

SB21-208

SENATE FLOOR AMENDMENT

Second Reading

BY SENATORS Coram and Zenzinger

1 Amend printed bill, page 2, line 7, after the period add "FIVE MILLION
2 DOLLARS OF THE MONEY TRANSFERRED TO THE STATE EDUCATION FUND
3 SHALL BE APPROPRIATED TO THE DEPARTMENT OF EDUCATION FOR THE
4 SAFE TO RIDE BUS DISINFECTING PROGRAM CREATED IN SECTION 22-2-146.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-146 as
6 follows:

7 **22-2-146. Safe to ride school bus disinfecting pilot program -**
8 **creation - use of funds - gifts, grants, and donations - rules -**
9 **legislative declaration - definitions.** (1) AS USED IN THIS SECTION,
10 UNLESS THE CONTEXT OTHERWISE REQUIRES:

11 (a) "ANTIMICROBIAL PRODUCTS" MEANS PRODUCTS THAT ARE
12 REGISTERED ON THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S
13 "LIST N" TO KILL NINETY-NINE PERCENT OF BACTERIA, FUNGI, AND
14 VIRUSES; ARE HOSPITAL-GRADE, WITH THE LOWEST TOXICITY RATING
15 AVAILABLE FROM THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY;
16 LEAVE NO CHEMICAL RESIDUE AND DO NOT NEED TO BE WIPED DOWN
17 AFTER APPLICATION; HAVE A SAFE, STABLE SHELF-LIFE OF EIGHTEEN
18 MONTHS; ARE NONCORROSIVE, NONCAUSTIC, AND VOID OF HARSH
19 CHEMICALS OR FUMES; POSE NO HEALTH THREAT TO STUDENTS OR STAFF;
20 REQUIRE NO PERSONAL PROTECTIVE EQUIPMENT FOR PROPER HANDLING
21 AND USE; AND MAY SAFELY BE USED ON FOOD CONTACT SURFACES
22 WITHOUT RINSING.

23 (b) "PILOT PROGRAM" MEANS THE SAFE TO RIDE SCHOOL BUS
24 DISINFECTING PILOT PROGRAM CREATED IN SUBSECTION (2) OF THIS
25 SECTION.

26 (c) "PILOT PROGRAM ADMINISTRATOR" MEANS THE PILOT
27 PROGRAM ADMINISTRATOR SELECTED BY THE DEPARTMENT PURSUANT TO
28 SUBSECTION (5) OF THIS SECTION.

29 (d) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT
30 THE DEPARTMENT DETERMINES IS RURAL BASED ON THE GEOGRAPHIC SIZE
31 OF THE DISTRICT AND THE DISTANCE FROM THE NEAREST LARGE,
32 URBANIZED AREA.

33 (e) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED
34 AND EXISTING PURSUANT TO LAW BUT DOES NOT INCLUDE A LOCAL
35 DISTRICT COLLEGE.

36 (2) THERE IS CREATED IN THE DEPARTMENT THE SAFE TO RIDE
37 SCHOOL BUS DISINFECTING PILOT PROGRAM TO PROVIDE GRANTS TO
38 SCHOOL DISTRICTS TO INCREASE THE SAFETY OF STUDENTS AND STAFF
39 THROUGH THE USE OF ANTIMICROBIAL PRODUCTS TO DISINFECT SCHOOL
40 BUSES WITHOUT HARMING STUDENTS OR STAFF. THE PILOT PROGRAM IS A

1 THREE-YEAR PROGRAM; EXCEPT THAT THE PROGRAM MAY BE EXTENDED
2 IF THE DEPARTMENT RECEIVES GIFTS, GRANTS, OR DONATIONS TO
3 CONTINUE THE PILOT PROGRAM.

4 (3) THE STATE BOARD SHALL PROMULGATE RULES NECESSARY FOR
5 THE IMPLEMENTATION OF THE PILOT PROGRAM, INCLUDING BUT NOT
6 LIMITED TO A SIMPLIFIED APPLICATION PROCESS FOR SCHOOL DISTRICTS TO
7 APPLY FOR GRANTS; THE TIME FRAME FOR THE APPLICATION AND AWARD
8 OF GRANTS; A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF
9 GRANT MONEY TO RURAL SCHOOL DISTRICTS, URBAN SCHOOL DISTRICTS,
10 AND SUBURBAN SCHOOL DISTRICTS; THE PROCESS FOR SELECTING AND
11 RETAINING A PILOT PROGRAM ADMINISTRATOR, THE SCHEDULE OF PAYMENTS
12 TO THE PILOT PROGRAM ADMINISTRATOR, AND THE METHOD FOR ENSURING
13 THAT THE PILOT PROGRAM ADMINISTRATOR IS IN COMPLIANCE WITH ITS
14 DUTIES; AND ALLOWABLE USES OF GRANT MONEY.

15 (4) (a) TO BE ELIGIBLE FOR A GRANT, IN ADDITION TO OTHER
16 REQUIREMENTS SPECIFIED BY STATE BOARD RULE, A SCHOOL DISTRICT'S
17 APPLICATION MUST INCLUDE A SUMMARY OF THE SCHOOL BUS
18 TRANSPORTATION PROVIDED BY THE SCHOOL DISTRICT, A DESCRIPTION OF
19 THE SCHOOL BUS HEALTH AND SAFETY CHALLENGES FACED BY THE
20 SCHOOL DISTRICT, AND HOW THE SCHOOL DISTRICT INTENDS TO USE THE
21 GRANT MONEY TO PROVIDE SAFE TRANSPORTATION FOR STUDENTS.

22 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
23 SHALL AWARD GRANTS TO SELECTED SCHOOL DISTRICTS TO PARTICIPATE
24 IN THE PILOT PROGRAM. IF ADDITIONAL APPROPRIATIONS OR GIFTS,
25 GRANTS, OR DONATIONS BECOME AVAILABLE, THE DEPARTMENT MAY
26 AWARD GRANTS TO ADDITIONAL SCHOOL DISTRICTS.

27 (c) IN ADDITION TO ANY USES SPECIFIED BY STATE BOARD RULE, A
28 SCHOOL DISTRICT SHALL USE THE GRANT MONEY TO PURCHASE
29 ELECTROSTATIC SPRAYERS AND QUALIFYING ANTIMICROBIAL PRODUCTS,
30 AS WELL AS OTHER NECESSARY PRODUCTS FOR EACH SCHOOL BUS AS
31 DETERMINED IN CONSULTATION WITH THE PILOT PROGRAM
32 ADMINISTRATOR, FOR TRAINING RELATED TO EQUIPMENT ACQUIRED
33 THROUGH THE PILOT PROGRAM, AND REPORT TO THE DEPARTMENT AT THE
34 END OF THE PILOT PROGRAM AS TO THE EFFICACY OF THE PILOT PROGRAM
35 IN PROVIDING SAFE TRANSPORTATION FOR STUDENTS.

36 (5) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, WITHIN THIRTY
37 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT
38 SHALL ISSUE A REQUEST FOR PROPOSALS FOR A PILOT PROGRAM
39 ADMINISTRATOR AND SHALL SELECT THE PILOT PROGRAM ADMINISTRATOR
40 WITHIN THIRTY DAYS AFTER THE DEADLINE FOR SUBMITTING PROPOSALS.
41 THE PILOT PROGRAM ADMINISTRATOR MAY RECEIVE UP TO EIGHT PERCENT OF
42 THE MONEY APPROPRIATED FOR THE PILOT PROGRAM. AN ELIGIBLE PILOT
43 PROGRAM ADMINISTRATOR MUST BE A NONPROFIT CORPORATION, AS
44 DEFINED IN SECTION 7-121-401, OR PUBLIC BENEFIT CORPORATION, AS
45 DEFINED IN SECTION 7-101-503, THAT OPERATES WITH A CHARITABLE

1 PURPOSE, AND BE ABLE TO ASSIGN STAFF TO ADMINISTER THE PILOT
2 PROGRAM WHO HAVE AT LEAST TEN YEARS OF EXPERIENCE IN
3 EVIDENCE-BASED SCHOOL BUS SAFETY AND SURFACE TRANSPORTATION
4 SECURITY, CHILD SAFETY CAMPAIGN DEVELOPMENT, PUBLIC SERVICE
5 CAMPAIGNS SUPPORTED BY GOVERNMENT AND MEDIA, AND THE PROVEN
6 ABILITY TO SEEK AND OBTAIN FUNDING FROM THE FEDERAL GOVERNMENT,
7 NONGOVERNMENTAL ENTITIES, AND CORPORATE SPONSORSHIPS IN ORDER
8 TO SECURE GIFTS, GRANTS, AND DONATIONS FOR THE PILOT PROGRAM. THE
9 PILOT PROGRAM ADMINISTRATOR MUST ALSO BE ABLE TO DEVELOP AND
10 MAINTAIN A WEBSITE WITH ONLINE SERVICE MATERIALS FOR SCHOOL
11 DISTRICTS PARTICIPATING IN THE PILOT PROGRAM.

