

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0818.01 Brita Darling x2241

SENATE BILL 15-166

SENATE SPONSORSHIP

Steadman, Grantham, Lambert

HOUSE SPONSORSHIP

Hamner, Young, Rankin

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL PROGRAM**
102 **FUNDING FOR PUBLIC SCHOOLS FOR THE 2014-15 BUDGET YEAR,**
103 **AND, IN CONNECTION THEREWITH, REDUCING AN**
104 **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 the actual pupil count is less than projected during the 2014 legislative session. In addition, increases in property tax and specific ownership tax

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.

SENATE
3rd Reading Unamended
February 5, 2015

SENATE
2nd Reading Unamended
February 4, 2015

receipts reduce the projected state share of total program funding. These reductions have enabled the general assembly to reduce the dollar amount of the negative factor. Due to variations in the amounts of state aid distributed to school districts, the bill adjusts the minimum amount of total program funding for the 2014-15 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) The actual funded pupil count for the 2014-15 budget year is
5 lower than anticipated when the general assembly appropriated moneys
6 for total program funding for the 2014-15 budget year during the 2014
7 regular legislative session, enabling the general assembly to reduce the
8 difference between actual statewide total program funding and calculated
9 statewide total program funding for the 2014-15 budget year;

10 (b) Based on the actual amount of local property tax revenues and
11 specific ownership tax revenues available to school districts for the
12 2014-15 budget year, the local share of total program funding is two
13 million eight hundred ninety-four thousand eighty-six dollars higher than
14 anticipated when the general assembly appropriated moneys for total
15 program funding for the 2014-15 budget year during the 2014 regular
16 legislative session, further enabling the general assembly to reduce the
17 difference between actual statewide total program funding and calculated
18 statewide total program funding for the 2014-15 budget year; and

19 (c) Therefore, the general assembly finds that maintaining the
20 level of calculated total program funding for the 2014-15 budget year
21 results in reduction in the dollar amount of the negative factor. Variations
22 in the amounts of state aid distributed to districts require an adjustment
23 in the minimum amount of total program funding for the 2014-15 budget

1 year, after application of the negative factor described in section
2 22-54-104 (5) (g), Colorado Revised Statutes.

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

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

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

17 (E) That, for the 2014-15 budget year, the sum of the total
18 program funding for all districts, including the funding for institute
19 charter schools, after application of the negative factor, is not less than
20 five billion nine hundred ~~twenty-nine~~ THIRTY million ~~seven hundred nine~~
21 NINETY-ONE thousand ~~five hundred eighty-two~~ SIX HUNDRED SIXTY
22 dollars (~~\$5,929,709,582~~) (\$5,930,091,660); except that the department of
23 education and the staff of the legislative council shall make mid-year
24 revisions to replace projections with actual figures including, but not
25 limited to, actual pupil enrollment, assessed valuations, and specific
26 ownership tax revenue from the prior year, to determine any necessary
27 changes in the amount of the reduction to maintain a total program

1 funding amount for the applicable budget year that is consistent with this
2 sub-subparagraph (E). For the 2015-16 budget year, the difference
3 between calculated statewide total program funding and actual statewide
4 total program funding must not exceed the difference between calculated
5 statewide total program funding and actual statewide total program
6 funding for the 2014-15 budget year.

7 **SECTION 3. Appropriation to the department of education**
8 **for the fiscal year beginning July 1, 2014.** In Session Laws of Colorado
9 2014, **amend** section 21 (1) (a) and (1) (b) of chapter 243, (HB 14-1292),
10 as follows:

11 Section 21. **Appropriation - adjustments to 2014 long bill.**

12 (1) For the implementation of this act, appropriations made in the annual
13 general appropriation act to the department of education for the fiscal
14 year beginning July 1, 2014, are adjusted as follows:

15 (a) The cash funds appropriation from the state education fund
16 created in section 17 (4) (a) of article IX of the state constitution, for the
17 state share of districts' total program funding, is increased by
18 ~~\$152,358,980~~ \$149,464,894.

19 (b) The cash funds appropriation from the state education fund
20 created in section 17 (4) (a) of article IX of the state constitution, for
21 hold-harmless full-day kindergarten funding, is increased by ~~\$193,196~~
22 \$189,854.

23 **SECTION 4. Appropriation to the department of education**
24 **for the fiscal year beginning July 1, 2014.** In Session Laws of Colorado
25 2014, section 2 of chapter 420, (HB 14-1336), **amend** Part III (2) (A)
26 Footnote 5, as amended by section 22 of chapter 243 (HB 14-1292),
27 Session Laws of Colorado 2014, as follows:

1 Section 2. **Appropriation.**
2 5 Department of Education, Assistance to Public Schools, Public
3 School Finance, State Share of Districts' Total Program Funding
4 -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of
5 this footnote is to specify what portion of this appropriation is
6 intended to be available for the Accelerating Students Through
7 Concurrent Enrollment (ASCENT) Program for FY 2014-15. It is
8 the intent of the General Assembly that the Department of
9 Education be authorized to utilize up to ~~\$4,536,864~~ \$2,720,564 of
10 this appropriation to fund qualified students designated as
11 ASCENT Program participants. This amount is calculated based
12 on an estimated ~~708~~ 423.5 FTE participants funded at a rate of
13 ~~\$6,408~~ \$6,424 per FTE pursuant to Section 22-54-104 (4.7),
14 C.R.S.

15 **SECTION 5. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.