

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

PREAMENDED

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

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.

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, 22-30.5-112.2,
11 **amend** (2)(a) and (3); and **add** (2)(c) and (5) as follows:

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

26 (c) FOR THE 2025-26 BUDGET YEAR, EACH SCHOOL DISTRICT AND
27 DISTRICT CHARTER SCHOOL'S AT-RISK SUPPLEMENTAL AID IS THE SAME

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

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

11 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

12 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-513, **amend**
13 (4.5)(a) and (4.5)(d); and **add** (4.5)(b.5) and (4.5)(e) as follows:

14 **22-30.5-513. Institute charter schools - funding - at-risk**
15 **supplemental aid - legislative declaration - definitions - repeal.**

16 (4.5) (a) For the 2012-13 budget year ~~and each budget year thereafter~~
17 THROUGH THE 2024-25 BUDGET YEAR, the general assembly shall
18 appropriate to the charter school institute the amount calculated for at-risk
19 supplemental aid pursuant to ~~paragraph (b) of this subsection (4.5)~~
20 SUBSECTION (4.5)(b) OF THIS SECTION for each institute charter school
21 whose percentage of at-risk pupils is less than the percentage of at-risk
22 pupils in the accounting district. FOR THE 2025-26 BUDGET YEAR AND THE
23 2026-27 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO
24 THE CHARTER SCHOOL INSTITUTE FOR ALLOCATION TO INSTITUTE CHARTER
25 SCHOOLS THE AMOUNT DESCRIBED IN SUBSECTION (4.5)(b.5) OF THIS
26 SECTION. At-risk supplemental aid is additional funding and does not
27 supplant any other funding allocated pursuant to this section. The charter

1 school institute shall pass through one hundred percent of an institute
2 charter school's at-risk supplemental aid to the institute charter school.

3 (b.5) FOR THE 2025-26 BUDGET YEAR, EACH INSTITUTE CHARTER
4 SCHOOL'S AT-RISK SUPPLEMENTAL AID IS THE SAME AMOUNT THAT IT
5 RECEIVED IN THE 2024-25 BUDGET YEAR. FOR THE 2026-27 BUDGET YEAR,
6 EACH INSTITUTE CHARTER SCHOOL'S AT-RISK SUPPLEMENTAL AID IS FIFTY
7 PERCENT OF THE AMOUNT THAT IT RECEIVED IN THE 2024-25 BUDGET
8 YEAR.

9 (d) If the appropriation to the charter school institute is
10 insufficient to fund ~~one hundred percent of~~ the at-risk supplemental aid
11 ~~calculated~~ DETERMINED pursuant to this subsection (4.5), the charter
12 school institute shall reduce each institute charter school's at-risk
13 supplemental aid proportionately.

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

15 **SECTION 5.** In Colorado Revised Statutes, **repeal** 22-54-136.

16 **SECTION 6.** In Colorado Revised Statutes, 22-30.5-408, **amend**

17 (2)(a) as follows:

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

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

11 **SECTION 7.** In Colorado Revised Statutes, 22-54-103, **add**
12 (1.5)(e) as follows:

13 **22-54-103. Definitions.** As used in this article 54, unless the
14 context otherwise requires:

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

23 **SECTION 8.** In Colorado Revised Statutes, 22-54-103.2, **amend**
24 (2)(a) and (2)(b) as follows:

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

1 (a) The successes and challenges of determining a district's total
2 program pursuant to section 22-54-103.3 for reports concerning the
3 2025-26 budget year through the ~~2029-30~~ 2030-31 budget year, and the
4 successes and challenges of determining a district's total program
5 pursuant to section 22-54-103.5 for reports concerning the ~~2030-31~~
6 2031-32 budget year and each budget year thereafter;

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

15 **SECTION 9.** In Colorado Revised Statutes, 22-54-103.3, **amend**
16 (1)(a), (1)(c), (2), (3), (4), (5)(b)(I) introductory portion, (5)(c)(I)(C), and
17 (6) as follows:

