

NOTE: The governor signed this measure on 2/27/2014.

An Act

HOUSE BILL 14-1251

BY REPRESENTATIVE(S) May, Duran, Gerou, Fields, Ginal, Hamner, Labuda, Lebsock, Melton, Mitsch Bush, Peniston, Pettersen, Primavera, Rosenthal, Salazar, Schafer, Williams, Young, Ferrandino, Gardner, Moreno; also SENATOR(S) Steadman, Hodge, Lambert, Aguilar, Crowder, Guzman, Heath, Jahn, Johnston, Kefalas, Kerr, Newell, Nicholson, Todd, Zenzinger.

CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL PROGRAM FUNDING FOR PUBLIC SCHOOLS FOR THE 2013-14 BUDGET YEAR, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

(b) Based on the actual amount of local property tax revenues and

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

specific ownership tax revenues available to school districts for the 2013-14 budget year, the local share of total program funding is thirty-six million eight hundred eighty-nine thousand eight hundred seventy dollars lower than anticipated when the general assembly appropriated moneys for total program funding for the 2013-14 budget year during the 2013 regular legislative session; and

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

SECTION 2. In Colorado Revised Statutes, 22-54-104, **amend** (5) (g) (I) (D) as follows:

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

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

(D) That, for the 2013-14 budget year, ~~and each budget year thereafter~~, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the negative factor, is not less than five billion five hundred ~~five~~ TWENTY-FOUR million ~~three hundred thirty-two~~ FORTY-SIX thousand ~~twenty-four~~ SEVEN HUNDRED SIXTY-SEVEN dollars (~~\$5,505,332,024~~) (\$5,524,046,767); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but

not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this sub-subparagraph (D).

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$55,437,495, or so much thereof as may be necessary, for allocation to public school finance for the state share of districts' total program funding. Of said sum, \$51,637,093 is from the general fund, and \$3,800,402 is from the state education fund created in section 17 (4) (a) of article IX of the state constitution.

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

Section 2. **Appropriation.**

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

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

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

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Morgan Carroll
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO