

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB23-287 be amended as follows:

1 Amend the printed bill, page 27, after line 6, add:

2 "SECTION 13. In Colorado Revised Statutes, 22-43.7-109,
3 amend (9)(c) as follows:

4 **22-43.7-109. Financial assistance for public school capital**
5 **construction - application requirements - evaluation criteria - local**
6 **match requirements - technology grants - career and technical**
7 **education capital construction grants - rules - definitions - repeal.**

8 (9) Except as otherwise provided in subsections (10) and (15) of this
9 section, the board may recommend and the state board may approve
10 financial assistance that does not involve a financed purchase of an asset
11 or certificate of participation agreement for or recommend to the capital
12 development committee the approval of financial assistance that involves
13 a financed purchase of an asset or certificate of participation agreement
14 for a public school facility capital construction project only if the
15 applicant provides matching money in an amount equal to a percentage
16 of the total financing for the project determined by the board after
17 consideration of the applicant's financial capacity, as determined by the
18 following factors:

19 (c) (I) With respect to a charter school's application for financial
20 assistance, AND SUBJECT TO ADJUSTMENT PURSUANT TO SUBSECTIONS (II)
21 THROUGH (V) OF THIS SUBSECTION:

22 ~~(I) The weighted average of the match percentages for the school~~
23 ~~districts of residence for the students enrolled in a district charter school~~
24 ~~or fifty percent of the average of the match percentages for all school~~
25 ~~districts in the state for an institute charter school;~~

26 (A) FOR A DISTRICT CHARTER SCHOOL THAT IS OCCUPYING A
27 DISTRICT FACILITY AND PAYING ONLY THE DIRECT COSTS OF OCCUPANCY
28 FOR ITS FACILITY PURSUANT TO SECTION 22-30.5-104 (7)(c), THE MATCH
29 PERCENTAGE OF THE DISTRICT CHARTER SCHOOL'S AUTHORIZING DISTRICT;

30 (B) FOR DISTRICT CHARTER SCHOOLS THAT ARE NOT INCLUDED IN
31 SUBSECTION (9)(c)(I)(A) OF THIS SECTION, SEVENTY-FIVE PERCENT OF THE
32 MATCH PERCENTAGE OF THE DISTRICT CHARTER SCHOOL'S AUTHORIZING
33 SCHOOL DISTRICT; OR

34 (C) FIFTY PERCENT OF THE AVERAGE MATCH PERCENTAGES FOR
35 ALL SCHOOL DISTRICTS IN THE STATE FOR AN INSTITUTE CHARTER SCHOOL;

36 (II) Whether ~~the~~ A DISTRICT charter school's authorizer retains no
37 more than ten percent of its capacity to issue bonds pursuant to article 42
38 of this title;

39 ~~(III) Whether the charter school is operating in a district-owned~~
40 ~~facility at the time it submits its application;~~

41 ~~(IV)~~ (III) In the ten years preceding the year in which the charter

1 school submits the application, the number of times the charter school has
2 attempted to obtain or has obtained SOUGHT OR BEEN AFFORDED:
3 ~~(A) Bond proceeds pursuant to section 22-30.5-404 through~~
4 ~~inclusion in a ballot measure submitted by the charter school's authorizer~~
5 ~~to the registered electors of the school district;~~
6 ~~(B) Proceeds from a special mill levy for capital needs pursuant~~
7 ~~to section 22-30.5-405;~~
8 ~~(C) (A) Grant funding for capital needs from a source other than~~
9 ~~the assistance fund; and~~
10 ~~(D) (B) Funding, INCLUDING FINANCING, for capital construction,~~
11 ~~OTHER THAN STATE AID PURSUANT TO SECTION 22-54-124 from bonds~~
12 ~~issued on its behalf by the Colorado educational and cultural facilities~~
13 ~~authority created and existing pursuant to section 23-15-104 (1)(a),~~
14 ~~C.R.S., or from some ANY other source of financing;~~
15 ~~(V) (IV) If the charter school is a district charter school, the~~
16 ~~student enrollment of the DISTRICT charter school as a percentage of the~~
17 ~~student enrollment of the charter school's authorizing school district; AND~~
18 ~~(VI) (V) The percentage of students enrolled in the charter school~~
19 ~~who are eligible for the federal free and reduced-cost lunch program in~~
20 ~~relation to the overall percentage of students enrolled in the public~~
21 ~~schools in the state who are eligible for the federal free and reduced-cost~~
22 ~~lunch program.~~
23 ~~(VII) The percentage of the per pupil revenue received by the~~
24 ~~charter school that the charter school spends on facility costs other than~~
25 ~~facilities operation and maintenance; and~~
26 ~~(VIII) The charter school's unreserved fund balance as a~~
27 ~~percentage of its annual budget."~~

28 Renumber succeeding sections accordingly.

29 Page 30, after line 8 add:

30 "SECTION 20. Appropriation. For the 2023-24 state fiscal year,
31 \$10,000,000 is appropriated to the department of education. This
32 appropriation is from the state education fund created in section 17 (4) of
33 article IX of the state constitution. To implement this act, the department
34 may use this appropriation for state aid for charter school facilities."

35 Renumber succeeding sections accordingly.

36 Page 30, line 15, strike "20" and substitute "22".

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