18 **22-54-103.3. District total program - 2025-26 through 2030-31**
19 **budget years - definitions - repeal.** (1) (a) Notwithstanding any
20 provision of law to the contrary, for the 2025-26 budget year through the
21 ~~2029-30~~ 2030-31 budget year, the department of education shall
22 determine each district's total program pursuant to this section. The
23 district's total program is available to the district to fund the costs of
24 providing public education, and, except as otherwise provided in section
25 22-54-105, the district has the discretion to determine the amounts and
26 purposes for budgeting and expending its district total program money.

27 (c) As used in this section, "for the 2025-26 budget year through

1 the ~~2029-30~~ 2030-31 budget year" means the 2025-26 budget year, the
2 2026-27 budget year, the 2027-28 budget year, the 2028-29 budget year,
3 ~~and~~ the 2029-30 budget year, AND THE 2030-31 BUDGET YEAR.

4 (2) 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 sections 22-54-103.5 and 22-54-104.

7 (3) (a) For the 2025-26 budget year, ~~through the 2029-30 budget~~
8 ~~year~~ a district's total program is the greater of the district's total program
9 ~~calculation pursuant to section 22-54-104 plus one-half percent of the~~
10 ~~district's total program calculation pursuant to section 22-54-104; or~~
11 DETERMINATION FOR THE 2024-25 BUDGET YEAR, OR THE AMOUNT
12 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL
13 TO FIFTEEN PERCENT OF THE DIFFERENCE BETWEEN THE DISTRICT'S TOTAL
14 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 AND THE
15 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
16 22-54-104.

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

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

1 DETERMINATION FOR THE 2024-25 BUDGET YEAR OR THE AMOUNT
2 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL
3 TO THIRTY PERCENT OF THE DIFFERENCE BETWEEN THE DISTRICT'S TOTAL
4 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 AND THE
5 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
6 22-54-104.

7 (c) For the 2027-28 budget year THROUGH THE 2030-31 BUDGET
8 YEAR, ~~the amount calculated pursuant to section 22-54-104 plus an~~
9 ~~amount equal to fifty percent of the difference between the district's total~~
10 ~~program calculation pursuant to section 22-54-103.5 and the district's~~
11 ~~total program calculation pursuant to section 22-54-104~~ A DISTRICT'S
12 TOTAL PROGRAM IS THE GREATER OF THE DISTRICT'S TOTAL PROGRAM
13 CALCULATION PURSUANT TO SECTION 22-54-104 PLUS ONE PERCENT OF
14 THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
15 22-54-104, OR:

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

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

26 ~~(e)~~ (III) For the 2029-30 budget year, the amount calculated
27 pursuant to section 22-54-104 plus an amount equal to ~~eighty-two~~

1 SEVENTY-FIVE percent of the difference between the district's total
2 program calculation pursuant to section 22-54-103.5 and the district's
3 total program calculation pursuant to section 22-54-104; AND

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

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

1 shall review the sustainability plan and update it as necessary.

2 (5) (b) (I) Notwithstanding any provision of this article 54, for the
3 2024-25 budget year through the ~~2029-30~~ 2030-31 budget year, if the
4 joint budget committee determines that any one of the conditions
5 described in subsection (5)(c) of this section occurred:

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

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

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

24 **SECTION 10.** In Colorado Revised Statutes, 22-54-103.5,
25 **amend** (1)(a), (1)(c)(I), (1)(c)(III), (4), (12)(d), and (12)(e); and **add** (3),
26 (13)(b.5), and (14) as follows:

27 **22-54-103.5. District total program - rules - legislative**

1 **declaration - repeal.** (1) (a) For the ~~2030-31~~ 2031-32 budget year and
2 each budget year thereafter, the department of education shall use this
3 section to determine each district's total program. The district's total
4 program is available to the district to fund the costs of providing public
5 education, and, except as otherwise provided in section 22-54-105, the
6 district has the discretion to determine the amounts and purposes for
7 budgeting and expending its district total program money.