12 (b) ONCE SELECTED, THE PILOT PROGRAM ADMINISTRATOR SHALL
13 SUPPORT SCHOOL DISTRICTS PARTICIPATING IN THE PILOT PROGRAM, AS
14 OUTLINED IN THE CONTRACT WITH THE DEPARTMENT, WHICH SUPPORT
15 MUST INCLUDE BUT IS NOT LIMITED TO ASSESSING SCHOOL DISTRICT
16 EQUIPMENT AND ANTIMICROBIAL PRODUCT NEEDS; MAKING
17 RECOMMENDATIONS FOR EQUIPMENT AND ANTIMICROBIAL PRODUCT
18 VENDORS; PROVIDING TRAINING RELATING TO THE EQUIPMENT AND
19 ANTIMICROBIAL PRODUCTS PURCHASED WITH GRANT MONEY; PERFORMING
20 QUARTERLY REVIEWS OF THE PILOT PROGRAM WITH PUBLIC REPORTS,
21 INCLUDING VERIFICATION OF THE EFFICACY OF THE DISINFECTION
22 PROGRAM AND THE ERADICATION OF PATHOGENS WITHOUT HARM TO
23 STUDENTS AND STAFF; AND ASSISTING THE DEPARTMENT AND SCHOOL
24 DISTRICTS IN SECURING ONGOING FUNDING FOR THE PILOT PROGRAM
25 THROUGH GIFTS, GRANTS, AND DONATIONS.

26 (6) (a) THE GENERAL ASSEMBLY SHALL APPROPRIATE FIVE MILLION
27 DOLLARS FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)
28 OF ARTICLE IX OF THE STATE CONSTITUTION TO IMPLEMENT THE PILOT
29 PROGRAM. THE DEPARTMENT MAY RETAIN UP TO TWO PERCENT OF THE
30 TOTAL AMOUNT APPROPRIATED TO THE DEPARTMENT FOR THE PILOT
31 PROGRAM TO PERFORM THE DUTIES NOT REQUIRED OF THE PILOT PROGRAM
32 ADMINISTRATOR AND TO SUPERVISE THE PILOT PROGRAM ADMINISTRATOR.
33 THE DEPARTMENT MAY EXPEND UP TO EIGHT PERCENT OF THE MONEY
34 APPROPRIATED TO THE DEPARTMENT FOR THE PILOT PROGRAM TO
35 CONTRACT WITH THE PILOT PROGRAM ADMINISTRATOR.

36 (b) ANY UNEXPENDED AND UNENCUMBERED MONEY FROM THE
37 APPROPRIATION FOR THE STATE FISCAL YEAR 2021-22 MADE FOR THE
38 PURPOSES OF THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE BY THE
39 DEPARTMENT FOR THE PURPOSES OF THIS SECTION FOR THE NEXT TWO
40 FISCAL YEARS WITHOUT FURTHER APPROPRIATION.

41 (c) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
42 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
43 PURPOSES OF THIS SECTION.

44 (d) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
45 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE SAFE TO

1 RIDE SCHOOL BUS DISINFECTING PILOT PROGRAM CREATED IN THIS SECTION
2 IS AN IMPORTANT ELEMENT IN IMPROVING STUDENT SAFETY AND MAY
3 THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
4 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

5 **SECTION 3. Appropriation.** For the 2021-22 state fiscal year,
6 \$5,000,000 is appropriated to the department of education. This
7 appropriation is from the state education fund created in section 17 (4)(a)
8 of article IX of the state constitution. To implement this act, the
9 department may use this appropriation for the safe to ride school bus
10 disinfecting pilot program."

11 Renumber succeeding section accordingly.

12 Page 1, line 102, strike "FUND." and substitute "FUND, AND, IN
13 CONNECTION THEREWITH, USING MONEY TRANSFERRED TO THE STATE
14 EDUCATION FUND TO CREATE THE SAFE TO RIDE SCHOOL BUS
15 DISINFECTING PILOT PROGRAM, AND MAKING AN APPROPRIATION."

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