENT CHOOSES TO
102 PARTICIPATE IN AN ACTIVITY AT A PUBLIC SCHOOL OTHER THAN
103 THE STUDENT'S SCHOOL OF ATTENDANCE, THE SCHOOL DISTRICT
104 IN WHICH THE STUDENT CHOOSES TO PARTICIPATE SHALL
105 CHOOSE THE PUBLIC SCHOOL AT WHICH THE STUDENT
106 PARTICIPATES.

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>.)

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.

Under current law, if a student's school of attendance does not offer an activity in which the student wishes to participate, the student may participate in the activity at another public school in the student's school district of attendance or in the student's school district of residence. If the activity is not offered at any public school in the school district of attendance or the school district of residence, the student may participate in the activity at a public school in a school district that is contiguous to the student's school district of residence or at the nearest public school that has the facilities for and offers the activity.

The bill clarifies that, if a student chooses to participate in an activity at a public school other than his or her school of attendance, the school district in which the student chooses to participate shall choose the public school at which the student shall participate. The school district shall choose the public school that offers the greatest number of activities in which the student wishes to participate.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32-116.5, **amend**
3 (2) (c) and (2) (d); and **repeal** (3) (c) as follows:

4 **22-32-116.5. Extracurricular and interscholastic activities.**

5 (2) (c) If an activity is not offered at the student's school of attendance
6 and the student chooses to participate in the activity at a public school in
7 ~~a contiguous school district~~ AS PROVIDED IN PARAGRAPH (b) OF THIS
8 SUBSECTION (2), the school district in which the student chooses to
9 participate ~~as provided in paragraph (b) of this subsection (2)~~, shall
10 choose the public school at which the student shall participate. In
11 choosing a public school, the school district shall choose the public
12 school that offers the greatest number of activities in which the student
13 wishes to participate.

14 (d) A student may participate in activities at more than one school
15 of participation during the same school year only if the original school of
16 participation does not offer an activity in which the student wishes to
17 participate. THIS LIMITATION APPLIES REGARDLESS OF WHETHER THE

1 STUDENT PARTICIPATES IN ACTIVITIES AT A PUBLIC OR NONPUBLIC SCHOOL.

2 (3) (c) ~~In choosing whether to participate in activities at a public~~
3 ~~or nonpublic school, the student shall choose the school of participation~~
4 ~~that offers the greatest number of activities in which the student wishes~~
5 ~~to participate. The limitation on the number of schools of participation~~
6 ~~specified in paragraph (d) of subsection (2) of this section applies~~
7 ~~regardless of whether the student participates in activities at a public or~~
8 ~~nonpublic school.~~

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2014 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.