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

17 (III) This subsection (1)(c) is repealed, effective ~~July 1, 2031~~ JULY
18 1, 2032.

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

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

27 (b) (RESERVED)

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

2 (a) (I) FOR THE 2025-26 BUDGET YEAR, the district's online pupil
3 enrollment for the applicable budget year plus the district's supplemental
4 kindergarten enrollment for the applicable budget year plus the district's
5 extended high school pupil enrollment for the applicable budget year plus
6 the greater of:

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

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

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

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

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

1 ~~(H)~~ (III) For purposes of ~~subsection (4)(b)(F)~~ SUBSECTION
2 (4)(a)(II) of this section, each operating institute charter school's certified
3 pupil enrollment is the greater of:

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

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

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

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

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

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

1 operating institute charter school's student enrollment and online pupil
2 enrollment pursuant to this ~~subsection (4)~~ SUBSECTION (4)(a), is a
3 program for accountable education reform and may therefore receive
4 funding from the state education fund created in section 17 (4) of article
5 IX of the state constitution.

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

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

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

26 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
27 BUDGET YEAR;

1 (B) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
2 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR
3 THE IMMEDIATELY PRECEDING BUDGET YEAR; OR

4 (C) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
5 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR
6 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS.

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

18 (III) FOR PURPOSES OF SUBSECTION (4)(b)(II) OF THIS SECTION,
19 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL
20 ENROLLMENT IS THE GREATER OF:

21 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL
22 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR;

23 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
24 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
25 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
26 THE IMMEDIATELY PRECEDING BUDGET YEAR; AND

27 (C) 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 TWO IMMEDIATELY PRECEDING BUDGET YEARS.

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

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

1 ORIGINAL AUTHORIZING DISTRICT.

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

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

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

26 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
27 BUDGET YEAR; OR

1 (B) THE AVERAGE OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
2 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR
3 THE IMMEDIATELY PRECEDING BUDGET YEAR.

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

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

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

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

1 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR; OR

2 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
3 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
4 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
5 THE IMMEDIATELY PRECEDING BUDGET YEAR.

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

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

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

25 (e) IF THE DEPARTMENT OF EDUCATION DETERMINES THAT A
26 DISTRICT'S PUPIL ENROLLMENT OR OPERATING INSTITUTE CHARTER
27 SCHOOL'S PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR INCLUDED

PUPILS WHO WERE NOT REPORTED AS MULTI-DISTRICT ONLINE PUPILS, BUT WERE DETERMINED BY THE DEPARTMENT OF EDUCATION TO HAVE BEEN EDUCATED IN A SETTING THAT WAS EQUIVALENT TO A MULTI-DISTRICT ONLINE PROGRAM, THE DEPARTMENT OF EDUCATION SHALL USE THE ADJUSTED DISTRICT PUPIL ENROLLMENT OR OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT PRECEDING BUDGET YEAR WHEN DETERMINING FUNDED PUPIL COUNT PURSUANT TO THIS SUBSECTION (4).

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

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

(II) FOR PURPOSES OF THIS SUBSECTION (12)(e), THE DEPARTMENT

1 MAY EXCLUDE FROM THE DISTRICT'S FUNDED PUPIL COUNT THAT IS USED
2 TO DETERMINE A DISTRICT'S LOCALE FACTOR PURSUANT TO SUBSECTION
3 (12)(b) OF THIS SECTION THE NUMBER OF PUPILS ON THE PUPIL
4 ENROLLMENT COUNT DAY WITHIN THE APPLICABLE BUDGET YEAR
5 ENROLLED IN, ATTENDING, AND ACTIVELY PARTICIPATING IN A
6 MULTI-DISTRICT ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102,
7 CREATED PURSUANT TO ARTICLE 30.7 OF THIS TITLE 22.

