

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 25-0945.04 Jacob Baus x2173

HOUSE BILL 25-1320

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A BILL FOR AN ACT

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AND REDUCING AN**
103 **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://leg.colorado.gov>.)

Under current law, there are 2 total program formulas to finance public schools. Absent the satisfaction of a statutorily specified condition, the first formula is scheduled to stop determining total program after the 2024-25 budget year (expiring formula), and the second formula is scheduled to determine total program beginning in the 2030-31 budget

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
May 2, 2025

HOUSE
Amended 3rd Reading
April 17, 2025

HOUSE
Amended 2nd Reading
April 16, 2025

year (new formula). For the 2025-26 budget year through the 2029-30 budget year (transition period), total program is scheduled to be determined by using figures that were calculated under both the expiring formula and the new formula.

The bill:

- Extends the transition period by one year, so that it is from the 2025-26 budget year through the 2030-31 budget year; and
- Postpones the exclusive use of the new formula to determine total program until the 2031-32 budget year.

The bill changes how each school district's and institute charter school's annual total program is determined during the transition period. For the 2025-26 and 2026-27 budget years, each school district's and institute charter school's annual total program is the greater of the school district's or institute charter school's total program for the 2024-25 budget year or the amount calculated under the expiring formula plus an amount equal to 15% in 2025-26 and 30% in 2026-27 of the difference between the amounts calculated under the new formula and the expiring formula. For the 2027-28 budget year through the 2030-31 budget year, each school district's and institute charter school's annual total program is the greater of the district's or institute charter school's calculation under the expiring formula plus 1% of that calculation, or:

- For the 2027-28 budget year, the amount calculated under the expiring formula plus an amount equal to 45% of the difference between the amounts calculated under the new formula and the expiring formula;
- For the 2028-29 budget year, the amount calculated under the expiring formula plus an amount equal to 60% of the difference between the amounts calculated under the new formula and the expiring formula;
- For the 2029-30 budget year, the amount calculated under the expiring formula plus an amount equal to 75% of the difference between the amounts calculated under the new formula and the expiring formula; and
- For the 2030-31 budget year, the amount calculated under the expiring formula plus an amount equal to 90% of the difference between the amounts calculated under the new formula and the expiring formula.

Under current law, there are specified conditions that apply to the transition period. If the joint budget committee determines that a specified condition occurs in a budget year during the transition period, then for the next budget year and each budget year thereafter, the transition is suspended, and each school district's total program is determined pursuant to the calculation and determination required for the budget year when the condition occurred. For one of the existing conditions, the bill specifies

that an income tax deposit to the state education fund that was made to correct an error does not count toward determining whether the condition has been satisfied.

A school district's funded pupil count is a figure that is used as a part of determining a school district's total program. Under the expiring formula, a school district's funded pupil count is calculated by determining the greater of the school district's pupil enrollment for the applicable budget year or the average of the school district's pupil enrollment for the applicable budget year and the immediately preceding 4 budget years. Under current law, the new formula calculates a school district's funded pupil count by determining the greater of the school district's pupil enrollment for the applicable budget year or the average of the school district's pupil enrollment for the applicable budget year and the immediately preceding 3 budget years.

The bill changes the new formula so that:

- For the 2025-26 budget year, a school district's funded pupil count is calculated by determining the greater of the school district's pupil enrollment for the applicable budget year or the average of the school district's pupil enrollment for the applicable budget year and the immediately preceding 3 budget years; and
- For the 2026-27 budget year and each budget year thereafter, a school district's funded pupil count is calculated by determining the greater of the school district's pupil enrollment for the applicable budget year or the average of the district's pupil enrollment for the applicable budget year and the immediately preceding 2 budget years.

However:

- If a statutorily specified condition is satisfied, and consequently for the 2026-27 budget year, a district's total program is not determined as scheduled under the transition period, then for the 2026-27 budget year, and each budget year thereafter, funded pupil count will continue to be determined by the greater of the school district's pupil enrollment for the applicable budget year or the average of the school district's pupil enrollment for the applicable budget year and the immediately preceding 3 budget years; and
- If, for the 2027-28 budget year, the state education fund balance is projected to be less than \$200 million, then the general assembly is required to implement a smoothing factor or the funded pupil count will be determined by the greater of the school district's pupil enrollment for the applicable budget year or the average of the school district's pupil enrollment for the applicable budget year

and the immediately preceding budget year for the 2027-28 budget year and each budget year thereafter.

The bill changes the expiring formula so that starting in the 2027-28 budget year, the funded pupil count used in the expiring formula is the same funded pupil count that is used in the new formula to determine a district's total program during the transition period.

The bill determines total program for the 2025-26 budget year using the formula changes in the bill. The bill:

- Increases the statewide base per pupil funding for the 2025-26 budget year by \$195.42 to account for inflation;
- Sets a new statewide base per pupil funding amount for the 2025-26 budget year at \$8,691.80; and
- Sets the total program funding for the 2025-26 budget year for all school districts and institute charter schools to at least \$10,035,615,917.80.

Under current law, a new at-risk measure is required to be implemented in the 2025-26 budget year. The bill postpones the implementation of this requirement to the 2026-27 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 finds and declares that:

4 (a) The state of Colorado is committed to ensuring that every
5 child, regardless of their socioeconomic background, geographic location,
6 or individual needs has access to a high-quality public education. In order
7 to achieve this, the state must distribute state and local funding through
8 a school finance system that is student-centered, equitable, and
9 sustainable.

10 (b) The general assembly reaffirms its commitment to upholding
11 the Colorado Constitution's mandate for a thorough and uniform system
12 of public education and to providing every child with the opportunity to
13 receive an adequate education. Furthermore, the general assembly
14 acknowledges the importance of continuing the increases in funding for
15 public education mandated by section 17 of article IX of the Colorado

1 Constitution, which ensures year-over-year adjustments to account for
2 inflationary pressures. If the general assembly is unable to fulfill this
3 obligation mandated by section 17 of article IX of the Colorado
4 Constitution, then a group will be formed to address the issue of how to
5 accurately track a potential shortfall to public education funding in the
6 future. This commitment is fundamental to the long-term prosperity and
7 well-being of Colorado's future workforce and economy.

8 (c) The new school finance formula, established by the general
9 assembly to begin in the 2025-26 school year, is designed to prioritize
10 students and equity by directing resources where they are most needed,
11 particularly toward students who face greater challenges in their academic
12 success, including those living in poverty, learning English, and who have
13 special needs. The formula recognizes the diverse needs of Colorado
14 students, including those who live in small, rural, and remote school
15 districts, who may require additional resources to overcome geographic,
16 economic, and logistical barriers to providing a world-class public
17 education.

18 (2) Therefore, it is the intent of the general assembly that this new
19 school finance formula is implemented in a manner that is responsive to
20 the needs of all students and school districts in Colorado while
21 maintaining the long-term financial health of the state education fund and
22 ensuring continued funding stability for future generations of students.

23 **SECTION 2. In Colorado Revised Statutes, add 22-30.5-112.4**
24 **as follows:**

25 **22-30.5-112.4. Charter school alignment with total program**
26 **formula. (1) TO ENSURE THE GENERAL ASSEMBLY'S CONTINUED**
27 **COMMITMENT TO IMPLEMENTING THE NEW SCHOOL FINANCE FORMULA,**

1 THE GENERAL ASSEMBLY SHALL CONSULT A STATEWIDE ASSOCIATION
2 THAT REPRESENTS SCHOOL DISTRICTS AND A STATEWIDE ASSOCIATION
3 THAT REPRESENTS CHARTER SCHOOLS REGARDING THE ALIGNMENT OF
4 CHARTER SCHOOLS INTO THE IMPLEMENTATION OF THE NEW SCHOOL
5 FINANCE FORMULA. THE CONSULTATION MUST INCLUDE AND CONSIDER
6 THE OPINIONS OF DISTRICT CHARTER SCHOOLS, INSTITUTE CHARTER
7 SCHOOLS, AND SUPERINTENDENTS AND CHIEF FINANCIAL OFFICERS OF
8 SMALL RURAL SCHOOL DISTRICTS, RURAL SCHOOL DISTRICTS, AND
9 SUBURBAN SCHOOL DISTRICTS.

10 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-112, **amend**
11 **(2)(a)(III)(A), (2)(a.5)(II), (2)(a.8)(I), (2)(a.9), (2)(c)(II), (2)(e)(II)(B),**
12 **(3)(a)(II), and (3)(a)(III) as follows:**

13 **22-30.5-112. Charter schools - financing - guidelines -**
14 **definitions. (2) (a) (III) (A) For budget year 2000-01 and budget years**
15 **thereafter THE 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET**
16 **YEAR, except as otherwise provided in paragraph (a.3) of this subsection**
17 **(2) SUBSECTION (2)(a.3) OF THIS SECTION, each charter school and the**
18 **chartering school district shall negotiate funding under the contract. The**
19 **charter school shall MUST receive one hundred percent of the district per**
20 **pupil revenues for each pupil enrolled in the charter school who is not an**
21 **online pupil and one hundred percent of the district per pupil online**
22 **funding for each online pupil enrolled in the charter school; except that**
23 **the chartering school district may choose to retain the actual amount of**
24 **the charter school's per pupil share of the central administrative overhead**
25 **costs for services actually provided to the charter school, up to five**
26 **percent of the district per pupil revenues for each pupil who is not an**
27 **online pupil enrolled in the charter school, and up to five percent of the**

1 district per pupil online funding for each online pupil enrolled in the
2 charter school.

3 (a.5) As used in this subsection (2):

4 (II) "District per pupil revenues" means the district's total program
5 as defined in section 22-54-103 (6) for any budget year divided by the
6 district's funded pupil count as determined by article 54 of this title 22
7 SECTION 22-54-104 for the applicable budget year.

8 (a.8) (I) For the 2000-01 budget year and budget years thereafter
9 THROUGH THE 2025-26 BUDGET YEAR, the school district shall provide
10 federally required educational services to students enrolled in charter
11 schools on the same basis as ~~such~~ THE services are provided to students
12 enrolled in other public schools of the school district. Each charter school
13 shall pay an amount equal to the per pupil cost incurred by the school
14 district in providing federally required educational services, multiplied by
15 the number of students enrolled in the charter school. At either party's
16 request, however, the charter school and the school district may negotiate
17 and include in the charter contract alternate arrangements for the
18 provision of and payment for federally required educational services.

19 (a.9) For ~~budget year 2002-03 and budget years thereafter~~ THE
20 2002-03 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, and in
21 accordance with section 22-30.5-406, the funding provided by a
22 chartering school district to a charter school pursuant to this subsection
23 (2) ~~shall be~~ IS reduced by the amount of any direct payments of principal
24 and interest due on bonds issued on behalf of a charter school by a
25 governmental entity other than a school district for the purpose of
26 financing charter school capital construction that were made by the state
27 treasurer or the chartering school district on behalf of the charter school.

1 ~~(c) (II) For budget year 2000-01 and budget years thereafter THE~~
2 ~~2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, the amount~~
3 ~~of funding received by a charter school pursuant to this subsection (2)~~
4 ~~shall not be less than one hundred percent of the chartering school~~
5 ~~district's district per pupil revenues, minus up to five percent as provided~~
6 ~~in subparagraph (III) of paragraph (a) of this subsection (2) SUBSECTION~~
7 ~~(2)(a)(III) OF THIS SECTION multiplied by the number of pupils enrolled~~
8 ~~in the charter school or as otherwise provided in paragraph (a.3) of this~~
9 ~~subsection (2) SUBSECTION (2)(a.3) OF THIS SECTION for any charter~~
10 ~~school chartered by a school district that enrolls five hundred or fewer~~
11 ~~students.~~

12 ~~(e) (II) (B) Notwithstanding the provisions of subsection~~
13 ~~(2)(e)(II)(A) of this section, if the general assembly amends the "Public~~
14 ~~School Finance Act of 2025", article 54 of this title 22, to count a student~~
15 ~~enrolled in kindergarten only as a half-day pupil, with or without the~~
16 ~~addition of supplemental kindergarten enrollment as defined in section~~
17 ~~22-54-103 (15) for purposes of calculating the funded pupil count as~~
18 ~~determined by article 54 of this title 22 SECTION 22-54-104, a charter~~
19 ~~school may charge the student's parents tuition or a fee for the portion of~~
20 ~~the school day for which it does not receive funding for the student~~
21 ~~pursuant to the "Public School Finance Act of 2025"; except that the~~
22 ~~amount of tuition or fee charged must not exceed the amount of tuition or~~
23 ~~fee that the charter school charged to attend a full-day kindergarten~~
24 ~~educational program for the 2018-19 budget year, adjusted for inflation~~
25 ~~and prorated by the percentage of the school day for which the student is~~
26 ~~no longer funded by the "Public School Finance Act of 2025". As used in~~
27 ~~this subsection (2)(e)(II)(B), "inflation" means the annual percentage~~

1 change in the United States department of labor bureau of labor statistics
2 consumer price index for Denver-Aurora-Lakewood for all items paid by
3 all urban consumers, or its applicable successor index.

4 (3) (a) (II) For budget year 2000-01 and budget years thereafter
5 THE 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, if the
6 charter school and the school district have negotiated to allow the charter
7 school to provide federally required educational services pursuant to
8 paragraph (a.8) of subsection (2) SUBSECTION (2)(a.8) of this section, the
9 proportionate share of state and federal resources generated by students
10 receiving such THE federally required educational services or staff serving
11 them shall be IS directed by the school district or administrative unit to the
12 charter school enrolling such students.

13 (III) (A) For budget year 2000-01 and budget years thereafter THE
14 2000-01 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, the
15 proportionate share of moneys MONEY generated under federal or state
16 categorical aid programs, other than federally required educational
17 services, shall be IS directed to charter schools serving students eligible
18 for such aid; except that a school district that receives small attendance
19 center aid pursuant to section 22-54-122 for a small attendance center that
20 is a charter school shall forward the entire amount of such aid to the
21 charter school for which it was received FOR DISTRICT SPECIAL
22 EDUCATION PUPIL FUNDING CALCULATED PURSUANT TO SECTION
23 22-54-103.5 (10).

24 (B) NOTWITHSTANDING SUBSECTION (3)(a)(III)(A) OF THIS
25 SECTION, A SCHOOL DISTRICT THAT RECEIVES SMALL ATTENDANCE CENTER
26 AID PURSUANT TO SECTION 22-54-122 FOR A SMALL ATTENDANCE CENTER
27 THAT IS A CHARTER SCHOOL SHALL FORWARD THE ENTIRE AMOUNT OF

1 SUCH AID TO THE CHARTER SCHOOL FOR WHICH IT WAS RECEIVED.

2 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-112.1,
3 **amend (1)(g), (1)(j), and (3)(a) as follows:**

4 **22-30.5-112.1. Charter schools - exclusive jurisdiction districts**
5 **- authorized on or after July 1, 2004 - financing - definitions.** (1) As
6 used in this section, unless the context otherwise requires:

7 (g) "District funded pupil count" means the funded pupil count
8 determined pursuant to ~~article 54 of this title 22~~ SECTION 22-54-104.

9 (j) "District per pupil revenues" means the qualifying school
10 district's total program, as ~~defined in section 22-54-103 (6)~~ CALCULATED
11 PURSUANT TO SECTION 22-54-104, for any budget year divided by the
12 qualifying school district's funded pupil count DETERMINED PURSUANT TO
13 SECTION 22-54-104 for ~~said~~ THE budget year.

14 (3) (a) For ~~budget year 2004-05 and budget years thereafter~~ THE
15 2004-05 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, each district
16 charter school and the qualifying school district that approved the charter
17 shall negotiate funding under the charter contract. The district charter
18 school shall receive one hundred percent of the adjusted district per pupil
19 revenues for each pupil enrolled in the district charter school who is not
20 an online pupil and one hundred percent of the district per pupil online
21 funding for each online pupil enrolled in the district charter school;
22 except that the qualifying school district may choose to retain the sum of
23 the actual amount of the district charter school's per pupil share of the
24 central administrative overhead costs for services actually provided to the
25 district charter school, up to five percent of the adjusted district per pupil
26 revenues for each pupil who is not an online pupil enrolled in the district
27 charter school and up to five percent of the district per pupil online

1 funding for each online pupil enrolled in the district charter school.

2 **SECTION 5. In Colorado Revised Statutes, add 22-30.5-112.6**

3 as follows:

4 **22-30.5-112.6. Charter school funding - 2025-26 budget year**

5 **- repeal. (1) (a) A DISTRICT'S ONE-YEAR INCREMENTAL FUNDING IS:**

6 FIFTEEN PERCENT X (THE DIFFERENCE BETWEEN THE DISTRICT'S

7 TOTAL PROGRAM CALCULATION PURSUANT TO SECTION

8 22-54-103.5 AND THE DISTRICT'S TOTAL PROGRAM CALCULATION

9 PURSUANT TO SECTION 22-54-104).

10 (b) A DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER PUPIL

11 REVENUE IS:

12 DISTRICT ONE-YEAR INCREMENTAL FUNDING / DISTRICT FUNDED

13 PUPIL COUNT PURSUANT TO SECTION 22-54-103.5.

14 (c) (I) FOR THE 2025-26 BUDGET YEAR, IN ADDITION TO CHARTER

15 SCHOOL FUNDING PURSUANT TO SECTION 22-30.5-112 OR 22-30.5-112.1,

16 AS APPLICABLE, A DISTRICT CHARTER SCHOOL MUST RECEIVE AN AMOUNT

17 THAT IS EQUAL TO:

18 DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER PUPIL REVENUE

19 X DISTRICT CHARTER SCHOOL FUNDED PUPIL COUNT PURSUANT TO

20 SECTION 22-54-103.5.

21 (II) FOR THE 2025-26 BUDGET YEAR, IN ADDITION TO CHARTER

22 SCHOOL FUNDING RECEIVED PURSUANT TO SECTION 22-30.5-513, AN

23 INSTITUTE CHARTER SCHOOL MUST RECEIVE AN AMOUNT THAT IS EQUAL

24 TO:

25 ACCOUNTING DISTRICT'S ADJUSTED ONE-YEAR INCREMENTAL PER

26 PUPIL REVENUE X INSTITUTE CHARTER SCHOOL FUNDED PUPIL

27 COUNT PURSUANT TO SECTION 22-54-103.5.

1 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

2 **SECTION 6.** In Colorado Revised Statutes, **add** 22-30.5-112.7
3 as follows:

4 **22-30.5-112.7. Charter school funding - greater than**
5 **minimum.** AN AUTHORIZING DISTRICT OR ACCOUNTING DISTRICT MAY
6 PROVIDE FUNDING THAT IS GREATER THE THAN MINIMUM AMOUNT
7 DETERMINED PURSUANT TO SECTION 22-30.5-112, 22-30.5-112.1,
8 22-30.5-112.6, OR 22-30.5-513.

9 **SECTION 7.** In Colorado Revised Statutes, 22-30.5-112.2,
10 **amend** (2)(a) and (3); and **add** (2)(c) and (5) as follows:

11 **22-30.5-112.2. Charter schools - at-risk supplemental aid -**
12 **definitions - legislative declaration - repeal.** (2) (a) For the 2012-13
13 budget year ~~and each budget year thereafter~~ THROUGH THE 2024-25
14 BUDGET YEAR, the general assembly shall appropriate to the department
15 of education for allocation to school districts the amount calculated for
16 at-risk supplemental aid for those school districts and district charter
17 schools described in ~~paragraph (b) of this subsection (2)~~ SUBSECTION
18 (2)(b) OF THIS SECTION. FOR THE 2025-26 BUDGET YEAR AND THE 2026-27
19 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE
20 DEPARTMENT OF EDUCATION FOR ALLOCATION TO SCHOOL DISTRICTS THE
21 AMOUNT DETERMINED FOR SUPPLEMENTAL AID FOR THOSE SCHOOL
22 DISTRICTS AND DISTRICT CHARTER SCHOOLS DESCRIBED IN SUBSECTION
23 (2)(c) OF THIS SECTION. The at-risk supplemental aid is additional funding
24 and does not supplant any other funding provided pursuant to this article.

25 (c) FOR THE 2025-26 BUDGET YEAR, EACH SCHOOL DISTRICT AND
26 DISTRICT CHARTER SCHOOL'S AT-RISK SUPPLEMENTAL AID IS THE SAME
27 AMOUNT THAT IT RECEIVED IN THE 2024-25 BUDGET YEAR. FOR THE

1 2026-27 BUDGET YEAR, EACH SCHOOL DISTRICT AND DISTRICT CHARTER
2 SCHOOL'S AT-RISK SUPPLEMENTAL AID IS FIFTY PERCENT OF THE AMOUNT
3 THAT IT RECEIVED IN THE 2024-25 BUDGET YEAR.

4 (3) If the appropriation to the department of education is
5 insufficient to fund ~~one hundred percent~~ of the at-risk supplemental aid
6 ~~calculated pursuant to paragraph (b) of subsection (2)~~ DETERMINED
7 PURSUANT TO SUBSECTION (2) of this section, the department of education
8 shall reduce each school district's and each district charter school's at-risk
9 supplemental aid proportionately.

10 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

11 **SECTION 8.** In Colorado Revised Statutes, 22-30.5-513, **amend**
12 (1)(e), (1)(j)(II), (2)(b), (2)(e)(II), (4)(a)(I), (4)(a)(I.5) introductory
13 portion, (4.5)(a), (4.5)(d), (9)(a) and (10)(a); and **add** (4.5)(b.5) and
14 (4.5)(e) as follows:

15 **22-30.5-513. Institute charter schools - funding - at-risk**
16 **supplemental aid - legislative declaration - definitions - repeal.** (1) As
17 used in this section, unless the context otherwise requires:

18 (e) "Accounting district's funded pupil count" means the funded
19 pupil count determined pursuant to ~~article 54 of this title 22~~ SECTION
20 22-54-104.

21 (j) "Online pupil enrollment" means:

22 (II) For the 2008-09 budget year and for budget years thereafter
23 THROUGH THE 2025-26 BUDGET YEAR, the number of pupils, on the pupil
24 enrollment count day within the applicable budget year, enrolled in,
25 attending, and actively participating in a multi-district online school, as
26 defined in section 22-30.7-102 (6), created pursuant to article 30.7 of this
27 title by the institute charter school.

1 (2) (b) For budget year 2004-05 and budget years thereafter THE
2 2004-05 BUDGET YEAR THROUGH THE 2025-26 BUDGET YEAR, each
3 institute charter school and the institute shall negotiate funding under the
4 charter contract at a minimum of ninety-five percent of the institute
5 charter school's accounting district's adjusted per pupil revenues for each
6 pupil enrolled in the institute charter school who is not an online pupil
7 and ninety-five percent of the institute charter school's accounting
8 district's per pupil online funding for each online pupil enrolled in the
9 institute charter school. The institute may retain three percent of the
10 accounting district's adjusted per pupil revenues for each pupil, who is not
11 an online pupil, enrolled in the institute charter school and three percent
12 of the accounting district's per pupil online funding for each online pupil
13 enrolled in the institute charter school.

