

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 14-0894.01 Julie Pelegrin x2700

HOUSE BILL 14-1250

HOUSE SPONSORSHIP

May, Duran, Gerou

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING PAYMENTS FROM THE CONTINGENCY**
102 **RESERVE FUND FOR THE 2013-14 BUDGET YEAR FOR SCHOOL**
103 **DISTRICTS THAT ARE IN SIGNIFICANT FINANCIAL NEED DUE TO**
104 **UNANTICIPATED EVENTS OCCURRING IN THE 2013-14 BUDGET**
105 **YEAR, AND, IN CONNECTION THEREWITH, MAKING AN**
106 **APPROPRIATION.**

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.

HOUSE
2nd Reading Unamended
February 10, 2014

Joint Budget Committee. For the 2013-14 budget year, the bill directs the state board of education to pay moneys from the contingency reserve to school districts that are in financial need as a result of:

- ! A reduction in pupil enrollment due to pupil displacement caused by the floods;
- ! Flood-related transportation costs;
- ! Significant mid-year decreases in total program funding as a result of unexpected decreases in assessed valuation of property combined with a decrease of more than \$500 in per pupil revenues; or
- ! Significant mid-year decreases in per pupil revenues as a result of unexpected increases in funded pupil count.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-54-117, **add** (7)
3 as follows:

4 **22-54-117. Contingency reserve - capital construction**
5 **expenditures reserve - fund - lottery proceeds contingency reserve -**
6 **repeal.** (7) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
7 THE CONTRARY, FOR THE 2013-14 BUDGET YEAR, THE STATE BOARD SHALL
8 APPROVE AND ORDER PAYMENTS FROM THE CONTINGENCY RESERVE FUND
9 FOR SUPPLEMENTAL ASSISTANCE TO DISTRICTS THAT ARE IN NEED AS A
10 RESULT OF THE FOLLOWING CIRCUMSTANCES:

11 (I) A REDUCTION OF FIFTEEN OR MORE FUNDED PUPILS DUE TO THE
12 DISPLACEMENT OF STUDENTS CAUSED BY FLOODING AS REPORTED BY THE
13 DISTRICT TO THE DEPARTMENT OF EDUCATION FOR THE 2013-14 BUDGET
14 YEAR;

15 (II) FLOOD-RELATED TRANSPORTATION EXPENSES FOR A DISTRICT
16 RESULTING FROM INCREASED DAILY BUS ROUTE MILEAGE DUE TO ROAD
17 CLOSURES AND DETOURS, FLOOD RELIEF EVACUATION EFFORTS, AND
18 ADDITIONAL TRANSPORTATION EXPENSES FOR ELIGIBLE HOMELESS
19 STUDENTS, WHICH FLOOD-RELATED TRANSPORTATION EXPENSES ARE NOT

1 REIMBURSED FROM THE PUBLIC SCHOOL TRANSPORTATION FUND CREATED
2 IN SECTION 22-51-103;

3 (III) A DIFFERENCE IN THE FORECASTED AND ACTUAL VALUATION
4 FOR ASSESSMENT OF PROPERTY TAX FOR A DISTRICT, WHICH DIFFERENCE
5 IS NOT OFFSET BY AN INCREASE IN STATE SHARE AND RESULTS IN A
6 MID-YEAR DECREASE IN PER PUPIL REVENUES OF MORE THAN FIVE
7 HUNDRED DOLLARS AND A MID-YEAR DECREASE OF MORE THAN NINE
8 PERCENT IN TOTAL PROGRAM FUNDING AS CALCULATED FOR THE DISTRICT
9 PURSUANT TO SECTION 22-54-104 FOR THE 2013-14 BUDGET YEAR; OR

10 (IV) A DIFFERENCE IN THE FORECASTED AND ACTUAL FUNDED
11 PUPIL COUNT OF A DISTRICT THAT RESULTS IN A MID-YEAR DECREASE OF
12 MORE THAN TWO THOUSAND DOLLARS IN PER PUPIL REVENUES BASED ON
13 THE TOTAL PROGRAM FUNDING CALCULATED FOR THE DISTRICT PURSUANT
14 TO SECTION 22-54-104 FOR THE 2013-14 BUDGET YEAR.

