

HB1390\_J.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB24-1390 be amended as follows:

- 1 Amend printed bill, page 21, before line 1 insert:

|    |  | APPROPRIATION FROM |                 |                           |                        |                         |                  |
|----|--|--------------------|-----------------|---------------------------|------------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL   | TOTAL              | GENERAL<br>FUND | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS          | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$   | \$                 | \$              | \$                        | \$                     | \$                      | \$               |
| 1  | <b>"SECTION 14. Appropriation to the department of education for the fiscal year beginning July 1, 2024. Amend as added by House Bill 24-1430</b> section 2, Part IV (1)(A), |                    |                 |                           |                        |                         |                  |
| 2  | (3)(D)(1), (3)(D)(2), and the affected totals, and <b>repeal</b> Footnote 17, as follows:  |                    |                 |                           |                        |                         |                  |
| 3  | Section 2. <b>Appropriation.</b>   |                    |                 |                           |                        |                         |                  |
| 4  | <b>PART IV</b>   |                    |                 |                           |                        |                         |                  |
| 5  | <b>DEPARTMENT OF EDUCATION</b>   |                    |                 |                           |                        |                         |                  |
| 6  |  |                    |                 |                           |                        |                         |                  |
| 7  | <b>(1) MANAGEMENT AND ADMINISTRATION</b>   |                    |                 |                           |                        |                         |                  |
| 8  | <b>(A) Administration and Centrally-Appropriated Line Items</b>  |                    |                 |                           |                        |                         |                  |
| 9  | State Board of Education   | 575,805            | 575,805         |                           |                        |                         |                  |
| 10 |  |                    | (2.5 FTE)       |                           |                        |                         |                  |
| 11 | General Department and   |                    |                 |                           |                        |                         |                  |
| 12 | Program Administration   | 6,532,726          | 3,204,516       |                           | 188,595 <sup>a</sup>   | 3,139,615 <sup>b</sup>  |                  |
| 13 |  |                    | (23.9FTE)       |                           | (2.1 FTE)              | (19.9 FTE)              |                  |
| 14 | Grants Administration  | 564,452            | 389,513         |                           | 174,939 <sup>c</sup>   |                         |                  |
| 15 | Health, Life, and Dental   | 9,686,767          | 4,025,403       |                           | 1,462,109 <sup>d</sup> | 968,342 <sup>e</sup>    | 3,230,913(I)     |

|    |                           |           | APPROPRIATION FROM |                           |                      |                         |                  |
|----|---------------------------|-----------|--------------------|---------------------------|----------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL        | TOTAL     | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$                        | \$        | \$                 | \$                        | \$                   | \$                      | \$               |
| 1  | Short-term Disability     | 93,966    | 38,115             |                           | 12,790 <sup>d</sup>  | 9,834 <sup>e</sup>      | 33,227(I)        |
| 2  | Paid Family Medical Leave |           |                    |                           |                      |                         |                  |
| 3  | Insurance                 | 265,629   | 96,798             | 1,277 <sup>f</sup>        | 38,371 <sup>d</sup>  | 29,501 <sup>e</sup>     | 99,682(I)        |
| 4  |                           |           |                    |                           | 39,648 <sup>d</sup>  |                         |                  |
| 5  | Unfunded Liability        |           |                    |                           |                      |                         |                  |
| 6  | Amortization Equalization |           |                    |                           |                      |                         |                  |
| 7  | Disbursement              | 6,264,374 | 2,498,466          | 42,478 <sup>f</sup>       | 852,690 <sup>d</sup> | 655,574 <sup>e</sup>    | 2,215,166(I)     |
| 8  |                           |           |                    |                           | 895,168 <sup>d</sup> |                         |                  |
| 9  | Salary Survey             | 2,167,677 | 778,984            | 20,500 <sup>f</sup>       | 311,459 <sup>d</sup> | 240,788 <sup>e</sup>    | 815,946(I)       |
| 10 |                           |           |                    |                           | 331,959 <sup>d</sup> |                         |                  |
| 11 | Step Pay                  | 2,163,729 | 908,997            |                           | 312,360 <sup>d</sup> | 205,099 <sup>e</sup>    | 737,273(I)       |
| 12 | PERA Direct Distribution  | 1,304,359 | 963,385            | 6,335 <sup>f</sup>        | 188,732 <sup>d</sup> | 145,907 <sup>e</sup>    |                  |
| 13 |                           |           |                    |                           | 195,067 <sup>d</sup> |                         |                  |