14 (e) (II) Notwithstanding the provisions of subsection (2)(e)(I) of
15 this section to the contrary, if the general assembly amends the "Public
16 School Finance Act of 2025", article 54 of this title 22, to count a student
17 enrolled in kindergarten only as a half-day pupil, with or without the
18 addition of supplemental kindergarten enrollment as defined in section
19 22-54-103 (15) for purposes of calculating the funded pupil count as
20 determined pursuant to article 54 of this title 22 SECTION 22-54-104, an
21 institute charter school may charge the student's parents tuition or a fee
22 for the portion of the school day for which it does not receive funding for
23 the student pursuant to the "Public School Finance Act of 2025"; except
24 that the amount of tuition or fee charged must not exceed the amount of
25 tuition or fee that the institute charter school charged to attend a full-day
26 kindergarten educational program for the 2018-19 budget year, adjusted
27 for inflation and prorated by the percentage of the school day for which

1 the student is no longer funded by the "Public School Finance Act of
2 2025". As used in this subsection (2)(c)(II), "inflation" means the annual
3 percentage change in the United States department of labor bureau of
4 labor statistics consumer price index for Denver-Aurora-Lakewood for
5 all items paid by all urban consumers, or its applicable successor index.

6 (4)(a)(I) For EACH BUDGET YEAR THROUGH THE 2025-26 BUDGET
7 YEAR, each institute charter school, the department shall withhold from
8 the state equalization payments of the institute charter school's accounting
9 district an amount equal to one hundred percent of the accounting
10 district's adjusted per pupil revenues multiplied by the number of pupils
11 enrolled in the institute charter school who are not online pupils plus an
12 amount equal to one hundred percent of the accounting district's per pupil
13 online funding multiplied by the number of online pupils enrolled in the
14 institute charter school. The department shall forward to the institute the
15 amount withheld minus an amount not to exceed one percent of the
16 amount withheld that the department may retain as reimbursement for the
17 reasonable and necessary costs to the department to implement the
18 provisions of this part 5.

19 (I.5) FOR EACH BUDGET YEAR THROUGH THE 2025-26 BUDGET
20 YEAR, the institute shall forward to each institute charter school an
21 amount equal to the institute charter school's pupil enrollment multiplied
22 by the accounting district's adjusted per pupil revenues of the institute
23 charter school's accounting district, minus:

24 (4.5) (a) For the 2012-13 budget year and each budget year
25 thereafter THROUGH THE 2024-25 BUDGET YEAR, the general assembly
26 shall appropriate to the charter school institute the amount calculated for
27 at-risk supplemental aid pursuant to paragraph (b) of this subsection (4.5)

1 SUBSECTION (4.5)(b) OF THIS SECTION for each institute charter school
2 whose percentage of at-risk pupils is less than the percentage of at-risk
3 pupils in the accounting district. FOR THE 2025-26 BUDGET YEAR AND THE
4 2026-27 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO
5 THE CHARTER SCHOOL INSTITUTE FOR ALLOCATION TO INSTITUTE CHARTER
6 SCHOOLS THE AMOUNT DESCRIBED IN SUBSECTION (4.5)(b.5) OF THIS
7 SECTION. At-risk supplemental aid is additional funding and does not
8 supplant any other funding allocated pursuant to this section. The charter
9 school institute shall pass through one hundred percent of an institute
10 charter school's at-risk supplemental aid to the institute charter school.

11 (b.5) FOR THE 2025-26 BUDGET YEAR, EACH INSTITUTE CHARTER
12 SCHOOL'S AT-RISK SUPPLEMENTAL AID IS THE SAME AMOUNT THAT IT
13 RECEIVED IN THE 2024-25 BUDGET YEAR. FOR THE 2026-27 BUDGET YEAR,
14 EACH INSTITUTE CHARTER SCHOOL'S AT-RISK SUPPLEMENTAL AID IS FIFTY
15 PERCENT OF THE AMOUNT THAT IT RECEIVED IN THE 2024-25 BUDGET
16 YEAR.

17 (d) If the appropriation to the charter school institute is
18 insufficient to fund ~~one hundred percent of~~ the at-risk supplemental aid
19 ~~calculated~~ DETERMINED pursuant to this subsection (4.5), the charter
20 school institute shall reduce each institute charter school's at-risk
21 supplemental aid proportionately.

22 (e) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2028.

23 (9) (a) For the 2004-05 budget year and for each budget year
24 thereafter THROUGH THE 2025-26 BUDGET YEAR, the proportionate share
25 of moneys MONEY generated under federal or state categorical aid
26 programs shall be directed to institute charter schools serving students
27 eligible for such aid.

1 (10) (a) On or before December 1, 2009, and on or before
2 December 1 each year thereafter, a representative from the governing
3 board of each institute charter school and the institute board shall meet to
4 review the level of funding received by the institute as a result of the
5 ~~moneys~~ MONEY withheld by the institute for the amount of actual costs
6 incurred by the institute in providing necessary administration, oversight,
7 and management services to the institute charter schools. The institute
8 charter school representatives and the institute board shall, at a minimum,
9 review, for each budget year beginning with the 2004-05 budget year
10 THROUGH THE 2025-26 BUDGET YEAR, the amount of ~~moneys~~ MONEY
11 annually appropriated to the institute, the amount of costs incurred by the
12 institute, and the services provided by the institute.

13 **SECTION 9.** In Colorado Revised Statutes, **repeal** 22-54-136.

14 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-408,
15 **amend** (2)(a) as follows:

16 **22-30.5-408. Replenishment of qualified charter school debt**
17 **service reserve funds - additional responsibilities - state treasurer -**
18 **qualified charter schools - definitions.** (2) (a) If the Colorado
19 educational and cultural facilities authority has issued qualified charter
20 school bonds on behalf of ~~any~~ A qualified charter school that fails
21 immediately to restore its qualified charter school debt service reserve
22 fund to the applicable qualified charter school debt service reserve fund
23 requirement, the board of directors of the authority shall submit to the
24 governor a certificate certifying ~~any~~ THE amount of money required to
25 restore the qualified charter school debt service reserve fund to the
26 applicable qualified charter school debt service reserve fund requirement.
27 The governor shall submit a request for appropriations in an amount

1 sufficient to restore any or all qualified charter school debt reserve funds
2 to their respective qualified charter school debt service reserve fund
3 requirements, and the general assembly may, but is not required to,
4 appropriate money for ~~said~~ THAT purpose. If, in its sole discretion, the
5 general assembly appropriates any money for ~~said~~ THAT purpose, the
6 aggregate outstanding principal amount of bonds for which money may
7 be appropriated for ~~said~~ THAT purpose must not exceed ~~seven hundred~~
8 ~~fifty million~~ ONE BILLION dollars.

9 **SECTION 11.** In Colorado Revised Statutes, 22-54-103, **add**
10 (1.5)(e) as follows:

11 **22-54-103. Definitions.** As used in this article 54, unless the
12 context otherwise requires:

13 (1.5) (e) FOR PURPOSES OF THIS SUBSECTION (1.5), A PUPIL'S
14 ELIGIBILITY FOR FREE OR REDUCED-PRICE LUNCH MAY BE DEMONSTRATED
15 BY ANY MEANS, INCLUDING IDENTIFICATION THROUGH AN APPLICATION
16 FOR FREE OR REDUCED-PRICE LUNCH PURSUANT TO THE FEDERAL
17 "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC.
18 1751 ET SEQ. OR COLORADO'S PARTICIPATION IN THE DEMONSTRATION
19 PROJECT OPERATED PURSUANT TO 42 U.S.C. SEC. 1758 (b)(15) FOR DIRECT
20 CERTIFICATION FOR CHILDREN RECEIVING BENEFITS THROUGH MEDICAID.

21 **SECTION 12.** In Colorado Revised Statutes, 22-54-103.2,
22 **amend** (2)(a) and (2)(b) as follows:

23 **22-54-103.2. District total program formula report.** (2) In its
24 report described pursuant to subsection (1) of this section, the department
25 of education shall report, at a minimum, data demonstrating:

26 (a) The successes and challenges of determining a district's total
27 program pursuant to section 22-54-103.3 for reports concerning the

1 2025-26 budget year through the ~~2029-30~~ 2030-31 budget year, and the
2 successes and challenges of determining a district's total program
3 pursuant to section 22-54-103.5 for reports concerning the ~~2030-31~~
4 2031-32 budget year and each budget year thereafter;

5 (b) How district total program, determined pursuant to section
6 22-54-103.3 for reports concerning the 2025-26 budget year through the
7 ~~2029-30~~ 2030-31 budget year and determined pursuant to section
8 22-54-103.5 for reports concerning the ~~2030-31~~ 2031-32 budget year and
9 each budget year thereafter, is being used at the school level, including
10 traditional public schools, district charter schools, and institute charter
11 schools, and information currently reported by the department of
12 education in district performance snapshots; and

13 **SECTION 13.** In Colorado Revised Statutes, 22-54-103.3,
14 **amend** (1)(a), (1)(c), (2), (3), (4), (5)(b)(I) introductory portion,
15 (5)(c)(I)(C), and (6) as follows:

16 **22-54-103.3. District total program - 2025-26 through 2030-31**
17 **budget years - definitions - repeal.** (1) (a) Notwithstanding any
18 provision of law to the contrary, for the 2025-26 budget year through the
19 ~~2029-30~~ 2030-31 budget year, the department of education shall
20 determine each district's total program pursuant to this section. The
21 district's total program is available to the district to fund the costs of
22 providing public education, and, except as otherwise provided in section
23 22-54-105, the district has the discretion to determine the amounts and
24 purposes for budgeting and expending its district total program money.

25 (c) As used in this section, "for the 2025-26 budget year through
26 the ~~2029-30~~ 2030-31 budget year" means the 2025-26 budget year, the
27 2026-27 budget year, the 2027-28 budget year, the 2028-29 budget year,

1 ~~and~~ the 2029-30 budget year, AND THE 2030-31 BUDGET YEAR.

2 (2) For the 2025-26 budget year through the ~~2029-30~~ 2030-31
3 budget year, the department of education shall calculate each district's
4 total program pursuant to sections 22-54-103.5 and 22-54-104.

5 (3) (a) For the 2025-26 budget year, ~~through the 2029-30 budget~~
6 ~~year~~ a district's total program is the greater of the district's total program
7 ~~calculation pursuant to section 22-54-104 plus one-half percent of the~~
8 ~~district's total program calculation pursuant to section 22-54-104; or~~
9 DETERMINATION FOR THE 2024-25 BUDGET YEAR, OR THE AMOUNT
10 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL
11 TO FIFTEEN PERCENT OF THE DIFFERENCE BETWEEN THE DISTRICT'S TOTAL
12 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 AND THE
13 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
14 22-54-104.

15 (a) ~~For the 2025-26 budget year, the amount calculated pursuant~~
16 ~~to section 22-54-104 plus an amount equal to eighteen percent of the~~
17 ~~difference between the district's total program calculation pursuant to~~
18 ~~section 22-54-103.5 and the district's total program calculation pursuant~~
19 ~~to section 22-54-104;~~

20 (b) ~~For the 2026-27 budget year, the amount calculated pursuant~~
21 ~~to section 22-54-104 plus an amount equal to thirty-four percent of the~~
22 ~~difference between the district's total program calculation pursuant to~~
23 ~~section 22-54-103.5 and the district's total program calculation pursuant~~
24 ~~to section 22-54-104~~ FOR THE 2026-27 BUDGET YEAR, A DISTRICT'S TOTAL
25 PROGRAM IS THE GREATER OF THE DISTRICT'S TOTAL PROGRAM
26 DETERMINATION FOR THE 2024-25 BUDGET YEAR OR THE AMOUNT
27 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL

1 TO THIRTY PERCENT OF THE DIFFERENCE BETWEEN THE DISTRICT'S TOTAL
2 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 AND THE
3 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
4 22-54-104.