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

16 (14) **Total program funding.** (a) (I) FOR THE 2025-26 BUDGET
17 YEAR, THE DEPARTMENT OF EDUCATION AND THE STAFF OF THE
18 LEGISLATIVE COUNCIL SHALL DETERMINE, BASED ON BUDGET
19 PROJECTIONS, THE AMOUNT TO ENSURE THAT FOR THE 2025-26 BUDGET
20 YEAR, THE SUM OF TOTAL PROGRAM FUNDING FOR ALL DISTRICTS,
21 INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS AT LEAST
22 TEN BILLION THIRTY-FIVE MILLION SEVEN HUNDRED TEN THOUSAND EIGHT
23 HUNDRED SIXTEEN DOLLARS (\$10,035,710,816); EXCEPT THAT THE
24 DEPARTMENT OF EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL
25 SHALL MAKE MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH
26 ACTUAL FIGURES, INCLUDING ACTUAL PUPIL ENROLLMENT, ASSESSED
27 VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR

1 YEAR, TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT TO
2 MAINTAIN TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR.

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

5 (b) (RESERVED)

6 **SECTION 11.** In Colorado Revised Statutes, 22-54-104, **amend**
7 (1)(c)(I) and (8); and **add** (7)(i) and (7)(j) as follows:

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

18 (7) (i) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION
19 (7), FOR THE 2027-28 BUDGET YEAR AND EACH BUDGET YEAR
20 THEREAFTER, WHEN CALCULATING EACH DISTRICT'S TOTAL PROGRAM
21 PURSUANT TO THIS SECTION FOR THE PURPOSE OF DETERMINING A
22 DISTRICT'S TOTAL PROGRAM PURSUANT TO SECTION 22-54-103.3, THE
23 DEPARTMENT OF EDUCATION SHALL USE THE SAME FUNDED PUPIL COUNT
24 THAT IT USES PURSUANT TO SECTION 22-54-103.5 (4) FOR THE PURPOSE OF
25 DETERMINING A DISTRICT'S TOTAL PROGRAM PURSUANT TO SECTION
26 22-54-103.3.

27 (j) IF THE DEPARTMENT OF EDUCATION DETERMINES THAT A

1 DISTRICT'S PUPIL ENROLLMENT OR OPERATING INSTITUTE CHARTER
2 SCHOOL'S PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR INCLUDED
3 PUPILS WHO WERE NOT REPORTED AS MULTI-DISTRICT ONLINE PUPILS, BUT
4 WERE DETERMINED BY THE DEPARTMENT OF EDUCATION TO HAVE BEEN
5 EDUCATED IN A SETTING THAT WAS EQUIVALENT TO A MULTI-DISTRICT
6 ONLINE PROGRAM, THE DEPARTMENT OF EDUCATION SHALL USE THE
7 ADJUSTED DISTRICT PUPIL ENROLLMENT OR OPERATING INSTITUTE
8 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT PRECEDING BUDGET
9 YEAR WHEN DETERMINING FUNDED PUPIL COUNT PURSUANT TO THIS
10 SUBSECTION (7).

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

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

15 **22-54-104.6. Implementation of at-risk measure - legislative**
16 **declaration - definitions - repeal.** (1) (a) The general assembly finds
17 and declares that implementing ~~a new~~ AN IMPROVED at-risk measure for
18 identifying students who are at risk of below-average academic
19 performance because of socioeconomic disadvantages or poverty will
20 benefit Colorado students by:

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

26 (1.5) (a) IN ORDER TO ACCOUNT FOR STUDENTS WHO ARE AT-RISK
27 OF BELOW-AVERAGE ACADEMIC PERFORMANCE AND EDUCATION

1 OUTCOMES BECAUSE OF SOCIOECONOMIC DISADVANTAGES OR POVERTY,
2 BUT WHO MAY NOT QUALIFY FOR FREE OR REDUCED PRICE LUNCH, THE
3 DEPARTMENT OF EDUCATION SHALL COLLECT DATA NECESSARY TO
4 IDENTIFY INDIVIDUAL STUDENT CENSUS BLOCK GROUPS.