|    |                          |                   | APPROPRIATION FROM |                           |                      |                         |                  |
|----|--------------------------|-------------------|--------------------|---------------------------|----------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL       | TOTAL             | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$                       | \$                | \$                 | \$                        | \$                   | \$                      | \$               |
| 1  | Temporary Employees      |                   |                    |                           |                      |                         |                  |
| 2  | Related to Authorized    |                   |                    |                           |                      |                         |                  |
| 3  | Leave                    | 29,961            | 29,961             |                           |                      |                         |                  |
| 4  | Workers' Compensation    | 334,121           | 160,533            |                           | 43,601 <sup>d</sup>  | 11,291 <sup>e</sup>     | 118,696(I)       |
| 5  | Legal Services           | 1,324,188         | 818,348            |                           | 443,603 <sup>d</sup> | 62,237 <sup>e</sup>     |                  |
| 6  | Administrative Law Judge |                   |                    |                           |                      |                         |                  |
| 7  | Services                 | 209,603           |                    |                           | 209,603 <sup>g</sup> |                         |                  |
| 8  | Payment to Risk          |                   |                    |                           |                      |                         |                  |
| 9  | Management and Property  |                   |                    |                           |                      |                         |                  |
| 10 | Funds                    | 821,832           | 821,832            |                           |                      |                         |                  |
| 11 | Capitol Complex Leased   |                   |                    |                           |                      |                         |                  |
| 12 | Space                    | 1,053,714         | 300,308            |                           | 191,776 <sup>d</sup> | 95,888 <sup>h</sup>     | 465,742(I)       |
| 13 | CORE Operations          | 66,377            | 33,185             |                           | 25,715 <sup>i</sup>  | 7,477 <sup>j</sup>      |                  |
| 14 |                          | <u>33,459,280</u> |                    |                           |                      |                         |                  |
| 15 |                          |                   |                    |                           |                      |                         |                  |

|  |                    | APPROPRIATION FROM |                 |                           |               |                         |                  |
|--|--------------------|--------------------|-----------------|---------------------------|---------------|-------------------------|------------------|
|  | ITEM &<br>SUBTOTAL | TOTAL              | GENERAL<br>FUND | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|  | \$                 | \$                 | \$              | \$                        | \$            | \$                      | \$               |

1       <sup>a</sup> This amount shall be from general education development program fees.

2       <sup>b</sup> Of this amount, \$2,270,195 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$869,420  
3 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

4       <sup>c</sup> Of this amount, \$91,134 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$48,734 shall be from the Marijuana Tax Cash Fund  
5 created in Section 39-28.8-501 (1), C.R.S., \$27,096 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S. \$4,459 shall be from the Public School Capital  
6 Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S., and \$3,516 shall be from the Start Smart Nutrition Program Fund created in Section 22-82.7-105 (1), C.R.S.  
7 Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section  
8 20 of Article X of the State Constitution.

9       <sup>d</sup> Of these amounts, \$1,228,130 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$1,098,482(I) shall be from the Educator  
10 Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., \$597,456 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1),  
11 C.R.S., \$486,345 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S., \$186,980 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501  
12 (1), C.R.S., \$70,590 SHALL BE FROM THE HEALTHY SCHOOL MEALS FOR ALL PROGRAM CASH FUND CREATED IN SECTION 22-82.9-211 (2), C.R.S., \$44,739 shall be from general education  
13 development program fees, and \$215,359 shall be from various sources of cash funds. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State  
14 Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