5 (c) For the 2027-28 budget year THROUGH THE 2030-31 BUDGET
6 YEAR, ~~the amount calculated pursuant to section 22-54-104 plus an~~
7 ~~amount equal to fifty percent of the difference between the district's total~~
8 ~~program calculation pursuant to section 22-54-103.5 and the district's~~
9 ~~total program calculation pursuant to section 22-54-104~~ A DISTRICT'S
10 TOTAL PROGRAM IS THE GREATER OF THE DISTRICT'S TOTAL PROGRAM
11 CALCULATION PURSUANT TO SECTION 22-54-104 PLUS ONE PERCENT OF
12 THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
13 22-54-104, OR:

14 ~~(c)~~ (I) For the 2027-28 budget year, the amount calculated
15 pursuant to section 22-54-104 plus an amount equal to ~~fifty~~ FORTY-FIVE
16 percent of the difference between the district's total program calculation
17 pursuant to section 22-54-103.5 and the district's total program
18 calculation pursuant to section 22-54-104;

19 ~~(d)~~ (II) For the 2028-29 budget year, the amount calculated
20 pursuant to section 22-54-104 plus an amount equal to ~~sixty-six~~ SIXTY
21 percent of the difference between the district's total program calculation
22 pursuant to section 22-54-103.5 and the district's total program
23 calculation pursuant to section 22-54-104; ~~and~~

24 ~~(e)~~ (III) For the 2029-30 budget year, the amount calculated
25 pursuant to section 22-54-104 plus an amount equal to ~~eighty-two~~
26 SEVENTY-FIVE percent of the difference between the district's total
27 program calculation pursuant to section 22-54-103.5 and the district's

1 total program calculation pursuant to section 22-54-104; AND

2 (IV) FOR THE 2030-31 BUDGET YEAR, THE AMOUNT CALCULATED
3 PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL TO NINETY
4 PERCENT OF THE DIFFERENCE BETWEEN THE DISTRICT'S TOTAL PROGRAM
5 CALCULATION PURSUANT TO SECTION 22-54-103.5 AND THE DISTRICT'S
6 TOTAL PROGRAM CALCULATION PURSUANT TO SECTION 22-54-104.

7 (4) For the 2024-25 budget year through the ~~2029-30~~ 2030-31
8 budget year, the joint budget committee shall monitor the fiscal impact of
9 the district total program determinations pursuant to this section and the
10 fiscal impact of the transition to the total program formula pursuant to
11 section 22-54-103.5. At a minimum, the joint budget committee shall
12 consider immediate and forecasted economic conditions, the impact or
13 trend of the statewide total local share of total program funding, the
14 impact or trend of the state education fund, and any other data-driven
15 considerations necessary to ensure the sustainable transition to and
16 implementation of a new total program formula. The joint budget
17 committee and the general assembly may take action necessary to ensure
18 the sustainable transition to and implementation of a new total program
19 formula. On or after January 1, 2025, when the department of education
20 makes mid-year adjustments, the joint budget committee shall develop a
21 sustainability plan that makes findings and recommendations regarding
22 how the general assembly can fully fund total program determinations
23 pursuant to sections 22-54-103.3 and 22-54-103.5. On or after January 1,
24 2026, and on or after January 1 each year thereafter, when the department
25 of education makes mid-year adjustments, the joint budget committee
26 shall review the sustainability plan and update it as necessary.

27 (5) (b) (I) Notwithstanding any provision of this article 54, for the

1 2024-25 budget year through the ~~2029-30~~ 2030-31 budget year, if the
2 joint budget committee determines that any one of the conditions
3 described in subsection (5)(c) of this section occurred:

4 (c) (I) The requirements described in subsection (5)(b) of this
5 section are initiated if:

6 (C) In either an assessment year or a non-assessment year, the
7 March revenue forecast relied on by the general assembly in setting the
8 budget for the next state fiscal year estimates that the income tax
9 ~~diversion~~ DEPOSIT to the state education fund, as required pursuant to
10 section 17 of article IX of the state constitution, will decrease by five
11 percent or more in either the current budget year or the next budget year.
12 IF THE JOINT BUDGET COMMITTEE DETERMINES BASED ON FORECAST
13 ESTIMATES, AS DESCRIBED IN THIS SUBSECTION (5)(c)(I)(C), THAT THE
14 INCOME TAX DEPOSIT TO THE STATE EDUCATION FUND WILL DECREASE BY
15 FIVE PERCENT OR MORE IN EITHER THE CURRENT BUDGET YEAR OR THE
16 NEXT BUDGET YEAR AS A RESULT OF A CORRECTION TO AN ERROR IN THE
17 TOTAL AMOUNT OF STATE EDUCATION FUND REVENUES DEPOSITED AS SET
18 FORTH IN SECTION 22-55-103 (2), THEN THIS SUBSECTION (5)(c)(I)(C)
19 DOES NOT INITIATE THE REQUIREMENTS OF SUBSECTION (5)(b) OF THIS
20 SECTION.

21 (6) This section is repealed, effective ~~July 1, 2031~~ JULY 1, 2032.

22 **SECTION 14.** In Colorado Revised Statutes, 22-54-103.5,
23 **amend** (1)(a), (1)(c)(I), (1)(c)(III), (4), (12)(d), and (12)(e); and **add** (3)
24 and (13)(b.5) as follows:

25 **22-54-103.5. District total program - rules - legislative**
26 **declaration - repeal.** (1) (a) For the ~~2030-31~~ 2031-32 budget year and
27 each budget year thereafter, the department of education shall use this

1 section to determine each district's total program. The district's total
2 program is available to the district to fund the costs of providing public
3 education, and, except as otherwise provided in section 22-54-105, the
4 district has the discretion to determine the amounts and purposes for
5 budgeting and expending its district total program money.

6 (c) (I) Notwithstanding any provision of law to the contrary, for
7 the 2025-26 budget year through the ~~2029-30~~ 2030-31 budget year, the
8 department of education shall calculate each district's total program
9 pursuant to this section for the purpose of determining each district's total
10 program pursuant to section 22-54-103.3. The district's total program is
11 available to the district to fund the costs of providing public education,
12 and, except as otherwise provided in section 22-54-105, the district has
13 the discretion to determine the amounts and purposes for budgeting and
14 expending its district total program money.

15 (III) This subsection (1)(c) is repealed, effective ~~July 1, 2031~~ JULY
16 1, 2032.

17 (3) **Statewide base per pupil funding.** (a) (I) FOR THE 2025-26
18 BUDGET YEAR, THE STATEWIDE BASE PER PUPIL FUNDING IS EIGHT
19 THOUSAND SIX HUNDRED NINETY-ONE DOLLARS AND EIGHTY CENTS
20 (\$8,691.80), WHICH IS AN AMOUNT EQUAL TO EIGHT THOUSAND FOUR
21 HUNDRED NINETY-SIX DOLLARS AND THIRTY-EIGHT CENTS (\$8,496.38),
22 SUPPLEMENTED BY ONE HUNDRED NINETY-FIVE DOLLARS AND FORTY-TWO
23 CENTS (\$195.42) TO ACCOUNT FOR INFLATION.

24 (II) THIS SUBSECTION (3)(a) IS REPEALED, EFFECTIVE JULY 1, 2031.

25 (b) (RESERVED)

26 (4) **Funded pupil count.** Funded pupil count is:

27 (a) (I) FOR THE 2025-26 BUDGET YEAR, the district's online pupil

1 enrollment for the applicable budget year plus the district's supplemental
2 kindergarten enrollment for the applicable budget year plus the district's
3 extended high school pupil enrollment for the applicable budget year plus
4 the greater of:

5 ~~(H)~~ (A) The district's pupil enrollment for the applicable budget
6 year;

7 ~~(H)~~ (B) The average of the district's pupil enrollment for the
8 applicable budget year and the district's pupil enrollment for the
9 immediately preceding budget year;

10 ~~(HH)~~ (C) The average of the district's pupil enrollment for the
11 applicable budget year and the district's pupil enrollment for the two
12 immediately preceding budget years; or

13 ~~(HV)~~ (D) The average of the district's pupil enrollment for the
14 applicable budget year and the district's pupil enrollment for the three
15 immediately preceding budget years.

16 ~~(b)(H)~~ (II) Notwithstanding any provision of law to the contrary,
17 for purposes of THIS subsection (4)(a), ~~of this section~~, a district's funded
18 pupil count includes the certified pupil enrollment and online pupil
19 enrollment of each operating institute charter school for which the district
20 is the accounting district, as provided pursuant to ~~subsections (4)(b)(H)~~
21 ~~and (4)(b)(HH)~~ SUBSECTIONS (4)(a)(III) AND (4)(a)(IV) of this section. The
22 department of education shall add the institute charter school's certified
23 pupil enrollment and online pupil enrollment to the funded pupil count of
24 the district prior to calculating the district's total program pursuant to this
25 section.

26 ~~(H)~~ (III) For purposes of ~~subsection (4)(b)(I)~~ SUBSECTION
27 (4)(a)(II) of this section, each operating institute charter school's certified

1 pupil enrollment is the greater of:

2 (A) The operating institute charter school's pupil enrollment for
3 the applicable budget year;

4 (B) The average of the operating institute charter school's pupil
5 enrollment for the applicable budget year and the operating institute
6 charter school's pupil enrollment for the immediately preceding budget
7 year;

8 (C) The average of the operating institute charter school's pupil
9 enrollment for the applicable budget year and the operating institute
10 charter school's pupil enrollment for the two immediately preceding
11 budget years; or

12 (D) The average of the operating institute charter school's pupil
13 enrollment for the applicable budget year and the operating institute
14 charter school's pupil enrollment for the three immediately preceding
15 budget years.

16 ~~(HH)~~ (IV) Notwithstanding any provision of law to the contrary,
17 for purposes of ~~subsection (4)(b)(H)~~ SUBSECTION (4)(a)(III) of this
18 section, an operating institute charter school's pupil enrollment includes
19 its online student enrollment, except for multi-district online school
20 student enrollment.

21 ~~(e)~~ (V) The general assembly finds and declares that for the
22 purposes of section 17 of article IX of the state constitution, averaging a
23 district's pupil enrollment for the applicable budget year and the district's
24 pupil enrollment for the three immediately preceding budget years
25 pursuant to this ~~subsection (4)~~ SUBSECTION (4)(a), and averaging an
26 operating institute charter school's student enrollment and online pupil
27 enrollment pursuant to this ~~subsection (4)~~ SUBSECTION (4)(a), is a

1 program for accountable education reform and may therefore receive
2 funding from the state education fund created in section 17 (4) of article
3 IX of the state constitution.

4 ~~(d) (F)~~ (VI) (A) Notwithstanding any provision of law to the
5 contrary, for the purposes of this ~~subsection (4)~~ SUBSECTION (4)(a), a
6 district's pupil enrollment for the applicable budget year and a district's
7 pupil enrollment for a preceding budget year do not include a pupil who
8 is or was enrolled in a charter school that was originally authorized by the
9 district but was subsequently converted, on or after July 1, 2010, to an
10 institute charter school or to a charter school of a district contiguous to
11 the ~~originally~~ ORIGINAL authorizing district.

12 ~~(H)~~ (B) Notwithstanding any provision of this ~~subsection (4)~~
13 SUBSECTION (4)(a) to the contrary, for the purposes of this ~~subsection (4)~~
14 SUBSECTION (4)(a), if a district's funded pupil count calculated pursuant
15 to this ~~subsection (4)~~ SUBSECTION (4)(a), for a budget year is fewer than
16 sixty students, the district's funded pupil count for the budget year is sixty
17 students.

18 (b) (I) FOR THE 2026-27 BUDGET YEAR, AND EACH BUDGET YEAR
19 THEREAFTER, THE DISTRICT'S ONLINE PUPIL ENROLLMENT FOR THE
20 APPLICABLE BUDGET YEAR PLUS THE DISTRICT'S SUPPLEMENTAL
21 KINDERGARTEN ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS
22 THE DISTRICT'S EXTENDED HIGH SCHOOL PUPIL ENROLLMENT FOR THE
23 APPLICABLE BUDGET YEAR PLUS THE GREATER OF:

24 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
25 BUDGET YEAR;

26 (B) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
27 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR

1 THE IMMEDIATELY PRECEDING BUDGET YEAR; OR

2 (C) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE

3 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR

4 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS.