15 (b) A DISTRICT MAY APPLY FOR SUPPLEMENTAL ASSISTANCE
16 PURSUANT TO THIS SUBSECTION (7) AS PROVIDED IN GUIDELINES ISSUED BY
17 THE DEPARTMENT OF EDUCATION. NOTWITHSTANDING THE PROVISIONS OF
18 SUBSECTION (3) OF THIS SECTION, THE STATE BOARD SHALL INVESTIGATE
19 AN APPLICATION FOR PAYMENT PURSUANT TO THIS SUBSECTION (7) AS IT
20 DEEMS NECESSARY. IF THE STATE BOARD FINDS THAT AN APPLYING
21 DISTRICT IS ELIGIBLE FOR SUPPLEMENTAL ASSISTANCE PURSUANT TO
22 PARAGRAPH (a) OF THIS SUBSECTION (7), IT SHALL, BY ORDER UPON THE
23 STATE TREASURER, DIRECT PAYMENT OF THE FOLLOWING AMOUNTS FROM
24 THE CONTINGENCY RESERVE FUND TO THE TREASURER OF THE APPLYING
25 DISTRICT FOR CREDIT TO THE GENERAL FUND OF THE DISTRICT:

26 (I) IF THE DISTRICT IS ELIGIBLE FOR SUPPLEMENTAL ASSISTANCE
27 BASED ON THE CIRCUMSTANCES SPECIFIED IN SUBPARAGRAPH (I) OF

1 PARAGRAPH (a) OF THIS SUBSECTION (7), AN AMOUNT EQUAL TO THE
2 DISTRICT'S PER PUPIL REVENUES FOR THE 2013-14 BUDGET YEAR
3 MULTIPLIED BY THE REDUCTION IN PUPIL ENROLLMENT;

4 (II) IF THE DISTRICT IS ELIGIBLE FOR SUPPLEMENTAL ASSISTANCE
5 BASED ON THE CIRCUMSTANCES SPECIFIED IN SUBPARAGRAPH (II) OF
6 PARAGRAPH (a) OF THIS SUBSECTION (7), AN AMOUNT EQUAL TO THE
7 DISTRICT'S INCREASED TRANSPORTATION EXPENSES; AND

8 (III) IF THE DISTRICT IS ELIGIBLE FOR SUPPLEMENTAL ASSISTANCE
9 BASED ON THE CIRCUMSTANCES SPECIFIED IN SUBPARAGRAPH (III) OR (IV)
10 OF PARAGRAPH (a) OF THIS SUBSECTION (7), AN AMOUNT EQUAL TO THE
11 FINAL ESTIMATE OF THE DISTRICT'S PER PUPIL REVENUES THAT THE
12 DEPARTMENT OF EDUCATION PREPARED FOR THE 2013-14 BUDGET YEAR
13 MINUS THE PER PUPIL REVENUES THAT THE DISTRICT RECEIVES BASED ON
14 THE DISTRICT'S FUNDED PUPIL COUNT AND VALUATION FOR ASSESSMENT
15 OF TAXABLE PROPERTY FOR THE 2013-14 BUDGET YEAR, MULTIPLIED BY
16 THE DISTRICT'S FUNDED PUPIL COUNT FOR THE 2013-14 BUDGET YEAR.

17 (c) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

18 **SECTION 2. Appropriation.** In addition to any other
19 appropriation, for the fiscal year beginning July 1, 2013, there is hereby
20 appropriated, out of any moneys in the general fund not otherwise
21 appropriated, to the contingency reserve fund created in section
22 22-54-117, Colorado Revised Statutes, the sum of \$1,733,884, and said
23 sum, or so much thereof as may be necessary, is further appropriated to
24 the department of education, for the implementation 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.