|    | ITEM &<br>SUBTOTAL   | TOTAL | APPROPRIATION FROM |                           |               |                         |                  |
|----|--|-------|--------------------|---------------------------|---------------|-------------------------|------------------|
|    |  |       | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$   | \$    | \$                 | \$                        | \$            | \$                      | \$               |
| 1  | <sup>e</sup> Of these amounts, \$2,042,122 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., \$62,237 is             |       |                    |                           |               |                         |                  |
| 2  | estimated to be transferred from the Division of Public School Capital Construction Assistance line item appropriation in the School District Operations section of this department,                         |       |                    |                           |               |                         |                  |
| 3  | \$37,047 is estimated to be transferred from the Department of Regulatory Agencies from the Reading Services for the Blind Cash Fund and Disabled Telephone Users Fund in the Public                         |       |                    |                           |               |                         |                  |
| 4  | Utilities Commission, \$36,506 is estimated to be from Medicaid funds transferred from the Department of Health Care Policy and Financing from the Transfer to the Department of                             |       |                    |                           |               |                         |                  |
| 5  | Education for Public School Health Services Administration line item in the Executive Director's Office, and \$150,661 shall be from various sources of reappropriated funds.                                |       |                    |                           |               |                         |                  |
| 6  | <del><sup>f</sup> These amounts shall be from the Healthy School Meals for All Program General Fund Exempt Account created in Section 22-82.9-210 (3), C.R.S.</del>  |       |                    |                           |               |                         |                  |
| 7  | <sup>g</sup> Of this amount, \$171,874(I) shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., and \$37,729 shall be from the State Education Fund created          |       |                    |                           |               |                         |                  |
| 8  | in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject               |       |                    |                           |               |                         |                  |
| 9  | to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.  |       |                    |                           |               |                         |                  |
| 10 | <sup>h</sup> This amount shall be transferred from the Division of Public School Capital Construction Assistance line item appropriation in the School District Operations section of this department.       |       |                    |                           |               |                         |                  |
| 11 | <sup>i</sup> Of this amount, it is estimated that \$9,616 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution, \$6,155(I) shall be from the Educator |       |                    |                           |               |                         |                  |
| 12 | Licensure Cash Fund created in Section 22-60.5-112 (1)(a), C.R.S., \$4,442 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1),                          |       |                    |                           |               |                         |                  |
| 13 | C.R.S., \$3,515 shall be from the Early Literacy Fund created in Section 22-7-1210 (1), C.R.S., \$1,602 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1),                        |       |                    |                           |               |                         |                  |
| 14 | C.R.S., and \$385 shall be from general education development program fees. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education                      |       |                    |                           |               |                         |                  |
| 15 | Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.   |       |                    |                           |               |                         |                  |
| 16 | <sup>j</sup> This amount shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.  |       |                    |                           |               |                         |                  |

|    |  | APPROPRIATION FROM |                 |                           |                          |                         |                  |
|----|--|--------------------|-----------------|---------------------------|--------------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL                       | TOTAL              | GENERAL<br>FUND | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS            | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$                                       | \$                 | \$              | \$                        | \$                       | \$                      | \$               |
| 1  |  |                    |                 |                           |                          |                         |                  |
| 2  | <b>(3) SCHOOL DISTRICT OPERATIONS</b>    |                    |                 |                           |                          |                         |                  |
| 3  | <b>(D) Nutrition</b>                     |                    |                 |                           |                          |                         |                  |
| 4  | (1) Healthy School Meals for All Program |                    |                 |                           |                          |                         |                  |
| 5  | Program Administration <sup>17</sup>     |                    |                 |                           |                          |                         |                  |
| 6  | ADMINISTRATION                           | 887,732            | 95,908          | 791,824 <sup>a</sup>      |                          |                         |                  |
| 7  |  | 791,824            |                 |                           | 791,824 <sup>a</sup>     |                         |                  |
| 8  |  | (3.2 FTE)          | (1.0 FTE)       |                           |                          |                         |                  |
| 9  |  |                    |                 |                           | (3.2 FTE)                |                         |                  |
| 10 | School Meal                              |                    |                 |                           |                          |                         |                  |
| 11 | Reimbursements                           | 137,483,812        | 22,146,226      | 115,337,586 <sup>*</sup>  |                          |                         |                  |
| 12 |  |                    |                 |                           | 137,483,812 <sup>a</sup> |                         |                  |
| 13 | <del>Local Food Purchasing</del>         |                    |                 |                           |                          |                         |                  |
| 14 | <del>Grant</del>                         | 5,000,000          | 5,000,000       |                           |                          |                         |                  |

|    |   |             | APPROPRIATION FROM |                           |                        |                         |                  |
|----|---|-------------|--------------------|---------------------------|------------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL  | TOTAL       | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS          | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$  | \$          | \$                 | \$                        | \$                     | \$                      | \$               |
| 1  | <del>Local Food Technical</del>   |             |                    |                           |                        |                         |                  |
| 2  | <del>Assistance Grant</del>   | 5,000,000   | 5,000,000          |                           |                        |                         |                  |
| 3  | <del>Wage Distributions</del>   | 8,400,000   | 8,400,000          |                           |                        |                         |                  |
| 4  |   | 156,771,544 |                    |                           |                        |                         |                  |
| 5  |   | 138,275,636 |                    |                           |                        |                         |                  |
| 6  |   |             |                    |                           |                        |                         |                  |
| 7  | <del><sup>a</sup> These amounts</del> OF THESE AMOUNTS, \$116,129,410 shall be from the Healthy School Meals for All Program <del>General Fund Exempt Account</del> , CASH FUND, created in Section 22-82.9-211 |             |                    |                           |                        |                         |                  |
| 8  | (2), C.R.S., AND \$22,146,226 SHALL BE FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)(A) OF ARTICLE IX OF THE STATE CONSTITUTION.  |             |                    |                           |                        |                         |                  |
| 9  |   |             |                    |                           |                        |                         |                  |
| 10 | (2) Other Nutrition Program   |             |                    |                           |                        |                         |                  |
| 11 | Federal Nutrition Programs  | 156,775,300 | 104,973            |                           |                        |                         | 156,670,327(I)   |
| 12 |   |             | (0.9 FTE)          |                           |                        |                         | (16.1 FTE)       |
| 13 | State Match for School  |             |                    |                           |                        |                         |                  |
| 14 | Lunch Program   | 2,472,644   |                    |                           | 2,472,644 <sup>a</sup> |                         |                  |



|    |                          |         | APPROPRIATION FROM |                           |                      |                         |                  |
|----|--------------------------|---------|--------------------|---------------------------|----------------------|-------------------------|------------------|
|    | ITEM &<br>SUBTOTAL       | TOTAL   | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|    | \$                       | \$      | \$                 | \$                        | \$                   | \$                      | \$               |
| 1  | Child Nutrition School   |         |                    |                           |                      |                         |                  |
| 2  | Lunch Protection Program | 841,460 |                    |                           | 841,460 <sup>b</sup> |                         |                  |
| 3  | Start Smart Nutrition    |         |                    |                           |                      |                         |                  |
| 4  | Program                  | 296,484 |                    |                           | 296,484 <sup>c</sup> |                         |                  |
| 5  | LOCAL SCHOOL FOOD        |         |                    |                           |                      |                         |                  |
| 6  | PURCHASING PROGRAMS      | 675,729 |                    |                           | 675,729 <sup>b</sup> |                         |                  |
| 7  |                          |         |                    |                           | (0.4 FTE)            |                         |                  |
| 8  | Summer Electronics       |         |                    |                           |                      |                         |                  |
| 9  | Benefits Transfer for    |         |                    |                           |                      |                         |                  |
| 10 | Children                 | 447,870 | 223,935            |                           |                      |                         | 223,935(I)       |
| 11 |                          |         | (0.9 FTE)          |                           |                      |                         | (0.8 FTE)        |
| 12 | <u>160,833,758</u>       |         |                    |                           |                      |                         |                  |
| 13 | 161,509,487              |         |                    |                           |                      |                         |                  |
| 14 |                          |         |                    |                           |                      |                         |                  |



|  |                    | APPROPRIATION FROM |                 |                           |               |                         |                  |
|--|--------------------|--------------------|-----------------|---------------------------|---------------|-------------------------|------------------|
|  | ITEM &<br>SUBTOTAL | TOTAL              | GENERAL<br>FUND | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|  | \$                 | \$                 | \$              | \$                        | \$            | \$                      | \$               |

1       <sup>d</sup> This amount contains an (I) notation.

2

3       **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

4

5       ~~17       Department of Higher Education, School District Operations, Nutrition, Healthy School Meals for All, Program Administration-- Of the amount appropriated~~

6       ~~in this line item, up to \$400,000, if not expended prior to the close of the 2024-25 state fiscal year, remains available for expenditure until the close of the~~

7       ~~2025-26 state fiscal year.~~

1           **SECTION 15. Repeal and reenact, with amendments,** as  
2 enacted by House Bill 24-1430, section 16, as follows:  
3           **SECTION 16. Appropriation to the department of education**  
4 **for the fiscal year beginning July 1, 2023.** In Session Laws of Colorado  
5 2023, **amend** section 7 (1) introductory portion, (1)(f), and **add** (1)(h) of  
6 chapter 89, (SB 23-221), as follows:  
7           Section 7. **Appropriation.** (1) For the 2023-24 state fiscal year,  
8 \$171,439,107 is appropriated to the department of education. Of this  
9 appropriation, \$156,000,000 is from the healthy school meals for all  
10 program general fund exempt account and \$15,439,107 is from the  
11 ~~general fund.~~ STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF  
12 ARTICLE IX OF THE STATE CONSTITUTION. To implement this act, the  
13 department may use this appropriation as follows:  
14           (f) \$171,000,000 for school meal reimbursements; and  
15           (h) \$100,000 for consulting support, which amount, if not  
16 expended prior to the close of the 2023-24 state fiscal year, remains  
17 available for expenditure until the close of the 2024-25 state fiscal year.  
18           **SECTION 16. Effective date.** This act takes effect upon passage;  
19 except that sections 14 and 15 of this act take effect only if House Bill  
20 24-1430 becomes law, in which case sections 14 and 15 take effect upon  
21 the effective date of this act or House Bill 24-1430, whichever is later."  
22  
23 Renumber succeeding section accordingly.  
24  
25 Page 1, line 102, strike "EDUCATION." and substitute "EDUCATION, AND,  
26 IN CONNECTION THEREWITH, MAKING AND REDUCING AN  
27 APPROPRIATION."

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