

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
11/26/24

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LLS NO. 25-0064.01 Jacob Baus x2173

SENATE BILL

SENATE SPONSORSHIP

Kipp,

HOUSE SPONSORSHIP

(None),

BILL TOPIC: Inst Charter Sch Applicant Funding Approval

DEADLINES: Finalize by: 1/21/2025 File by: 1/24/2025

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT INSTITUTE CHARTER SCHOOLS

102 RECEIVE FUNDING APPROVAL FROM THE GENERAL ASSEMBLY.

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>.)

Beginning September 1, 2025, the bill requires that the charter school institute (institute) shall submit a report to the joint budget committee for an institute charter school application or renewal that was filed on or after September 1, 2025, and was subsequently approved by the institute for one of the following actions:

- Creation of a new institute charter school;

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

- A conversion of a district charter school to an institute charter school;
- A charter school network's organization of a new school; or
- An institute charter school or charter school network's expansion of its maximum capacity for annual pupil enrollment in any budget year.

The bill requires that if the general assembly determines to include funding in the annual long bill for the specific action, the general assembly shall specify the additional spending through a footnote.

The bill clarifies that notwithstanding the institute's approval, an action is considered denied if it is not funded through the annual long bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-30.5-510.5
3 as follows:

4 **22-30.5-510.5. Joint budget committee approval.**

5 (1) BEGINNING SEPTEMBER 1, 2025, THE INSTITUTE SHALL SUBMIT A
6 REPORT TO THE JOINT BUDGET COMMITTEE FOR AN INSTITUTE CHARTER
7 SCHOOL APPLICATION OR RENEWAL THAT WAS FILED ON OR AFTER
8 SEPTEMBER 1, 2025, AND WAS SUBSEQUENTLY APPROVED BY THE
9 CHARTER SCHOOL INSTITUTE FOR ONE OF THE FOLLOWING ACTIONS:

10 (a) CREATION OF A NEW INSTITUTE CHARTER SCHOOL;

11 (b) A CONVERSION OF A DISTRICT CHARTER SCHOOL TO AN
12 INSTITUTE CHARTER SCHOOL;

13 (c) A CHARTER SCHOOL NETWORK'S ORGANIZATION OF A NEW
14 SCHOOL; OR

15 (d) AN INSTITUTE CHARTER SCHOOL OR CHARTER SCHOOL
16 NETWORK TO EXPAND ITS MAXIMUM CAPACITY FOR ANNUAL PUPIL
17 ENROLLMENT IN ANY BUDGET YEAR.

18 (2) THE REPORT DESCRIBED IN SUBSECTION (1) OF THIS SECTION
19 MUST INCLUDE, AT A MINIMUM:

1 (a) AN ACCESSIBLE PAPER OR ELECTRONIC COPY OF THE INSTITUTE
2 CHARTER SCHOOL'S APPLICATION;

3 (b) THE INSTITUTE CHARTER SCHOOL'S PROJECTED ANNUAL PUPIL
4 ENROLLMENT FOR EACH OF THE NEXT FIVE BUDGET YEARS AND ITS
5 MAXIMUM CAPACITY FOR ANNUAL PUPIL ENROLLMENT IN ANY BUDGET
6 YEAR;

7 (c) THE ESTIMATED AMOUNT OF STATE MONEY NECESSARY TO
8 FUND MILL LEVY EQUALIZATION FOR EACH OF THE NEXT FIVE BUDGET
9 YEARS;

10 (d) THE ESTIMATED AMOUNT OF STATE MONEY NECESSARY TO
11 FUND THE INSTITUTE CHARTER SCHOOL FOR EACH OF THE NEXT FIVE
12 BUDGET YEARS;

13 (e) THE ESTIMATED AMOUNT OF STATE MONEY NECESSARY TO
14 FUND THE INSTITUTE CHARTER SCHOOL, IF IT WERE A DISTRICT CHARTER
15 SCHOOL IN THE DISTRICT OF ITS PROPOSED LOCATION RATHER THAN AN
16 INSTITUTE CHARTER SCHOOL, FOR EACH OF THE NEXT FIVE BUDGET YEARS;

17 (f) IF THE APPLICATION IS FOR A CHARTER SCHOOL NETWORK TO
18 ORGANIZE AN ADDITIONAL SCHOOL, THE ESTIMATED AMOUNT OF STATE
19 MONEY NECESSARY TO FUND THE CHARTER SCHOOL NETWORK WITH THE
20 ADDITIONAL SCHOOL FOR EACH OF THE INSTITUTE CHARTER SCHOOL'S
21 NEXT FIVE BUDGET YEARS, COMPARED TO THE ESTIMATED AMOUNT OF
22 STATE MONEY NECESSARY TO FUND THE CHARTER SCHOOL NETWORK
23 WITHOUT THE ADDITIONAL SCHOOL; AND

24 (g) A NARRATIVE THAT DETAILS THE REASONS WHY THE SCHOOL
25 MUST BE AN INSTITUTE CHARTER SCHOOL AS OPPOSED TO A DISTRICT
26 CHARTER SCHOOL.

27 (3) AT LEAST ONE INSTITUTE BOARD MEMBER AND ONE

1 REPRESENTATIVE FROM THE INSTITUTE CHARTER SCHOOL OR CHARTER
2 SCHOOL NETWORK MUST BE AVAILABLE TO PRESENT OR ANSWER
3 QUESTIONS CONCERNING THE REPORT TO THE JOINT BUDGET COMMITTEE
4 AS A PART OF THE DEPARTMENT OF EDUCATION'S ANNUAL BUDGET
5 HEARING. <*Do you want to specify a window by which reports must be*
6 *received by the JBC to ensure consideration in the annual budget? If*
7 *so, when?*>

8 (4) IF THE GENERAL ASSEMBLY DETERMINES TO INCLUDE FUNDING
9 IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE ACTION DESCRIBED
10 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE GENERAL ASSEMBLY
11 SHALL SPECIFY THE ADDITIONAL SPENDING THROUGH A FOOTNOTE.

12 (5) NOTWITHSTANDING THE INSTITUTE'S APPROVAL, IF AN ACTION
13 DESCRIBED PURSUANT TO SUBSECTION (1) OF THIS SECTION IS NOT FUNDED
14 THROUGH THE ANNUAL GENERAL APPROPRIATION ACT, THE ACTION IS
15 CONSIDERED DENIED AND THE INSTITUTE CHARTER SCHOOL OR CHARTER
16 SCHOOL NETWORK SHALL NOT PROCEED WITH THE ACTION.

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2026 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor. <*Do you prefer*
26 *a safety clause instead?*>