

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**ENGROSSED**

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

LLS NO. 16-1265.01 Julie Pelegrin x2700

**SENATE BILL 16-209**

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**SENATE SPONSORSHIP**

**Todd and Holbert,**

**HOUSE SPONSORSHIP**

**Buckner and Priola,**

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**Senate Committees**  
Finance

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING AUTHORIZING A SCHOOL DISTRICT BOARD OF EDUCATION**  
102 **TO CONSTRUCT A BUILDING FOR LEASE TO A STATE INSTITUTION**  
103 **OF HIGHER EDUCATION.**

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**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/bills summaries>.)*

The bill authorizes a school district board of education to lease school district property to a state institution of higher education and to accept in-kind services from the institution as all or part of the lease payments. The bill clarifies that a school district may issue bonds to construct a building for lease to a state institution of higher education.

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  
2nd Reading Unamended  
May 3, 2016

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

2           **SECTION 1.** In Colorado Revised Statutes, 22-32-110, **add** (1)  
3 (f.5) as follows:

4           **22-32-110. Board of education - specific powers.** (1) In addition  
5 to any other power granted to a board of education of a school district by  
6 law, each board of education of a school district shall have the following  
7 specific powers, to be exercised in its judgment:

8           (f.5) TO LEASE DISTRICT PROPERTY TO A STATE INSTITUTION OF  
9 HIGHER EDUCATION FOR USE BY THE INSTITUTION FOR A TERM AGREED TO  
10 BY THE DISTRICT AND THE INSTITUTION. IN ADDITION TO OR IN LIEU OF  
11 MONETARY LEASE PAYMENTS, THE BOARD OF EDUCATION MAY AGREE TO  
12 RECEIVE IN-KIND SERVICES PROVIDED BY THE INSTITUTION TO THE  
13 DISTRICT OR ITS EMPLOYEES OR GRADUATES, SUCH AS REDUCED TUITION  
14 RATES AND SCHOLARSHIPS FOR THE SCHOOL DISTRICT'S EMPLOYEES OR  
15 GRADUATES.

16           **SECTION 2.** In Colorado Revised Statutes, 22-42-102, **amend**  
17 (2) (a) (VIII); and **add** (2) (a) (X) as follows:

18           **22-42-102. Bonded indebtedness - elections.** (2) (a) The board  
19 of education of any school district, at any regular biennial school election  
20 or at a special election called for the purpose, shall submit to the eligible  
21 electors of the district the question of contracting a bonded indebtedness  
22 for one or more of the following purposes:

23           (VIII) For supporting charter school capital construction as  
24 defined in section 22-30.5-403 (4) or the land and facilities needs of a  
25 charter school as defined in section 22-30.5-403 (3), without title or  
26 ownership of charter school capital assets being held by the school district

1 or ownership or use restrictions placed on the charter school by the school  
2 district; ~~or~~

3 (X) FOR CONSTRUCTING A BUILDING THAT THE SCHOOL DISTRICT  
4 MAY LEASE TO A STATE INSTITUTION OF HIGHER EDUCATION.

5 **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly (August  
8 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within such period, then the act, item, section, or part will not take effect  
12 unless approved by the people at the general election to be held in  
13 November 2016 and, in such case, will take effect on the date of the  
14 official declaration of the vote thereon by the governor.