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

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

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

20 **22-41-102. Fund inviolate. (3) (i) For the 2024-25 state fiscal**
21 **year, interest and income earned on the investment of the money in the**
22 **public school fund must be used or credited as follows:**

23 **(IV) Any additional interest and income remaining in the public**
24 **school fund may be credited as specified by the general assembly, taking**
25 **into consideration the recommendations of the public school fund**
26 **investment board described in section 22-41-102.5 (4)(a)(III), or, if not**
27 **credited pursuant to this subsection (3)(i)(IV), remains in the public**

1 school fund IS CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
2 ASSISTANCE FUND PURSUANT TO SECTION 22-43.7-104 (2)(d.5).

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

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

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

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

23 **SECTION 14.** In Colorado Revised Statutes, 22-43.7-104,
24 **amend** (1) and (2)(d)(I); and **add** (2)(d.5) and (7) as follows:

25 **22-43.7-104. Public school capital construction assistance fund**
26 **- creation - crediting of money to fund - use of fund - emergency**
27 **reserve - creation - reserve account - creation and use - definition -**

1 **report.** (1) (a) The public school capital construction assistance fund is
2 **hereby** created in the state treasury. SUBJECT TO THE LIMITATION SET
3 FORTH IN SUBSECTION (1)(b)(I) OF THIS SECTION, the principal of the
4 assistance fund ~~shall consist~~ CONSISTS of all ~~moneys~~ MONEY transferred
5 or credited to the assistance fund pursuant to subsection (2) of this
6 section. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b)(I) OF THIS
7 SECTION, all interest and income earned on the deposit and investment of
8 ~~moneys~~ MONEY in the assistance fund ~~shall be~~ IS credited to the assistance
9 fund and ~~shall not be~~ IS NOT transferred to the general fund or any other
10 fund at the end of any fiscal year.

11 (b) (I) (A) FOR THE 2024-25 STATE FISCAL YEAR, AND EACH STATE
12 FISCAL YEAR THEREAFTER, THE TOTAL AMOUNT OF REVENUE CREDITED IN
13 THE STATE FISCAL YEAR TO THE ASSISTANCE FUND PURSUANT TO THIS
14 SECTION MUST NOT EXCEED ONE HUNDRED FIFTY MILLION DOLLARS,
15 WHICH AMOUNT MUST BE ANNUALLY ADJUSTED FOR INFLATION FOR EACH
16 STATE FISCAL YEAR THEREAFTER.

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

25 (II) NOTWITHSTANDING SUBSECTION (1)(b)(I) OF THIS SECTION,
26 THE TOTAL AMOUNT OF REVENUE DESCRIBED IN SUBSECTION (1)(b)(I) OF
27 THIS SECTION DOES NOT INCLUDE MONEY CREDITED TO THE ASSISTANCE

1 FUND PURSUANT TO SUBSECTION (2)(d.5) OF THIS SECTION.

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

7 (2) (d) (I) (A) For the state fiscal year commencing July 1, 2018,
8 the state treasurer, as provided in section 39-28.8-305 (1)(a), shall credit
9 to the assistance fund the greater of the first forty million dollars received
10 and collected from the excise tax on retail marijuana imposed pursuant to
11 part 3 of article 28.8 of title 39 or ninety percent of the money received
12 and collected from the tax. For the state fiscal year commencing July 1,
13 2019, and for each state fiscal year thereafter except for the state fiscal
14 year commencing July 1, 2020, the state treasurer, as provided in section
15 39-28.8-305 (1)(a), shall annually credit to the assistance fund all of the
16 money received and collected from the excise tax on retail marijuana
17 imposed pursuant to part 3 of article 28.8 of title 39. For the state fiscal
18 year commencing July 1, 2020, the state treasurer, as provided in section
19 39-28.8-305 (1)(a), shall credit to the assistance fund the lesser of the first
20 forty million dollars received and collected from the excise tax on retail
21 marijuana imposed pursuant to part 3 of article 28.8 of title 39 or all of
22 the money received and collected from the tax. For state fiscal years
23 commencing before July 1, 2019, the state treasurer shall credit twelve
24 and five-tenths percent of the amount annually credited pursuant to this
25 subsection (2)(d) to the charter school facilities assistance account, which
26 account is created within the assistance fund. For each state fiscal year
27 commencing on or after July 1, 2019, the state treasurer shall credit to the