5 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE

6 CONTRARY, FOR PURPOSES OF THIS SUBSECTION (4)(b), A DISTRICT'S

7 FUNDED PUPIL COUNT INCLUDES THE CERTIFIED PUPIL ENROLLMENT AND

8 ONLINE PUPIL ENROLLMENT OF EACH OPERATING INSTITUTE CHARTER

9 SCHOOL FOR WHICH THE DISTRICT IS THE ACCOUNTING DISTRICT, AS

10 PROVIDED PURSUANT TO SUBSECTIONS (4)(b)(III) AND (4)(b)(IV) OF THIS

11 SECTION. THE DEPARTMENT OF EDUCATION SHALL ADD THE INSTITUTE

12 CHARTER SCHOOL'S CERTIFIED PUPIL ENROLLMENT AND ONLINE PUPIL

13 ENROLLMENT TO THE FUNDED PUPIL COUNT OF THE DISTRICT PRIOR TO

14 CALCULATING THE DISTRICT'S TOTAL PROGRAM PURSUANT TO THIS

15 SECTION.

16 (III) FOR PURPOSES OF SUBSECTION (4)(b)(II) OF THIS SECTION,

17 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL

18 ENROLLMENT IS THE GREATER OF:

19 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL

20 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR;

21 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER

22 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND

23 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR

24 THE IMMEDIATELY PRECEDING BUDGET YEAR; AND

25 (C) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER

26 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND

27 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR

1 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS.

2 (IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
3 CONTRARY, FOR PURPOSES OF SUBSECTION (4)(b)(III) OF THIS SECTION, AN
4 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT INCLUDES
5 ITS ONLINE STUDENT ENROLLMENT, EXCEPT FOR MULTI-DISTRICT ONLINE
6 SCHOOL STUDENT ENROLLMENT.

7 (V) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE
8 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
9 AVERAGING A DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
10 BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR THE TWO
11 IMMEDIATELY PRECEDING BUDGET YEARS PURSUANT TO THIS SUBSECTION
12 (4)(b), AND AVERAGING AN OPERATING INSTITUTE CHARTER SCHOOL'S
13 STUDENT ENROLLMENT AND ONLINE PUPIL ENROLLMENT PURSUANT TO
14 THIS SUBSECTION (4)(b), IS A PROGRAM FOR ACCOUNTABLE EDUCATION
15 REFORM AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE
16 EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE
17 STATE CONSTITUTION.

18 (VI) (A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
19 CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION (4)(b), A DISTRICT'S
20 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND A DISTRICT'S
21 PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR DO NOT INCLUDE A
22 PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT WAS
23 ORIGINALLY AUTHORIZED BY THE DISTRICT BUT WAS SUBSEQUENTLY
24 CONVERTED, ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER
25 SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT CONTIGUOUS TO THE
26 ORIGINAL AUTHORIZING DISTRICT.

27 (B) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION

1 (4)(b) TO THE CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION (4)(b),
2 IF A DISTRICT'S FUNDED PUPIL COUNT CALCULATED PURSUANT TO THIS
3 SUBSECTION (4)(b) FOR A BUDGET YEAR IS FEWER THAN SIXTY STUDENTS,
4 THE DISTRICT'S FUNDED PUPIL COUNT FOR THE BUDGET YEAR IS SIXTY
5 STUDENTS.

6 (c) NOTWITHSTANDING SUBSECTIONS (4)(a) AND (4)(b) OF THIS
7 SECTION, IF, FOR THE 2026-27 BUDGET YEAR, EACH DISTRICT'S TOTAL
8 PROGRAM IS NOT DETERMINED PURSUANT TO SECTION 22-54-103.3 (3)(b),
9 THEN FUNDED PUPIL COUNT IS DETERMINED PURSUANT TO SUBSECTION
10 (4)(a) OF THIS SECTION FOR THE 2026-27 BUDGET YEAR AND EACH BUDGET
11 YEAR THEREAFTER.

12 (d) (I) NOTWITHSTANDING SUBSECTION (4)(b) OF THIS SECTION, IF
13 THE STATE EDUCATION FUND BALANCE IS PROJECTED TO BE LESS THAN
14 TWO HUNDRED MILLION DOLLARS AS OF JUNE 30, 2027, BASED ON
15 INFORMATION CONTAINED IN THE MARCH 2027 REVENUE FORECAST
16 PREPARED BY THE LEGISLATIVE COUNCIL STAFF, THEN FOR THE 2027-28
17 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE GENERAL
18 ASSEMBLY SHALL IMPLEMENT A SMOOTHING FACTOR OR THE FUNDED
19 PUPIL COUNT IS THE DISTRICT'S ONLINE PUPIL ENROLLMENT FOR THE
20 APPLICABLE BUDGET YEAR PLUS THE DISTRICT'S SUPPLEMENTAL
21 KINDERGARTEN ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS
22 THE DISTRICT'S EXTENDED HIGH SCHOOL PUPIL ENROLLMENT FOR THE
23 APPLICABLE BUDGET YEAR PLUS THE GREATER OF:

24 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
25 BUDGET YEAR; OR

26 (B) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
27 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR

1 THE IMMEDIATELY PRECEDING BUDGET YEAR.

2 (I.5) IF THE GENERAL ASSEMBLY IS REQUIRED TO IMPLEMENT A
3 SMOOTHING FACTOR PURSUANT TO SUBSECTION (4)(d)(I) OF THIS SECTION,
4 THEN PRIOR TO THE SMOOTHING FACTOR'S IMPLEMENTATION, THE
5 GENERAL ASSEMBLY SHALL CONSULT A STATEWIDE ASSOCIATION THAT
6 REPRESENTS SCHOOL DISTRICTS REGARDING THE DEVELOPMENT AND
7 IMPLEMENTATION OF A SMOOTHING FACTOR. THE CONSULTATION MUST
8 INCLUDE AND CONSIDER THE OPINIONS OF SUPERINTENDENTS AND CHIEF
9 FINANCIAL OFFICERS OF SMALL RURAL SCHOOL DISTRICTS, RURAL SCHOOL
10 DISTRICTS, SUBURBAN SCHOOL DISTRICTS, AND URBAN SCHOOL DISTRICTS.

11 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
12 CONTRARY, FOR PURPOSES OF THIS SUBSECTION (4)(d), A DISTRICT'S
13 FUNDED PUPIL COUNT INCLUDES THE CERTIFIED PUPIL ENROLLMENT AND
14 ONLINE PUPIL ENROLLMENT OF EACH OPERATING INSTITUTE CHARTER
15 SCHOOL FOR WHICH THE DISTRICT IS THE ACCOUNTING DISTRICT, AS
16 PROVIDED PURSUANT TO SUBSECTIONS (4)(d)(III) AND (4)(d)(IV) OF THIS
17 SECTION. THE DEPARTMENT OF EDUCATION SHALL ADD THE INSTITUTE
18 CHARTER SCHOOL'S CERTIFIED PUPIL ENROLLMENT AND ONLINE PUPIL
19 ENROLLMENT TO THE FUNDED PUPIL COUNT OF THE DISTRICT PRIOR TO
20 CALCULATING THE DISTRICT'S TOTAL PROGRAM PURSUANT TO THIS
21 SECTION.

22 (III) FOR PURPOSES OF SUBSECTION (4)(d)(II) OF THIS SECTION,
23 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL
24 ENROLLMENT IS THE GREATER OF:

25 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL
26 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR; OR

27 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER

1 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
2 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
3 THE IMMEDIATELY PRECEDING BUDGET YEAR.

4 (IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
5 CONTRARY, FOR PURPOSES OF SUBSECTION (4)(d)(III) OF THIS SECTION, AN
6 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT INCLUDES
7 ITS ONLINE STUDENT ENROLLMENT, EXCEPT FOR MULTI-DISTRICT ONLINE
8 SCHOOL STUDENT ENROLLMENT.

9 (V) (A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
10 CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION (4)(d), A DISTRICT'S
11 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR DOES NOT
12 INCLUDE A PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT
13 WAS ORIGINALLY AUTHORIZED BY THE DISTRICT BUT WAS SUBSEQUENTLY
14 CONVERTED, ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER
15 SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT CONTIGUOUS TO THE
16 ORIGINAL AUTHORIZING DISTRICT.

17 (B) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION
18 (4)(d) TO THE CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION (4)(d),
19 IF A DISTRICT'S FUNDED PUPIL COUNT CALCULATED PURSUANT TO THIS
20 SUBSECTION (4)(d) FOR A BUDGET YEAR IS FEWER THAN SIXTY STUDENTS,
21 THE DISTRICT'S FUNDED PUPIL COUNT FOR THE BUDGET YEAR IS SIXTY
22 STUDENTS.

23 (e) IF THE DEPARTMENT OF EDUCATION DETERMINES THAT A
24 DISTRICT'S PUPIL ENROLLMENT OR OPERATING INSTITUTE CHARTER
25 SCHOOL'S PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR INCLUDED
26 PUPILS WHO WERE NOT REPORTED AS MULTI-DISTRICT ONLINE PUPILS, BUT
27 WERE DETERMINED BY THE DEPARTMENT OF EDUCATION TO HAVE BEEN

1 EDUCATED IN A SETTING THAT WAS EQUIVALENT TO A MULTI-DISTRICT
2 ONLINE PROGRAM, THE DEPARTMENT OF EDUCATION SHALL USE THE
3 ADJUSTED DISTRICT PUPIL ENROLLMENT OR OPERATING INSTITUTE
4 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT PRECEDING BUDGET
5 YEAR WHEN DETERMINING FUNDED PUPIL COUNT PURSUANT TO THIS
6 SUBSECTION (4).

7 (12) **District locale factor funding.** (d) A district's classification,
8 as described pursuant to subsection (12)(b) or (12)(c) of this section, is
9 determined by ~~the latest classifications or classification criteria issued by~~
10 ~~the national center for education statistics in the institute of education~~
11 ~~sciences of the United States department of education~~ EDUCATION'S
12 LATEST CLASSIFICATION CRITERIA OR THE CLASSIFICATION CRITERIA
13 ISSUED IMMEDIATELY PRIOR TO THE LATEST CLASSIFICATION CRITERIA,
14 WHICHEVER IS THE GREATER PERCENTAGE.

15 (e) (I) Notwithstanding subsection (12)(d) of this section, if a
16 district does not align with a classification issued by the national center
17 for education statistics, the department of education shall designate the
18 district's locale factor based on considerations that align it with a similarly
19 situated district that has a classification issued by the national center for
20 education statistics. If the department of education is required to
21 designate the district's locale factor pursuant to this subsection (12)(e), the
22 department of education shall consult with legislative counsel staff
23 concerning the adjustment for any information necessary to make an
24 appropriate designation.

25 (II) FOR PURPOSES OF THIS SUBSECTION (12)(e), THE DEPARTMENT
26 MAY EXCLUDE FROM THE DISTRICT'S FUNDED PUPIL COUNT THAT IS USED
27 TO DETERMINE A DISTRICT'S LOCALE FACTOR PURSUANT TO SUBSECTION

1 (12)(b) OF THIS SECTION THE NUMBER OF PUPILS ON THE PUPIL
2 ENROLLMENT COUNT DAY WITHIN THE APPLICABLE BUDGET YEAR
3 ENROLLED IN, ATTENDING, AND ACTIVELY PARTICIPATING IN A
4 MULTI-DISTRICT ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102,
5 CREATED PURSUANT TO ARTICLE 30.7 OF THIS TITLE 22.

6 (13) **District size factor funding.** (b.5) FOR PURPOSES OF
7 SUBSECTION (13)(b)(I) THROUGH (13)(b)(VI) OF THIS SECTION, A
8 DISTRICT'S FUNDED PUPIL COUNT DOES NOT INCLUDE THE NUMBER OF
9 PUPILS, ON THE PUPIL ENROLLMENT COUNT DAY WITHIN THE APPLICABLE
10 BUDGET YEAR, THE NUMBER OF PUPILS ENROLLED IN, ATTENDING, AND
11 ACTIVELY PARTICIPATING IN A MULTI-DISTRICT ONLINE SCHOOL, AS
12 DEFINED IN SECTION 22-30.7-102, CREATED PURSUANT TO ARTICLE 30.7
13 OF THIS TITLE 22.

14 **SECTION 15.** In Colorado Revised Statutes, 22-54-103.5, add
15 (14) as follows:

16 **22-54-103.5. District total program - rules - legislative**
17 **declaration - repeal. (14) Total program funding. (a) (I) FOR THE**
18 **2025-26 BUDGET YEAR, THE DEPARTMENT OF EDUCATION AND THE STAFF**
19 **OF THE LEGISLATIVE COUNCIL SHALL DETERMINE, BASED ON BUDGET**
20 **PROJECTIONS, THE AMOUNT TO ENSURE THAT FOR THE 2025-26 BUDGET**
21 **YEAR, THE SUM OF TOTAL PROGRAM FUNDING FOR ALL DISTRICTS,**
22 **INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS AT LEAST TEN**
23 **BILLION THIRTY-SIX MILLION SEVENTY THOUSAND SEVEN HUNDRED**
24 **FORTY-EIGHT DOLLARS (\$10,036,070,748); EXCEPT THAT THE**
25 **DEPARTMENT OF EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL**
26 **SHALL MAKE MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH**
27 **ACTUAL FIGURES, INCLUDING ACTUAL PUPIL ENROLLMENT, ASSESSED**

1 VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR
2 YEAR TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT TO
3 MAINTAIN TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR.

4 (II) THIS SUBSECTION (14)(a) IS REPEALED, EFFECTIVE JULY 1,
5 2031.

6 (b) (RESERVED)

7 SECTION 16. In Colorado Revised Statutes, 22-54-103.5, add
8 (14) as follows:

9 22-54-103.5. District total program - rules - legislative
10 declaration - repeal. (14) Total program funding. (a) (I) FOR THE
11 2025-26 BUDGET YEAR, THE DEPARTMENT OF EDUCATION AND THE STAFF
12 OF THE LEGISLATIVE COUNCIL SHALL DETERMINE, BASED ON BUDGET
13 PROJECTIONS, THE AMOUNT TO ENSURE THAT FOR THE 2025-26 BUDGET
14 YEAR, THE SUM OF TOTAL PROGRAM FUNDING FOR ALL DISTRICTS,
15 INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS AT LEAST TEN
16 BILLION THIRTY-ONE MILLION SIX HUNDRED SIX THOUSAND NINETY
17 DOLLARS (\$10,031,606,090); EXCEPT THAT THE DEPARTMENT OF
18 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE
19 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,
20 INCLUDING ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS, AND
21 SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR TO DETERMINE
22 ANY NECESSARY CHANGES IN THE AMOUNT TO MAINTAIN TOTAL PROGRAM
23 FUNDING FOR THE APPLICABLE BUDGET YEAR.

24 (II) THIS SUBSECTION (14)(a) IS REPEALED, EFFECTIVE JULY 1,
25 2031.

26 (b) (RESERVED)

27 SECTION 17. In Colorado Revised Statutes, 22-54-104, amend

1 (1)(c)(I) and (8); and **add** (7)(i) and (7)(j) as follows:

2 **22-54-104. District total program - legislative declaration -**
3 **definitions - repeal.** (1) (c) (I) Notwithstanding any provision of law to
4 the contrary, for the 2025-26 budget year through the ~~2029-30~~ 2030-31
5 budget year, the department of education shall calculate each district's
6 total program pursuant to this section for the purpose of determining each
7 district's total program pursuant to section 22-54-103.3. The district's total
8 program is available to the district to fund the costs of providing public
9 education, and, except as otherwise provided in section 22-54-105, the
10 district has the discretion to determine the amounts and purposes for
11 budgeting and expending its district total program money.

12 (7) (i) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION
13 (7), FOR THE 2027-28 BUDGET YEAR AND EACH BUDGET YEAR
14 THEREAFTER, WHEN CALCULATING EACH DISTRICT'S TOTAL PROGRAM
15 PURSUANT TO THIS SECTION FOR THE PURPOSE OF DETERMINING A
16 DISTRICT'S TOTAL PROGRAM PURSUANT TO SECTION 22-54-103.3, THE
17 DEPARTMENT OF EDUCATION SHALL USE THE SAME FUNDED PUPIL COUNT
18 THAT IT USES PURSUANT TO SECTION 22-54-103.5 (4) FOR THE PURPOSE OF
19 DETERMINING A DISTRICT'S TOTAL PROGRAM PURSUANT TO SECTION
20 22-54-103.3.

21 (j) IF THE DEPARTMENT OF EDUCATION DETERMINES THAT A
22 DISTRICT'S PUPIL ENROLLMENT OR OPERATING INSTITUTE CHARTER
23 SCHOOL'S PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR INCLUDED
24 PUPILS WHO WERE NOT REPORTED AS MULTI-DISTRICT ONLINE PUPILS, BUT
25 WERE DETERMINED BY THE DEPARTMENT OF EDUCATION TO HAVE BEEN
26 EDUCATED IN A SETTING THAT WAS EQUIVALENT TO A MULTI-DISTRICT
27 ONLINE PROGRAM, THE DEPARTMENT OF EDUCATION SHALL USE THE

1 ADJUSTED DISTRICT PUPIL ENROLLMENT OR OPERATING INSTITUTE
2 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT PRECEDING BUDGET
3 YEAR WHEN DETERMINING FUNDED PUPIL COUNT PURSUANT TO THIS
4 SUBSECTION (7).

5 (8) This section is repealed, effective ~~July 1, 2031~~ JULY 1, 2032.

6 **SECTION 18.** In Colorado Revised Statutes, 22-54-104.6,
7 **amend** (1)(a) introductory portion, (1)(b), and (12); and **add** (1.5) as
8 follows:

9 **22-54-104.6. Implementation of at-risk measure - legislative**
10 **declaration - definitions - repeal.** (1) (a) The general assembly finds
11 and declares that implementing ~~a new~~ AN IMPROVED at-risk measure for
12 identifying students who are at risk of below-average academic
13 performance because of socioeconomic disadvantages or poverty will
14 benefit Colorado students by:

15 (b) Therefore, it is the intent of the general assembly to ~~create a~~
16 ~~working group convened by the commissioner of education to determine~~
17 ~~how to construct and implement the new~~ CONTINUOUSLY IMPROVE THE
18 CONSTRUCTION AND IMPLEMENTATION OF THE at-risk measure for use in
19 the state's public school funding formula.

20 (1.5) (a) IN ORDER TO ACCOUNT FOR STUDENTS WHO ARE AT-RISK
21 OF BELOW-AVERAGE ACADEMIC PERFORMANCE AND EDUCATION
22 OUTCOMES BECAUSE OF SOCIOECONOMIC DISADVANTAGES OR POVERTY,
23 BUT WHO MAY NOT QUALIFY FOR FREE OR REDUCED PRICE LUNCH, THE
24 DEPARTMENT OF EDUCATION SHALL COLLECT DATA NECESSARY TO
25 IDENTIFY INDIVIDUAL STUDENT CENSUS BLOCK GROUPS.

26 (b) NOTWITHSTANDING SUBSECTION (1.5)(a) OF THIS SECTION, THE
27 STATE BOARD MAY PROMULGATE RULES THAT DIRECT THE DEPARTMENT

1 OF EDUCATION TO SUSPEND THE COLLECTION OF DATA PURSUANT TO
2 SUBSECTION (1.5)(a) OF THIS SECTION, IF THE COLLECTED DATA INDICATES
3 THAT THE STUDENT POPULATION IDENTIFIED IN SUBSECTION (1.5)(a) OF
4 THIS SECTION IS SUBSTANTIALLY SIMILAR TO THE AT-RISK STUDENT
5 POPULATION THAT IS IDENTIFIED THROUGH FREE AND REDUCED PRICE
6 LUNCH AND DIRECT CERTIFICATION. THE STATE BOARD MAY ALSO
7 PROMULGATE RULES THAT DIRECT THE DEPARTMENT OF EDUCATION TO
8 RE-START THE COLLECTION OF DATA PURSUANT TO SUBSECTION (1.5)(a)
9 OF THIS SECTION, AFTER A SUSPENSION OF DATA COLLECTION.

10 (12) Subsections ~~(4) to (11)~~ (2) TO (11.7) of this section are
11 repealed, effective July 1, 2025.

12 **SECTION 19. In Colorado Revised Statutes, 22-41-102, amend**
13 **(3)(i)(IV), (3)(j)(IV), and (3)(k)(III) as follows:**

14 **22-41-102. Fund inviolate. (3) (i) For the 2024-25 state fiscal**
15 **year, interest and income earned on the investment of the money in the**
16 **public school fund must be used or credited as follows:**

17 **(IV) Any additional interest and income remaining in the public**
18 **school fund may be credited as specified by the general assembly, taking**
19 **into consideration the recommendations of the public school fund**
20 **investment board described in section 22-41-102.5 (4)(a)(III), or, if not**
21 **credited pursuant to this subsection (3)(i)(IV), remains in the public**
22 **school fund IS CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION**
23 **ASSISTANCE FUND PURSUANT TO SECTION 22-43.7-104 (2)(d.5).**

24 **(j) For the 2025-26 state fiscal year, interest and income earned on**
25 **the investment of the money in the public school fund must be used or**
26 **credited as follows:**

27 **(IV) Any additional interest and income remaining in the public**

1 school fund may be credited as specified by the general assembly, taking
2 into consideration the recommendations of the public school fund
3 investment board described in section 22-41-102.5 (4)(a)(III), or, if not
4 credited pursuant to this subsection (3)(j)(IV), remains in the public
5 school fund IS CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
6 ASSISTANCE FUND PURSUANT TO SECTION 22-43.7-104 (2)(d.5).

7 (k) For the 2026-27 state fiscal year and each state fiscal year
8 thereafter, interest and income earned on the investment of the money in
9 the public school fund must be used or credited as follows:

10 (III) Any additional interest and income remaining in the public
11 school fund may be credited as specified by the general assembly, taking
12 into consideration the recommendations of the public school fund
13 investment board described in section 22-41-102.5 (4)(a)(III), or, if not
14 credited pursuant to this subsection (3)(k)(III), remains in the public
15 school fund IS CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
16 ASSISTANCE FUND PURSUANT TO SECTION 22-43.7-104 (2)(d.5).

17 **SECTION 20.** In Colorado Revised Statutes, 22-43.7-104,
18 **amend** (1) and (2)(d)(I); and **add** (2)(d.5) and (7) as follows:

19 **22-43.7-104. Public school capital construction assistance fund**
20 **- creation - crediting of money to fund - use of fund - emergency**
21 **reserve - creation - reserve account - creation and use - definition -**
22 **report.** (1) (a) The public school capital construction assistance fund is
23 **hereby** created in the state treasury. SUBJECT TO THE LIMITATION SET
24 FORTH IN SUBSECTION (1)(b)(I) OF THIS SECTION, the principal of the
25 assistance fund ~~shall consist~~ CONSISTS of all ~~moneys~~ MONEY transferred
26 or credited to the assistance fund pursuant to subsection (2) of this
27 section. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b)(I) OF THIS

1 SECTION, all interest and income earned on the deposit and investment of
2 ~~moneys~~ MONEY in the assistance fund ~~shall be~~ IS credited to the assistance
3 fund and ~~shall not be~~ IS NOT transferred to the general fund or any other
4 fund at the end of any fiscal year.

