

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. 14-0895.01 Brita Darling x2241

HOUSE BILL 14-1251

HOUSE SPONSORSHIP

May, Duran, Gerou

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL PROGRAM**
102 **FUNDING FOR PUBLIC SCHOOLS FOR THE 2013-14 BUDGET YEAR,**
103 **AND, IN CONNECTION THEREWITH, MAKING AN 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>.)

Joint Budget Committee. The general assembly recognizes that increases in the funded pupil count have increased the amount required for total program funding for the 2013-14 budget year. Decreases in the amount of property tax and specific ownership tax revenues available to

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

school districts have also increased the amount of the state share for total program funding for the 2013-14 budget year. Based on these circumstances, the bill increases the minimum level of total program funding for the 2013-14 budget year.

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) Based on the actual funded pupil count for the 2013-14 budget
5 year, total program funding is sixteen million nine hundred ninety-five
6 thousand three hundred sixteen dollars higher than anticipated when the
7 general assembly appropriated moneys for total program funding for the
8 2013-14 budget year during the 2013 regular legislative session;

9 (b) Based on the actual amount of local property tax revenues and
10 specific ownership tax revenues available to school districts for the
11 2013-14 budget year, the local share of total program funding is thirty-six
12 million eight hundred eighty-nine thousand eight hundred seventy dollars
13 lower than anticipated when the general assembly appropriated moneys
14 for total program funding for the 2013-14 budget year during the 2013
15 regular legislative session; and

16 (c) It is the intent of the general assembly that the amount of total
17 program funding for the 2013-14 budget year, after application of the
18 negative factor described in section 22-54-104 (5) (g), Colorado Revised
19 Statutes, be adjusted to provide additional funding associated with the
20 lower-than-anticipated property tax and specific ownership tax revenues
21 and the unanticipated increase in the funded pupil count for the 2013-14
22 budget year.

23 **SECTION 2.** In Colorado Revised Statutes, 22-54-104, **amend**

1 (5) (g) (I) (D) as follows:

2 **22-54-104. District total program.** (5) For purposes of the
3 formulas used in this section:

4 (g) (I) For the 2010-11 budget year and each budget year
5 thereafter, the general assembly determines that stabilization of the state
6 budget requires a reduction in the amount of the annual appropriation to
7 fund the state's share of total program funding for all districts and the
8 funding for institute charter schools. The department of education shall
9 implement the reduction in total program funding through the application
10 of a negative factor as provided in this paragraph (g). For the 2010-11
11 budget year and each budget year thereafter, the department of education
12 and the staff of the legislative council shall determine, based on budget
13 projections, the amount of such reduction to ensure the following:

14 (D) That, for the 2013-14 budget year, ~~and each budget year~~
15 ~~thereafter~~, the sum of the total program funding for all districts, including
16 the funding for institute charter schools, after application of the negative
17 factor, is not less than five billion five hundred ~~five~~ TWENTY-FOUR
18 million ~~three hundred thirty-two~~ FORTY-SIX thousand ~~twenty-four~~ SEVEN
19 HUNDRED SIXTY-SEVEN dollars ~~(\$5,505,332,024)~~ (\$5,524,046,767);
20 except that the department of education and the staff of the legislative
21 council shall make mid-year revisions to replace projections with actual
22 figures including, but not limited to, actual pupil enrollment, assessed
23 valuations, and specific ownership tax revenue from the prior year, to
24 determine any necessary changes in the amount of the reduction to
25 maintain a total program funding amount for the applicable budget year
26 that is consistent with this sub-subparagraph (D).

27 **SECTION 3. Appropriation.** In addition to any other

1 appropriation, there is hereby appropriated, to the department of
2 education, for the fiscal year beginning July 1, 2013, the sum of
3 \$55,437,495, or so much thereof as may be necessary, for allocation to
4 public school finance for the state share of districts' total program
5 funding. Of said sum, \$53,703,611 is from the general fund, and
6 \$1,733,884 is from the state education fund created in section 17 (4) (a)
7 of article IX of the state constitution.

8 **SECTION 4. Appropriation to the department of education**
9 **for the fiscal year beginning July 1, 2013.** In Session Laws of Colorado
10 2013, section 2 of chapter 441, (SB 13-230), **amend** Part III (2) (A)
11 Footnote 4, as amended by section 15 of chapter 236 (SB13-260), Session
12 Laws of Colorado 2013, as follows:

13 **Section 2. Appropriation.**

14 4 Department of Education, Assistance to Public Schools, Public
15 School Finance, State Share of Districts' Total Program Funding
16 -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of
17 this footnote is to specify what portion of this appropriation is
18 intended to be available for the Accelerating Students Through
19 Concurrent Enrollment (ASCENT) Program for FY 2013-14. It is
20 the intent of the General Assembly that the Department of
21 Education be authorized to utilize up to ~~\$2,727,900~~ \$2,371,507 of
22 this appropriation to fund qualified students designated as
23 ASCENT Program participants. This amount is calculated based
24 on an estimated ~~450~~ 390.5 FTE participants funded at a rate of
25 ~~\$6,062~~ \$6,073 per FTE pursuant to Section 22-54-104 (4.7),
26 C.R.S.

27 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.