1 charter school facilities assistance account a percentage of the amount
2 credited pursuant to this subsection (2)(d) that is equal to the percentage
3 of pupil enrollment, as defined in section 22-54-103 (10), statewide
4 represented by pupils who were enrolled in charter schools for the prior
5 school year. The department of education shall notify the state treasurer
6 of the applicable percentage no later than June 1 of the immediately
7 preceding fiscal year. FOR THE STATE FISCAL YEAR COMMENCING JULY 1,
8 2019, AND FOR EACH STATE FISCAL YEAR THEREAFTER, THE STATE
9 TREASURER, AS PROVIDED IN SECTION 39-28.8-305 (1)(a), SHALL
10 ANNUALLY CREDIT TO THE ASSISTANCE FUND ALL OF THE MONEY
11 RECEIVED AND COLLECTED FROM THE EXCISE TAX ON RETAIL MARIJUANA
12 IMPOSED PURSUANT TO PART 3 OF ARTICLE 28.8 OF TITLE 39, SUBJECT TO
13 THE LIMITATION SET FORTH IN SUBSECTION (1)(b)(I) OF THIS SECTION.

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

25 (d.5) FOR THE 2024-25 STATE FISCAL YEAR AND EACH STATE
26 FISCAL YEAR THEREAFTER, THE STATE TREASURER SHALL CREDIT TO THE
27 ASSISTANCE FUND THE ADDITIONAL INTEREST AND INCOME REMAINING IN

1 THE PUBLIC SCHOOL FUND PURSUANT TO SECTION 22-41-102 (3)(i)(IV),
2 (3)(j)(IV), AND (3)(k)(III).

3 (7) IN ITS BUDGET REQUEST SUBMITTED TO THE JOINT BUDGET
4 COMMITTEE EACH NOVEMBER 1, THE OFFICE OF STATE PLANNING AND
5 BUDGETING SHALL REPORT THE AMOUNT OF REVENUE THAT WAS CREDITED
6 TO THE STATE PUBLIC SCHOOL FUND FOR THE PRIOR STATE FISCAL YEAR
7 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION. THE JOINT BUDGET
8 COMMITTEE MUST CONSIDER THE AMOUNT OF REVENUE THAT WAS
9 CREDITED TO THE STATE PUBLIC SCHOOL FUND AND WHETHER TO
10 CONTINUE CREDITING MONEY TO THE STATE PUBLIC SCHOOL FUND
11 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

12 **SECTION 15.** In Colorado Revised Statutes, 22-7-1209, **amend**
13 (7) as follows:

14 **22-7-1209. State board - rules - department - duties.**

15 (7) Beginning in the 2019-20 budget year, the department shall ~~contract~~
16 ~~with an entity to~~ develop and implement a public information campaign
17 to emphasize the importance of learning to read by third grade and to
18 highlight the local education providers that are achieving high
19 percentages of third-grade students who demonstrate reading competency.
20 The public information campaign must be disseminated statewide and
21 must emphasize the important roles that educators and parents have in
22 teaching children to read and in providing a school and home
23 environment that promotes reading. The department is encouraged to
24 work with the public and private library agencies throughout the state in
25 developing and implementing the public information campaign.

