

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB22-1295 be amended as follows:

- 1 Amend printed bill, page 208, line 22, strike "**definitions.**" and substitute "**definitions - repeal.**".
- 2
- 3 Page 213, line 5, strike "UP TO THE AMOUNTS" and substitute "AS".
- 4 Page 213, line 7, strike "SERVICES" and substitute "SERVICES, INCLUDING
- 5 CHILDREN WITH DISABILITIES,".
- 6 Page 213, strike lines 16 through 27 and substitute:
 - 7 "(c) (I) (A) IN DISTRIBUTING FUNDING FOR PRESCHOOL SERVICES
 - 8 PURSUANT TO THIS SECTION FOR THE 2023-24 FISCAL YEAR AND EACH
 - 9 FISCAL YEAR THEREAFTER, THE DEPARTMENT SHALL ENSURE THAT THE
 - 10 AMOUNT OF FUNDING REQUIRED TO PROVIDE PRESCHOOL SERVICES TO ALL
 - 11 THREE-YEAR-OLD CHILDREN WITH DISABILITIES WHO ENROLL IN THE
 - 12 PRESCHOOL PROGRAM IS ANNUALLY DISTRIBUTED TO THE ENROLLING
 - 13 PRESCHOOL PROVIDERS AND THE AMOUNT DESCRIBED IN SUBSECTION
 - 14 (3)(c)(I)(B) OF THIS SECTION IS DISTRIBUTED TO PROVIDE PRESCHOOL
 - 15 SERVICES FOR ELIGIBLE CHILDREN WHO ARE THREE YEARS OF AGE OR
 - 16 YOUNGER, AS DESCRIBED IN SECTION 26.5-4-204 (3)(a)(II) AND (3)(a)(III).
- 17 (B) TO PROVIDE SERVICES FOR ELIGIBLE CHILDREN WHO ARE
- 18 THREE YEARS OF AGE OR YOUNGER, THE DEPARTMENT SHALL ANNUALLY
- 19 DISTRIBUTE THE AMOUNT ALLOTTED FOR THE 2022-23 FISCAL YEAR TO
- 20 PROVIDE PRESCHOOL SERVICES FOR CHILDREN THREE YEARS OF AGE OR
- 21 YOUNGER THROUGH THE "COLORADO PRESCHOOL PROGRAM ACT",
- 22 ARTICLE 28 OF TITLE 22, AS IT EXISTS PRIOR TO JULY 1, 2023, CALCULATED
- 23 AS AN AMOUNT EQUAL TO THE NUMBER OF CHILDREN THREE YEARS OF AGE
- 24 OR YOUNGER ENROLLED BY EACH SCHOOL DISTRICT FOR THE 2022-23
- 25 FISCAL YEAR MULTIPLIED BY THE PER PUPIL FUNDING, AS DESCRIBED IN
- 26 SECTION 22-54-104 (3) OR (3.5), WHICHEVER IS APPLICABLE, FOR THE
- 27 ENROLLING SCHOOL DISTRICT FOR THE 2022-23 FISCAL YEAR".
- 28 Page 214, strike lines 1 through 14.
- 29 Page 214, line 18, strike "THIS SUBSECTION (3)(c)" and substitute
- 30 "SUBSECTION (3)(c)(I)(B) OF THIS SECTION".
- 31 Page 214, strike line 26 and substitute "DESCRIBED IN SUBSECTION
- 32 (3)(c)(I)(B) OF THIS SECTION, THE".
- 33 Page 215, line 9, strike "APPROPRIATED" and substitute "DESCRIBED IN
- 34 SUBSECTION (3)(c)(I)(B) OF THIS SECTION".

1 Page 215, lines 10 and 11, strike "AS DESCRIBED IN SUBSECTION (3)(c)(I)
2 OF THIS SECTION".

3 Page 215, line 17, strike "APPROPRIATED" and substitute "DESCRIBED IN
4 SUBSECTION (3)(c)(I)(B) OF THIS SECTION".

5 Page 215, line 19, strike "AS DESCRIBED IN SUBSECTION (3)(c)(I) OF THIS
6 SECTION".

7 Page 215, line 27, strike "(3)(c)(I)" and substitute "(3)(c)(I)(B)".

8 Page 216, strike lines 5 through 27 and substitute:

9 "4) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
10 THE CONTRARY, IF THE FUNDING THAT A PRESCHOOL PROVIDER THAT IS A
11 SCHOOL DISTRICT OR A CHARTER SCHOOL RECEIVES PURSUANT TO THIS
12 SECTION FOR ELIGIBLE CHILDREN ENROLLED IN THE PRESCHOOL PROGRAM
13 FOR THE 2023-24 FISCAL YEAR, CALCULATED AS THE PER-CHILD RATES FOR
14 THE 2023-24 FISCAL YEAR MULTIPLIED BY THE NUMBER OF ELIGIBLE
15 CHILDREN THE PRESCHOOL PROVIDER ENROLLS FOR THE 2023-24 FISCAL
16 YEAR, IS LESS THAN THE AMOUNT OF FUNDING ALLOTTED FOR THE 2022-23
17 FISCAL YEAR FOR THE CHILDREN THE PRESCHOOL PROVIDER ENROLLED
18 THROUGH THE COLORADO PRESCHOOL PROGRAM, AS IT EXISTS PRIOR TO
19 JULY 1, 2023, CALCULATED AS FIFTY PERCENT OF THE PRESCHOOL
20 PROVIDER'S PER PUPIL FUNDING, AS DESCRIBED IN SECTION 22-54-104 (3)
21 OR (3.5), WHICHEVER IS APPLICABLE, FOR THE 2022-23 FISCAL YEAR
22 MULTIPLIED BY THE NUMBER OF CHILDREN THE PRESCHOOL PROVIDER
23 ENROLLED THROUGH THE COLORADO PRESCHOOL PROGRAM AND
24 DIRECTLY SERVED FOR THE 2022-23 FISCAL YEAR, THE DEPARTMENT
25 SHALL DISTRIBUTE TO THE PRESCHOOL PROVIDER FOR THE 2023-24 FISCAL
26 YEAR AN AMOUNT EQUAL TO THE DIFFERENCE IN SAID AMOUNTS.

27 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
28 CONTRARY, IF THE FUNDING THAT A COMMUNITY-BASED PRESCHOOL
29 PROVIDER RECEIVES PURSUANT TO THIS SECTION FOR ELIGIBLE CHILDREN
30 ENROLLED IN THE PRESCHOOL PROGRAM FOR THE 2023-24 FISCAL YEAR,
31 CALCULATED AS THE PER-CHILD RATES FOR THE 2023-24 FISCAL YEAR
32 MULTIPLIED BY THE NUMBER OF ELIGIBLE CHILDREN THE PRESCHOOL
33 PROVIDER ENROLLS FOR THE 2023-24 FISCAL YEAR, IS LESS THAN THE
34 AMOUNT OF FUNDING THE COMMUNITY-BASED PRESCHOOL PROVIDER
35 RECEIVED FOR THE 2022-23 FISCAL YEAR PURSUANT TO A CONTRACT WITH
36 A SCHOOL DISTRICT OR CHARTER SCHOOL TO INDIRECTLY SERVE CHILDREN
37 THE SCHOOL DISTRICT OR CHARTER SCHOOL ENROLLED THROUGH THE
38 COLORADO PRESCHOOL PROGRAM, AS IT EXISTS PRIOR TO JULY 1, 2023,

1 FOR THE 2022-23 FISCAL YEAR, THE DEPARTMENT SHALL DISTRIBUTE TO
2 THE PRESCHOOL PROVIDER FOR THE 2023-24 FISCAL YEAR AN AMOUNT
3 EQUAL TO THE DIFFERENCE IN SAID AMOUNTS.

4 (c) ANY AMOUNT DISTRIBUTED PURSUANT TO THIS SUBSECTION (4)
5 IS IN ADDITION TO THE AMOUNT CALCULATED FOR THE PRESCHOOL
6 PROVIDER FOR THE 2023-24 FISCAL YEAR PURSUANT TO THIS SECTION.

7 (d) THE DEPARTMENT SHALL COLLECT, AND PRESCHOOL
8 PROVIDERS SHALL PROVIDE, THE INFORMATION REQUIRED TO IMPLEMENT
9 THIS SUBSECTION (4), WHICH MAY INCLUDE BUT NEED NOT BE LIMITED TO:

10 (I) A SCHOOL DISTRICT'S PER PUPIL FUNDING AMOUNT
11 CALCULATED FOR THE 2022-23 FISCAL YEAR PURSUANT TO SECTION 22-54
12 -104 (3) OR (3.5), WHICHEVER IS APPLICABLE;

13 (II) THE NUMBER OF PUPILS THAT A PRESCHOOL PROVIDER
14 ENROLLED THROUGH THE COLORADO PRESCHOOL PROGRAM, AS IT EXISTS
15 PRIOR TO JULY 1, 2023, FOR THE 2022-23 FISCAL YEAR; AND

16 (III) THE AMOUNTS PAID BY SCHOOL DISTRICTS AND CHARTER
17 SCHOOLS TO COMMUNITY-BASED PRESCHOOL PROVIDERS PURSUANT TO
18 CONTRACTS ENTERED INTO FOR THE 2022-23 FISCAL YEAR IN ACCORDANCE
19 WITH THE COLORADO PRESCHOOL PROGRAM, AS IT EXISTS PRIOR TO JULY
20 1, 2023.

21 (e) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2024.".

22 Strike page 217.

23 Page 218, strike lines 1 through 16.

24 Page 219, strike lines 22 and 23 and substitute:

25 (b) (I) FOR THE 2023-24 FISCAL YEAR, THE GENERAL ASSEMBLY
26 SHALL TRANSFER TO".

27 Page 219, strike lines 26 and 27 and substitute "STATE CONSTITUTION AN
28 AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT OF THE STATE
29 SHARE OF TOTAL PROGRAM CALCULATED PURSUANT TO ARTICLE 54 OF
30 TITLE 22 FOR THE 2022-23 BUDGET YEAR, AFTER APPLICATION OF THE
31 BUDGET STABILIZATION FACTOR AND AFTER ANY MID-YEAR ADJUSTMENT,
32 AND THE AMOUNT THAT THE STATE SHARE OF TOTAL PROGRAM, AFTER
33 APPLICATION OF THE BUDGET STABILIZATION FACTOR AND AFTER ANY
34 MID-YEAR ADJUSTMENT, WOULD BE FOR THE 2022-23 BUDGET YEAR IF
35 CALCULATED WITHOUT INCLUDING THE STATEWIDE PRESCHOOL PROGRAM
36 ENROLLMENT, AS DEFINED IN SECTION 22-54-103, FOR THE 2022-23
37 BUDGET YEAR AND THE NUMBER OF THREE- AND FOUR-YEAR-OLD PUPILS
38 WITH DISABILITIES RECEIVING AN EDUCATIONAL PROGRAM UNDER THE
39 "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF TITLE 22,

1 FOR THE 2022-23 BUDGET YEAR.

2 (II) FOR THE 2024-25 FISCAL YEAR AND FOR EACH FISCAL YEAR
3 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY TRANSFER TO
4 THE PRESCHOOL PROGRAMS CASH FUND FROM THE GENERAL FUND OR THE
5 STATE EDUCATION FUND CREATED IN SECTION 17 OF ARTICLE IX OF THE
6 STATE CONSTITUTION AN AMOUNT EQUAL TO THE AMOUNT DESCRIBED IN
7 SUBSECTION (1)(b)(I) OF THIS SECTION INCREASED ANNUALLY, BEGINNING
8 IN THE 2024-25 FISCAL YEAR, BY THE RATE OF INFLATION.".

9 Page 220, strike lines 1 through 14.

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