5 (b) (I) (A) FOR THE 2024-25 STATE FISCAL YEAR, AND EACH STATE
6 FISCAL YEAR THEREAFTER, THE TOTAL AMOUNT OF REVENUE CREDITED IN
7 THE STATE FISCAL YEAR TO THE ASSISTANCE FUND PURSUANT TO THIS
8 SECTION MUST NOT EXCEED ONE HUNDRED FIFTY MILLION DOLLARS,
9 WHICH AMOUNT MUST BE ANNUALLY ADJUSTED FOR INFLATION FOR EACH
10 STATE FISCAL YEAR THEREAFTER.

11 (B) FOR THE 2024-25 STATE FISCAL YEAR, AND EACH STATE FISCAL
12 YEAR THEREAFTER, THE STATE TREASURER SHALL CREDIT TO THE STATE
13 PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) ANY AMOUNT OF
14 REVENUE THAT EXCEEDS IN THE STATE FISCAL YEAR ONE HUNDRED FIFTY
15 MILLION DOLLARS, AS ADJUSTED ANNUALLY FOR INFLATION FOR STATE
16 FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, THAT OTHERWISE
17 WOULD BE CREDITED TO THE ASSISTANCE FUND PURSUANT TO THIS
18 SECTION.

19 (II) NOTWITHSTANDING SUBSECTION (1)(b)(I) OF THIS SECTION,
20 THE TOTAL AMOUNT OF REVENUE DESCRIBED IN SUBSECTION (1)(b)(I) OF
21 THIS SECTION DOES NOT INCLUDE MONEY CREDITED TO THE ASSISTANCE
22 FUND PURSUANT TO SUBSECTION (2)(d.5) OF THIS SECTION.

23 (III) AS USED IN THIS SUBSECTION (1)(b), "INFLATION" MEANS THE
24 ANNUAL PERCENTAGE INCREASE IN THE UNITED STATES DEPARTMENT OF
25 LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX, OR A
26 SUCCESSOR INDEX, FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS
27 PAID FOR BY URBAN CONSUMERS.

1 (2) (d) (I) (A) For the state fiscal year commencing July 1, 2018,
2 the state treasurer, as provided in section 39-28.8-305 (1)(a), shall credit
3 to the assistance fund the greater of the first forty million dollars received
4 and collected from the excise tax on retail marijuana imposed pursuant to
5 part 3 of article 28.8 of title 39 or ninety percent of the money received
6 and collected from the tax. For the state fiscal year commencing July 1,
7 2019, and for each state fiscal year thereafter except for the state fiscal
8 year commencing July 1, 2020, the state treasurer, as provided in section
9 39-28.8-305 (1)(a), shall annually credit to the assistance fund all of the
10 money received and collected from the excise tax on retail marijuana
11 imposed pursuant to part 3 of article 28.8 of title 39. For the state fiscal
12 year commencing July 1, 2020, the state treasurer, as provided in section
13 39-28.8-305 (1)(a), shall credit to the assistance fund the lesser of the first
14 forty million dollars received and collected from the excise tax on retail
15 marijuana imposed pursuant to part 3 of article 28.8 of title 39 or all of
16 the money received and collected from the tax. For state fiscal years
17 commencing before July 1, 2019, the state treasurer shall credit twelve
18 and five-tenths percent of the amount annually credited pursuant to this
19 subsection (2)(d) to the charter school facilities assistance account, which
20 account is created within the assistance fund. For each state fiscal year
21 commencing on or after July 1, 2019, the state treasurer shall credit to the
22 charter school facilities assistance account a percentage of the amount
23 credited pursuant to this subsection (2)(d) that is equal to the percentage
24 of pupil enrollment, as defined in section 22-54-103 (10), statewide
25 represented by pupils who were enrolled in charter schools for the prior
26 school year. The department of education shall notify the state treasurer
27 of the applicable percentage no later than June 1 of the immediately

1 ~~preceding fiscal year~~ FOR THE STATE FISCAL YEAR COMMENCING JULY 1,
2 2019, AND FOR EACH STATE FISCAL YEAR THEREAFTER, THE STATE
3 TREASURER, AS PROVIDED IN SECTION 39-28.8-305 (1)(a), SHALL
4 ANNUALLY CREDIT TO THE ASSISTANCE FUND ALL OF THE MONEY
5 RECEIVED AND COLLECTED FROM THE EXCISE TAX ON RETAIL MARIJUANA
6 IMPOSED PURSUANT TO PART 3 OF ARTICLE 28.8 OF TITLE 39, SUBJECT TO
7 THE LIMITATION SET FORTH IN SUBSECTION (1)(b)(I) OF THIS SECTION.

8 (B) THERE IS CREATED WITHIN THE ASSISTANCE FUND THE
9 CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT. FOR THE 2019-20
10 STATE FISCAL YEAR, AND EACH STATE FISCAL YEAR THEREAFTER, THE
11 STATE TREASURER SHALL CREDIT TO THE CHARTER SCHOOL FACILITIES
12 ASSISTANCE ACCOUNT A PERCENTAGE OF THE AMOUNT CREDITED
13 PURSUANT TO THIS SUBSECTION (2)(d) THAT IS EQUAL TO THE
14 PERCENTAGE OF PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103,
15 STATEWIDE REPRESENTED BY PUPILS WHO WERE ENROLLED IN CHARTER
16 SCHOOLS FOR THE PRIOR SCHOOL YEAR. THE DEPARTMENT OF EDUCATION
17 SHALL NOTIFY THE STATE TREASURER OF THE APPLICABLE PERCENTAGE NO
18 LATER THAN JUNE 1 OF THE IMMEDIATELY PRECEDING STATE FISCAL YEAR.

19 (d.5) FOR THE 2024-25 STATE FISCAL YEAR AND EACH STATE
20 FISCAL YEAR THEREAFTER, THE STATE TREASURER SHALL CREDIT TO THE
21 ASSISTANCE FUND THE ADDITIONAL INTEREST AND INCOME REMAINING IN
22 THE PUBLIC SCHOOL FUND PURSUANT TO SECTION 22-41-102 (3)(i)(IV),
23 (3)(j)(IV), AND (3)(k)(III).

24 (7) IN ITS BUDGET REQUEST SUBMITTED TO THE JOINT BUDGET
25 COMMITTEE EACH NOVEMBER 1, THE OFFICE OF STATE PLANNING AND
26 BUDGETING SHALL REPORT THE AMOUNT OF REVENUE THAT WAS CREDITED
27 TO THE STATE PUBLIC SCHOOL FUND FOR THE PRIOR STATE FISCAL YEAR

1 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION. THE JOINT BUDGET
2 COMMITTEE MUST CONSIDER THE AMOUNT OF REVENUE THAT WAS
3 CREDITED TO THE STATE PUBLIC SCHOOL FUND AND WHETHER TO
4 CONTINUE CREDITING MONEY TO THE STATE PUBLIC SCHOOL FUND
5 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

6 **SECTION 21. In Colorado Revised Statutes, 22-55-103, add (6)**
7 **as follows:**

8 **22-55-103. State education fund - creation - transfers to fund**
9 **- use of money in fund - permitted investments - exempt from**
10 **spending limitations - kids matter account - definition - repeal.**

11 **(6) (a) AS USED IN THIS SUBSECTION (6), UNLESS THE CONTEXT**
12 **OTHERWISE REQUIRES, "ACCOUNT" MEANS THE KIDS MATTER ACCOUNT**
13 **CREATED IN SUBSECTION (6)(b) OF THIS SECTION.**

14 **(b) (I) THE KIDS MATTER ACCOUNT IS CREATED IN THE STATE**
15 **EDUCATION FUND. BEGINNING JULY 1, 2026, STATE FISCAL YEAR, THE**
16 **STATE TREASURER MUST DEPOSIT IN THE ACCOUNT ALL STATE REVENUES**
17 **COLLECTED FROM AN EXISTING TAX ON SIXTY-FIVE PERCENT OF**
18 **ONE-TENTH OF ONE PERCENT ON FEDERAL TAXABLE INCOME, AS MODIFIED**
19 **BY LAW, OF EVERY INDIVIDUAL, ESTATE, TRUST, AND CORPORATION, AS**
20 **DEFINED IN LAW.**

21 **(II) THE ACCOUNT CONSISTS OF MONEY DEPOSITED INTO THE**
22 **ACCOUNT PURSUANT TO SUBSECTION (6)(b)(I) OF THIS SECTION; ANY**
23 **MONEY TRANSFERRED TO THE ACCOUNT BY THE GENERAL ASSEMBLY; AND**
24 **ANY GIFTS, GRANTS, OR DONATIONS FROM ANY PUBLIC OR PRIVATE**
25 **SOURCES THAT THE DEPARTMENT OF EDUCATION IS AUTHORIZED TO SEEK**
26 **AND ACCEPT. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND**
27 **INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE**

1 ACCOUNT TO THE ACCOUNT.

2 (III) THE MONEY IN THE ACCOUNT IS SUBJECT TO ANNUAL
3 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF
4 EDUCATION ONLY FOR THE PURPOSE OF FUNDING:

5 (A) DISTRICT TOTAL PROGRAM FUNDING; AND

6 (B) TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS.

7 (IV) ANY MONEY NOT EXPENDED OR ENCUMBERED, AND ALL
8 INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEY IN THE
9 ACCOUNT, REMAINS IN THE ACCOUNT AT THE END OF ANY STATE FISCAL
10 YEAR.

11 (c)(I) BEGINNING JULY 1, 2026, THE LEGISLATIVE COUNCIL STAFF,
12 IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,
13 SHALL CALCULATE THE AMOUNT OF REVENUE TO BE DEPOSITED IN THE
14 ACCOUNT PURSUANT TO THIS SECTION. THE LEGISLATIVE COUNCIL STAFF
15 AND THE OFFICE OF STATE PLANNING AND BUDGETING SHALL USE THE
16 QUARTERLY STATE REVENUE ESTIMATES ISSUED BY THE LEGISLATIVE
17 COUNCIL STAFF IN CALCULATING THE AMOUNT AND UPDATE THE
18 CALCULATION NOT LATER THAN FIVE DAYS AFTER THE ISSUANCE OF EACH
19 QUARTERLY STATE REVENUE ESTIMATE.

20 (II) TO ENSURE THAT THE CORRECT AMOUNT OF REVENUE IS
21 DEPOSITED IN THE ACCOUNT:

22 (A) NO LATER THAN TWO DAYS AFTER CALCULATING OR UPDATING
23 THE CALCULATION, THE LEGISLATIVE COUNCIL STAFF, IN CONSULTATION
24 WITH THE OFFICE OF STATE PLANNING AND BUDGETING, SHALL CERTIFY TO
25 THE DEPARTMENT OF REVENUE THE AMOUNT OF REVENUE THAT THE
26 DEPARTMENT SHALL TRANSFER TO THE STATE TREASURER FOR DEPOSIT
27 INTO THE ACCOUNT ON THE FIRST BUSINESS DAY OF EACH OF THE NEXT

1 THREE CALENDAR MONTHS;

2 (B) NOTWITHSTANDING SUBSECTION (6)(c)(II)(A) OF THIS
3 SECTION, NO LATER THAN MAY 25, 2027, AND NO LATER THAN MAY 25 OF
4 EACH STATE FISCAL YEAR THEREAFTER, THE LEGISLATIVE COUNCIL STAFF,
5 IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,
6 MAY CERTIFY TO THE DEPARTMENT OF REVENUE AN ADJUSTED AMOUNT
7 FOR ANY DEPOSIT TO BE MADE ON THE FIRST BUSINESS DAY OF JUNE; AND

8 (C) SUBJECT TO REVIEW BY THE STATE AUDITOR, THE LEGISLATIVE
9 COUNCIL STAFF, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING
10 AND BUDGETING, MAY CORRECT AN ERROR IN THE AMOUNT OF REVENUE
11 TRANSFERRED DURING ANY STATE FISCAL YEAR BY ADJUSTING THE
12 AMOUNT OF ANY TRANSFER TO BE MADE DURING THE NEXT STATE FISCAL
13 YEAR.