26 **SECTION 16.** In Colorado Revised Statutes, 22-105.5-104,
27 **amend** (3)(c)(I) as follows:

1 **22-105.5-104. Out-of-school time program grant program -**
2 **created - use of grants - funding - rules - repeal.** (3) (c) (I) For the
3 2024-25, 2025-26, and 2026-27 state fiscal years, the general assembly
4 shall appropriate three million five hundred thousand dollars in each state
5 fiscal year from the general fund to the department for purposes of this
6 section. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE
7 2024-25 OR 2025-26 STATE FISCAL YEAR FROM AN APPROPRIATION MADE
8 PURSUANT TO THIS SUBSECTION (3)(c)(I):

9 (A) MAY BE USED BY THE DEPARTMENT IN THE 2025-26 OR
10 2026-27 STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION; AND

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

13 **SECTION 17.** In Colorado Revised Statutes, 22-105.5-106,
14 **amend** (1) introductory portion and (5) as follows:

15 **22-105.5-106. Reporting requirements.** (1) On or before July
16 ~~1, 2025~~, JULY 1, 2026, and on or before July 1 each year thereafter in
17 which a grant is awarded, each grantee shall submit a report to the
18 department. At a minimum, the report must include the following
19 information:

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

26 **SECTION 18.** In Colorado Revised Statutes, 42-1-102, **amend**
27 (88) and (88.5)(a); and **add** (60.2) as follows:

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

3 (60.2) "MULTIFUNCTION SCHOOL ACTIVITY BUS" MEANS A MOTOR
4 VEHICLE THAT IS DESIGNED AND USED SPECIFICALLY FOR THE
5 TRANSPORTATION OF SCHOOL CHILDREN TO OR FROM A SCHOOL-RELATED
6 ACTIVITY, WHETHER THE ACTIVITY OCCURS WITHIN OR OUTSIDE THE
7 TERRITORIAL LIMITS OF A SCHOOL DISTRICT AND WHETHER OR NOT THE
8 ACTIVITY OCCURS DURING SCHOOL HOURS. A "MULTIFUNCTION SCHOOL
9 ACTIVITY BUS" MUST COMPLY WITH ALL FEDERAL MOTOR VEHICLE SAFETY
10 STANDARDS AND REGULATIONS APPLICABLE TO SCHOOL BUSES, EXCEPT
11 ANY STANDARD OR REGULATION REQUIRING THE INSTALLATION OF
12 OFFICIAL TRAFFIC CONTROL DEVICES.

13 (88) "School bus" means a motor vehicle that is designed and used
14 specifically for the transportation of school children to or from a public
15 or private school or a school-related activity, whether the activity occurs
16 within or ~~without~~ OUTSIDE the territorial limits of ~~any~~ A SCHOOL district
17 and whether or not the activity occurs during school hours. ~~"School bus"~~
18 ~~does not include informal or intermittent arrangements, such as sharing~~
19 ~~of actual gasoline expense or participation in a car pool, for the~~
20 ~~transportation of school children to or from a public or private school or~~
21 ~~a school-related activity~~ A "SCHOOL BUS" MUST COMPLY WITH ALL
22 FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND REGULATIONS
23 APPLICABLE TO SCHOOL BUSES.

24 (88.5) (a) "School vehicle" means a motor vehicle, including, but
25 not limited to, a school bus OR MULTIFUNCTION SCHOOL ACTIVITY BUS,
26 that is owned by or under contract to a public or private school and
27 operated for the transportation of school children to or from school or a

1 school-related activity.

