

SENATE COMMITTEE OF REFERENCE REPORT

	January 28, 2016
Chairman of Committee	Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB16-072 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 2, strike lines 2 through 19 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 22-43.7-103, **amend**
3 (7) as follows:

4 **22-43.7-103. Definitions.** As used in this article, unless the
5 context otherwise requires:

6 (7) "Charter school" means a charter school as described in
7 section 22-54-124 (1) (f.6) (I) (A) or (1) (f.6) (I) (B). ~~that has been~~
8 ~~chartered for at least five years on the date its authorizer forwards an~~
9 ~~application for financial assistance to the board on the charter school's~~
10 ~~behalf.~~

11 **SECTION 2.** In Colorado Revised Statutes, 22-43.7-109, **amend**
12 (3); and **repeal** (1) (b) as follows:

13 **22-43.7-109. Financial assistance for public school capital**
14 **construction - application requirements - evaluation criteria - local**
15 **match requirements.** (1) For fiscal years commencing on or after July
16 1, 2008, the board, with the support of the division and subject to the
17 approval of the state board and, in the case of financial assistance that
18 involves lease-purchase agreements, subject to both the preliminary
19 approval of the state board and the final approval of the capital
20 development committee, regarding financial assistance awards as
21 specified in this section, shall provide financial assistance as specified in
22 this section subject to the following limitations:

23 (b) ~~The board may provide financial assistance to a charter school~~
24 ~~that first occupies a public school facility on or after May 22, 2008, only~~

1 ~~if the public school facility occupied by the charter school complied with~~
2 ~~all public school facilities construction guidelines addressing health and~~
3 ~~safety issues established by the board pursuant to section 22-43.7-107(2)~~
4 ~~(a) at the time the charter school first occupied the facility.~~

5 (3) A CHARTER SCHOOL THAT CHOOSES TO APPLY FOR FINANCIAL
6 ASSISTANCE MUST APPLY DIRECTLY TO THE BOARD. A charter school shall
7 notify its authorizer ~~that it intends to apply~~ IF THE CHARTER SCHOOL
8 APPLIES for financial assistance. NOTHING SHALL PROHIBIT THE
9 AUTHORIZER FROM SUBMITTING A LETTER INDICATING THE AUTHORIZER'S
10 POSITION ON THE APPLICATION. ~~at least four months prior to the~~
11 ~~application submission deadline. The charter school shall forward its~~
12 ~~application for financial assistance to its authorizer, which shall forward~~
13 ~~the application to the board together with a letter indicating the~~
14 ~~authorizer's position on the application.~~ The Colorado school for the deaf
15 and blind shall ALSO apply for financial assistance directly. Financial
16 assistance awarded to a charter school as a matching cash grant shall be
17 provided to the authorizer, which shall distribute all financial assistance
18 received as a grant to the charter school and may not retain any portion of
19 such moneys for any purpose. All other financial assistance shall be
20 provided in the form of lease payments made by the board directly to a
21 lessor or trustee as required by the terms of the applicable lease-purchase
22 agreement.".

23 Strike page 3.

24 Page 4, strike lines 1 through 12.

25 Renumber succeeding sections accordingly.

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