14 (III) BEGINNING JULY 1, 2026, AND ON THE FIRST BUSINESS DAY OF
15 EACH CALENDAR MONTH THEREAFTER, THE DEPARTMENT OF REVENUE
16 SHALL TRANSFER TO THE STATE TREASURER FOR DEPOSIT INTO THE
17 ACCOUNT REVENUE IN AN AMOUNT CERTIFIED TO THE DEPARTMENT OF
18 REVENUE BY THE LEGISLATIVE COUNCIL STAFF, IN CONSULTATION WITH
19 THE OFFICE OF STATE PLANNING AND BUDGETING, PURSUANT TO
20 SUBSECTIONS (6)(c)(II)(A) AND (6)(c)(II)(B) OF THIS SECTION.

21 **SECTION 22.** In Colorado Revised Statutes, 22-7-1209, **amend**
22 **(7) as follows:**

23 **22-7-1209. State board - rules - department - duties.**

24 **(7)** Beginning in the 2019-20 budget year, the department shall ~~contract~~
25 ~~with an entity to~~ develop and implement a public information campaign
26 to emphasize the importance of learning to read by third grade and to
27 highlight the local education providers that are achieving high

percentages of third-grade students who demonstrate reading competency.
The public information campaign must be disseminated statewide and must emphasize the important roles that educators and parents have in teaching children to read and in providing a school and home environment that promotes reading. The department is encouraged to work with the public and private library agencies throughout the state in developing and implementing the public information campaign.

SECTION 23. In Colorado Revised Statutes, 22-105.5-104, amend (3)(c)(I) as follows:

22-105.5-104. Out-of-school time program grant program - created - use of grants - funding - rules - repeal. (3) (c) (I) For the 2024-25, 2025-26, and 2026-27 state fiscal years, the general assembly shall appropriate three million five hundred thousand dollars in each state fiscal year from the general fund to the department for purposes of this section. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2024-25 OR 2025-26 STATE FISCAL YEAR FROM AN APPROPRIATION MADE PURSUANT TO THIS SUBSECTION (3)(c)(I):

(A) MAY BE USED BY THE DEPARTMENT IN THE 2025-26 OR 2026-27 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND

(B) MUST NOT BE USED FOR ANY PURPOSE OTHER THAN THE PURPOSES OF THIS SECTION.

SECTION 24. In Colorado Revised Statutes, 22-105.5-106, amend (1) introductory portion and (5) as follows:

22-105.5-106. Reporting requirements. (1) On or before July 1, 2025, JULY 1, 2026, and on or before July 1 each year thereafter in which a grant is awarded, each grantee shall submit a report to the department. At a minimum, the report must include the following

1 information:

2 (5) On or before ~~March 31, 2026~~, MARCH 31, 2027, and on or
3 before March 31 each year thereafter for the duration of the grant
4 program, the department shall submit a summarized report of information
5 provided by the eligible entities that received a grant to the education
6 committees of the senate and the house of representatives, or any
7 successor committees.

8 **SECTION 25.** In Colorado Revised Statutes, 42-1-102, **amend**
9 (88) and (88.5)(a); and **add** (60.2) as follows:

10 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
11 unless the context otherwise requires:

12 (60.2) "MULTIFUNCTION SCHOOL ACTIVITY BUS" MEANS A MOTOR
13 VEHICLE THAT IS DESIGNED AND USED SPECIFICALLY FOR THE
14 TRANSPORTATION OF SCHOOL CHILDREN TO OR FROM A SCHOOL-RELATED
15 ACTIVITY, WHETHER THE ACTIVITY OCCURS WITHIN OR OUTSIDE THE
16 TERRITORIAL LIMITS OF A SCHOOL DISTRICT AND WHETHER OR NOT THE
17 ACTIVITY OCCURS DURING SCHOOL HOURS. A "MULTIFUNCTION SCHOOL
18 ACTIVITY BUS" MUST COMPLY WITH ALL FEDERAL MOTOR VEHICLE SAFETY
19 STANDARDS AND REGULATIONS APPLICABLE TO SCHOOL BUSES, EXCEPT
20 ANY STANDARD OR REGULATION REQUIRING THE INSTALLATION OF
21 OFFICIAL TRAFFIC CONTROL DEVICES.

22 (88) "School bus" means a motor vehicle that is designed and used
23 specifically for the transportation of school children to or from a public
24 or private school or a school-related activity, whether the activity occurs
25 within or ~~without~~ OUTSIDE the territorial limits of ~~any~~ A SCHOOL district
26 and whether or not the activity occurs during school hours. "~~School bus~~"
27 ~~does not include informal or intermittent arrangements, such as sharing~~

1 of actual gasoline expense or participation in a car pool, for the
2 transportation of school children to or from a public or private school or
3 a school-related activity A "SCHOOL BUS" MUST COMPLY WITH ALL
4 FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND REGULATIONS
5 APPLICABLE TO SCHOOL BUSES.

6 (88.5) (a) "School vehicle" means a motor vehicle, including, but
7 not limited to, a school bus OR MULTIFUNCTION SCHOOL ACTIVITY BUS,
8 that is owned by or under contract to a public or private school and
9 operated for the transportation of school children to or from school or a
10 school-related activity.

11 **SECTION 26.** In Colorado Revised Statutes, 42-4-707, **amend**
12 (1)(a) introductory portion and (5) introductory portion; and **add** (5)(a.5)
13 as follows:

14 **42-4-707. Certain vehicles must stop at railroad grade**
15 **crossings - definitions.** (1) (a) Except as otherwise provided in this
16 section, the driver of a school bus, as defined in subsection (5)(b) of this
17 section OR THE DRIVER OF A MULTIFUNCTION SCHOOL ACTIVITY BUS, AS
18 DEFINED IN SUBSECTION (5)(a.5) OF THIS SECTION, ~~carrying any~~
19 ~~schoolchild~~ the driver of a vehicle carrying hazardous materials that is
20 required to be placarded in accordance with rules issued under section
21 42-20-108, or the driver of a commercial vehicle, as defined in section
22 42-4-235, that is transporting passengers, before crossing at grade any
23 tracks of a railroad:

24 (5) ~~For the purposes of~~ AS USED IN this section:

25 (a.5) "MULTIFUNCTION SCHOOL ACTIVITY BUS" MEANS A
26 MULTIFUNCTION SCHOOL ACTIVITY BUS THAT IS REQUIRED TO BEAR ON
27 THE FRONT AND REAR OF THE BUS THE WORDS "ACTIVITY BUS"

1 PURSUANT TO SECTION 42-4-1903 (2)(a.5).

2 **SECTION 27.** In Colorado Revised Statutes, 42-4-1901, **amend**
3 (2)(b) as follows:

4 **42-4-1901. School buses - equipped with supplementary brake**
5 **retarders.** (2) (b) The general assembly encourages school districts to
6 consider installing ~~only electromagnetic retarders or~~ state-of-the-art
7 retarders for purposes of supplementing service brake systems of school
8 buses when such retarders are acquired on or after April 17, 1991. The
9 general assembly also encourages school districts to consider purchasing
10 only those new school buses ~~which~~ THAT are equipped with external
11 public address systems and retarders of appropriate capacity for purposes
12 of supplementing any service brake systems of such school buses.

13 **SECTION 28.** In Colorado Revised Statutes, **amend** 42-4-1902
14 as follows:

15 **42-4-1902. School vehicle drivers - special training required.**
16 On and after July 1, 1992, the driver of ~~any~~ A school vehicle as defined
17 in section 42-1-102 (88.5) owned or operated by or for ~~any~~ A school
18 district in this state shall have successfully completed training ~~approved~~
19 ~~by the department of education,~~ concerning driving on mountainous
20 terrain, as defined in section 42-4-1901 (3)(a), and driving in adverse
21 weather conditions.

22 **SECTION 29.** In Colorado Revised Statutes, 42-4-1903, **amend**
23 (1)(a), (2)(a) introductory portion, and (3); and **add** (2)(a.5) as follows:

24 **42-4-1903. School buses - stops - signs - passing.** (1) (a) The
25 driver of a motor vehicle upon any highway, road, or street, upon meeting
26 or overtaking from either direction any school bus that has stopped, shall
27 stop the vehicle at least twenty feet before reaching the school bus if

1 visual signal lights as specified in subsection (2) of this section have been
2 actuated on the school bus. The driver shall not proceed until the visual
3 signal lights are no longer being actuated. ~~The driver of a motor vehicle~~
4 ~~shall stop when a school bus that is not required to be equipped with~~
5 ~~visual signal lights by subsection (2) of this section stops to receive or~~
6 ~~discharge schoolchildren.~~

7 (2) (a) Every school bus as defined in section 42-1-102 (88), other
8 than a small passenger-type vehicle having a seating capacity of not more
9 than ~~fifteen~~ TWELVE, used for the transportation of schoolchildren ~~shall~~
10 MUST:

11 (a.5) EVERY MULTIFUNCTION SCHOOL ACTIVITY BUS AS DEFINED
12 IN SECTION 42-1-102 (60.2) MUST BEAR ON THE FRONT AND REAR OF THE
13 BUS THE WORDS "ACTIVITY BUS" IN BLACK LETTERS NOT LESS THAN
14 EIGHT INCHES IN HEIGHT.

15 (3) Every school bus used for the transportation of schoolchildren,
16 except those small passenger-type vehicles described in subsection (1) of
17 this section AND MULTIFUNCTION SCHOOL ACTIVITY BUSES, ~~shall~~ MUST be
18 equipped with school bus pedestrian safety devices that comply with 49
19 CFR 571.131 or its successor regulation.

20 **SECTION 30. Appropriation.** For the 2025-26 state fiscal year,
21 \$7,009,989 is appropriated to the department of education. This
22 appropriation is from the state education fund created in section 17 (4)(a)
23 of article IX of the state constitution. To implement this act, the
24 department may use this appropriation for at-risk supplemental aid.

25 **SECTION 31. Appropriation.** For the 2025-26 state fiscal year,
26 \$7,600,000 is appropriated to the department of education. This
27 appropriation is from the public school capital construction assistance

1 fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the
2 department may use this appropriation for public school capital
3 construction assistance board - cash grants.

4 **SECTION 32. Appropriation.** For the 2025-26 state fiscal year,
5 \$25,000,000 is appropriated to the department of education for use by
6 school district operations. This amount is from the public school capital
7 construction assistance fund created in section 22-43.7-104 (1), C.R.S.,
8 and consists of \$12,500,000 from matching money paid by the entities
9 that use facilities financed pursuant to sections 22-43.7-104 (2)(b)(IV)
10 and 22-43.7-110 (2)(c), C.R.S., and \$12,500,000 from other money in the
11 fund. To implement this act, the division may use this appropriation for
12 public school capital construction assistance board - lease payments.

13 **SECTION 33. Appropriation - adjustments to 2025 long bill.**
14 (1) To implement this act, appropriations made in the annual general
15 appropriation act for the 2025-26 state fiscal year to the department of
16 education are adjusted as follows:

17 (a) The cash funds appropriation from the state education fund
18 created in section 17 (4)(a) of article IX of the state constitution for state
19 share of districts' total program funding is decreased by \$15,775,837;

20 (b) The cash funds appropriation from the state education fund
21 created in section 17 (4)(a) of article IX of the state constitution for
22 at-risk per pupil additional funding is decreased by \$5,000,000; and

23 (c) The cash funds appropriation from public school capital
24 construction assistance fund created in section 22-43.7-104 (1), C.R.S.,
25 for public school capital construction assistance board - cash grants is
26 decreased by \$45,648,087.

27 **SECTION 34. Effective date.** (1) Except as otherwise provided

1 in this section, this act takes effect upon passage.

2 (2) Section 10 of this act takes effect only if Senate Bill 25-315
3 does not become law.

4 (3) Section 11 of this act takes effect only if Senate Bill 25-315
5 becomes law, in which case section 11 takes effect upon the passage of
6 this act or Senate Bill 25-315, whichever is later.

7 **SECTION 35. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.