2 **SECTION 19.** In Colorado Revised Statutes, 42-4-707, **amend**
3 (1)(a) introductory portion and (5) introductory portion; and **add** (5)(a.5)
4 as follows:

5 **42-4-707. Certain vehicles must stop at railroad grade**
6 **crossings - definitions.** (1) (a) Except as otherwise provided in this
7 section, the driver of a school bus, as defined in subsection (5)(b) of this
8 section OR THE DRIVER OF A MULTIFUNCTION SCHOOL ACTIVITY BUS, AS
9 DEFINED IN SUBSECTION (5)(a.5) OF THIS SECTION, ~~carrying any~~
10 ~~schoolchild~~ the driver of a vehicle carrying hazardous materials that is
11 required to be placarded in accordance with rules issued under section
12 42-20-108, or the driver of a commercial vehicle, as defined in section
13 42-4-235, that is transporting passengers, before crossing at grade any
14 tracks of a railroad:

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

16 (a.5) "MULTIFUNCTION SCHOOL ACTIVITY BUS" MEANS A
17 MULTIFUNCTION SCHOOL ACTIVITY BUS THAT IS REQUIRED TO BEAR ON
18 THE FRONT AND REAR OF THE BUS THE WORDS "ACTIVITY BUS"
19 PURSUANT TO SECTION 42-4-1903 (2)(a.5).

20 **SECTION 20.** In Colorado Revised Statutes, 42-4-1901, **amend**
21 (2)(b) as follows:

22 **42-4-1901. School buses - equipped with supplementary brake**
23 **retarders.** (2) (b) The general assembly encourages school districts to
24 consider installing ~~only electromagnetic retarders or~~ state-of-the-art
25 retarders for purposes of supplementing service brake systems of school
26 buses when such retarders are acquired on or after April 17, 1991. The
27 general assembly also encourages school districts to consider purchasing

1 only those new school buses ~~which~~ THAT are equipped with external
2 public address systems and retarders of appropriate capacity for purposes
3 of supplementing any service brake systems of such school buses.

4 **SECTION 21.** In Colorado Revised Statutes, **amend** 42-4-1902
5 as follows:

6 **42-4-1902. School vehicle drivers - special training required.**

7 On and after July 1, 1992, the driver of ~~any~~ A school vehicle as defined
8 in section 42-1-102 (88.5) owned or operated by or for ~~any~~ A school
9 district in this state shall have successfully completed training ~~approved~~
10 ~~by the department of education~~, concerning driving on mountainous
11 terrain, as defined in section 42-4-1901 (3)(a), and driving in adverse
12 weather conditions.

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

15 **42-4-1903. School buses - stops - signs - passing.** (1) (a) The
16 driver of a motor vehicle upon any highway, road, or street, upon meeting
17 or overtaking from either direction any school bus that has stopped, shall
18 stop the vehicle at least twenty feet before reaching the school bus if
19 visual signal lights as specified in subsection (2) of this section have been
20 actuated on the school bus. The driver shall not proceed until the visual
21 signal lights are no longer being actuated. ~~The driver of a motor vehicle~~
22 ~~shall stop when a school bus that is not required to be equipped with~~
23 ~~visual signal lights by subsection (2) of this section stops to receive or~~
24 ~~discharge schoolchildren.~~

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

1 MUST:

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

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

11 **SECTION 23. Appropriation.** For the 2025-26 state fiscal year,
12 \$7,009,989 is appropriated to the department of education. This
13 appropriation is from the state education fund created in section 17 (4)(a)
14 of article IX of the state constitution. To implement this act, the
15 department may use this appropriation for at-risk supplemental aid.

16 **SECTION 24. Appropriation - adjustments to 2025 long bill.**

17 (1) To implement this act, appropriations made in the annual general
18 appropriation act for the 2025-26 state fiscal year to the department of
19 education are adjusted as follows:

20 (a) The cash funds appropriation from the state education fund
21 created in section 17 (4)(a) of article IX of the state constitution for state
22 share of districts' total program funding is decreased by \$16,135,769;

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

26 (c) The cash funds appropriation from public school capital
27 construction assistance fund created in section 22-43.7-104 (1), C.R.S.,

1 for public school capital construction assistance board - cash grants is
2 decreased by \$45,648,087.

3 **SECTION 25. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions.