

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-0609.01 Alana Rosen x2606

HOUSE BILL 25-1061

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House Committees

Education
Appropriations

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A BILL FOR AN ACT

101 **CONCERNING CREATING A GRANT PROGRAM FOR THE DEVELOPMENT**
102 **OF COMMUNITY SCHOOLYARDS, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The bill creates the community schoolyards grant program (grant program) in the division of local government (division) within the department of local affairs. The grant program is a 2-part grant program that includes:

- The planning and design grant program (planning

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
April 28, 2025

HOUSE
Amended 2nd Reading
April 25, 2025

program), which awards up to \$150,000 to each grant recipient selected by the division for the planning and design of a community schoolyard; and

- The capital construction and improvement grant program (construction program), which awards up to \$850,000 to each grant recipient selected by the division for the capital construction of a community schoolyard.

The division shall implement a timeline for the planning program and the construction program (programs), which must include:

- Announcing each of the programs;
- Accepting applications from eligible applicants for each of the programs;
- Selecting the grant recipients for each of the programs;
- Distributing grant money to the grant recipients for each of the programs; and
- Establishing reporting timelines and requirements for each of the programs.

On or before January 15, 2028, the division shall compile a report summarizing the grant recipient reports from the programs. The division shall submit the report to the education committees of the house of representatives and senate; the house of representatives transportation, housing, and local government committee; and the senate local government and housing committee, or their successor committees.

The division may adopt rules to carry out the purposes of the grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-32-135 as
3 follows:

4 **24-32-135. Community schoolyards grant program - creation**
5 **- report - rules - definitions - repeal.** (1) AS USED IN THIS SECTION,
6 UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "CAPITAL CONSTRUCTION AND IMPROVEMENT GRANT
8 PROGRAM" OR "CONSTRUCTION PROGRAM" MEANS THE CAPITAL
9 CONSTRUCTION AND IMPROVEMENT GRANT PROGRAM CREATED IN
10 SUBSECTION (2)(a)(II) OF THIS SECTION THAT IS PART OF THE COMMUNITY
11 SCHOOLYARDS GRANT PROGRAM.

1 (b) "COMMUNITY SCHOOLYARD" MEANS A PARK-LIKE
2 ENVIRONMENT LOCATED AT AN ELEMENTARY OR SECONDARY SCHOOL
3 THAT STRENGTHENS LOCAL ECOLOGICAL SYSTEMS, PROVIDES A WIDE
4 RANGE OF HANDS-ON LEARNING RESOURCES, ENHANCES HEALTH AND
5 WELL-BEING FOR STUDENTS AND COMMUNITY MEMBERS, AND FOSTERS
6 NATURE-PLAY AND SOCIAL OPPORTUNITIES FOR STUDENTS AND
7 COMMUNITY MEMBERS.

8 (c) "COMMUNITY SCHOOLYARDS GRANT PROGRAM" OR "GRANT
9 PROGRAM" MEANS THE COMMUNITY SCHOOLYARDS GRANT PROGRAM
10 CREATED IN SUBSECTION (2)(a) OF THIS SECTION, WHICH CONSISTS OF TWO
11 GRANT PROGRAMS: THE PLANNING AND DESIGN GRANT PROGRAM CREATED
12 IN SUBSECTION (2)(a)(I) OF THIS SECTION AND THE CAPITAL
13 CONSTRUCTION AND IMPROVEMENT GRANT PROGRAM CREATED IN
14 SUBSECTION (2)(a)(II) OF THIS SECTION.

15 (d) "COMMUNITY-USE PARTNER" MEANS A PARTNER THAT ENTERS
16 INTO A COMMUNITY-USE AGREEMENT WITH AN ELIGIBLE APPLICANT AND
17 THE PARTNERSHIP COMPLIES WITH THE REQUIREMENTS SET FORTH IN
18 SUBSECTION (2)(d) OF THIS SECTION.

19 (e) "ELIGIBLE APPLICANT" MEANS A LOCAL GOVERNMENT OR A
20 SCHOOL DISTRICT.

21 (f) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
22 DIVISION SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

23 (g) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY, A COUNTY,
24 SPECIAL DISTRICTS, AND OTHER POLITICAL SUBDIVISIONS AND STATE
25 AGENCIES.

26 (h) "PLANNING AND DESIGN GRANT PROGRAM" OR "PLANNING
27 PROGRAM" MEANS THE PLANNING AND DESIGN GRANT PROGRAM CREATED

1 IN SUBSECTION (2)(a)(I) OF THIS SECTION THAT IS PART OF THE
2 COMMUNITY SCHOOLYARDS GRANT PROGRAM.

3 (2) (a) THE COMMUNITY SCHOOLYARDS GRANT PROGRAM IS
4 CREATED IN THE DIVISION. THE COMMUNITY SCHOOLYARDS GRANT
5 PROGRAM IS A TWO-PART GRANT PROGRAM THAT INCLUDES:

6 (I) THE PLANNING AND DESIGN GRANT PROGRAM, WHICH AWARDS
7 UP TO ONE HUNDRED FIFTY THOUSAND DOLLARS TO EACH GRANT
8 RECIPIENT SELECTED BY THE DIVISION FOR THE PLANNING AND DESIGN OF
9 A COMMUNITY SCHOOLYARD; AND

10 (II) THE CAPITAL CONSTRUCTION AND IMPROVEMENT GRANT
11 PROGRAM, WHICH AWARDS UP TO EIGHT HUNDRED FIFTY THOUSAND
12 DOLLARS TO EACH GRANT RECIPIENT SELECTED BY THE DIVISION FOR THE
13 CAPITAL CONSTRUCTION OF A COMMUNITY SCHOOLYARD.

14 (b) THE PURPOSE OF THE COMMUNITY SCHOOLYARDS GRANT
15 PROGRAM IS TO ADDRESS INEQUITIES IN UNDERSERVED AND
16 UNDERFUNDED SCHOOLS AND COMMUNITIES, SPECIFICALLY COMMUNITIES
17 SOCIALLY OR ECONOMICALLY AFFECTED BY THE DEVELOPMENT,
18 PROCESSING, OR ENERGY CONVERSION OF MINERALS AND MINERAL FUELS
19 SUBJECT TO TAXATION PURSUANT TO ARTICLE 29 OF TITLE 39, BY:

20 (I) MAKING COMMUNITY SCHOOLYARDS ACCESSIBLE TO THE
21 BROADER COMMUNITY OUTSIDE OF SCHOOL HOURS;

22 (II) IMPROVING PHYSICAL ACTIVITY AND MENTAL HEALTH
23 OPPORTUNITIES FOR STUDENTS AND COMMUNITY MEMBERS; AND

24 (III) INCORPORATING NATURAL LANDSCAPES, NATURAL
25 PLAYGROUNDS, AND RECREATIONAL SPACES THAT PROMOTE ADAPTATION;
26 SUSTAINABILITY; RESILIENCE; AND HANDS-ON LEARNING ACROSS SUBJECT
27 MATTERS, INCLUDING SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND

1 MATHEMATICS.

2 (c) FOR THE PLANNING PROGRAM AND THE CONSTRUCTION
3 PROGRAM, THE DIVISION SHALL CONSIDER ELIGIBLE APPLICANTS WHOSE
4 APPLICATIONS CONTAIN THE FOLLOWING MATERIALS:

5 (I) DOCUMENTATION OF A COMMUNITY-USE AGREEMENT BETWEEN
6 THE ELIGIBLE APPLICANT AND A COMMUNITY-USE PARTNER THAT ENABLES
7 THE COMMUNITY SCHOOLYARD TO SERVE AS A COMMUNITY FACILITY
8 OUTSIDE OF SCHOOL HOURS. THE COMMUNITY-USE AGREEMENT MUST
9 INCLUDE, AT A MINIMUM, THE FOLLOWING:

10 (A) A DEFINITION OF THE ROLES AND RESPONSIBILITIES OF THE
11 ELIGIBLE APPLICANT AND THE COMMUNITY-USE PARTNER IN THE
12 OPERATION, USE, SAFETY, AND MAINTENANCE OF THE COMMUNITY
13 SCHOOLYARD;

14 (B) CONSIDERATION OF LIABILITY ISSUES FOR COMMUNITY USE OF
15 THE COMMUNITY SCHOOLYARD;

16 (C) A DEFINITION OF THE HOURS OF OPERATION FOR COMMUNITY
17 USE OF THE COMMUNITY SCHOOLYARD; AND

18 (D) DOCUMENTATION OF THE COMMUNITY USE OF THE
19 COMMUNITY SCHOOLYARD;

20 (II) DOCUMENTATION OF A PARTNERSHIP BETWEEN THE ELIGIBLE
21 APPLICANT AND A COMMUNITY-BASED ORGANIZATION WITH EXPERTISE IN
22 OUTDOOR LEARNING SPACES OR OUTDOOR EDUCATION SPACES THAT HAS
23 EXPERIENCE WORKING WITH LOCAL EDUCATION PROVIDERS;

24 (III) DOCUMENTATION OF THE AMOUNT OF MATCHING FUNDS OR
25 IN-KIND CONTRIBUTIONS THAT THE ELIGIBLE APPLICANT INTENDS TO
26 PROVIDE TO AUGMENT GRANT MONEY RECEIVED FROM THE GRANT
27 PROGRAM AND THE ANTICIPATED AMOUNT AND SOURCE OF ANY MATCHING

1 FUNDS OR IN-KIND CONTRIBUTIONS; AND

2 (IV) A DEMONSTRATION OF THE NEED FOR A COMMUNITY
3 SCHOOLYARD THAT USES A NATIONALLY RECOGNIZED INTERACTIVE MAP
4 TO HELP IDENTIFY THE TOP LOCATIONS TO BUILD A COMMUNITY
5 SCHOOLYARD.

6 (d) (I) A LOCAL GOVERNMENT THAT IS AN ELIGIBLE APPLICANT
7 MUST ENTER INTO A COMMUNITY-USE AGREEMENT WITH A
8 COMMUNITY-USE PARTNER THAT INCLUDES, BUT IS NOT LIMITED TO, A
9 SCHOOL OF A SCHOOL DISTRICT, A SCHOOL DISTRICT, A DISTRICT CHARTER
10 SCHOOL, AN INSTITUTE CHARTER SCHOOL, THE STATE CHARTER SCHOOL
11 INSTITUTE, OR A BOARD OF COOPERATIVE SERVICES CREATED AND
12 OPERATED PURSUANT TO ARTICLE 5 OF TITLE 22.

13 (II) A SCHOOL DISTRICT THAT IS AN ELIGIBLE APPLICANT MUST
14 ENTER INTO A COMMUNITY-USE AGREEMENT WITH A COMMUNITY-USE
15 PARTNER THAT IS A LOCAL GOVERNMENT.

16 (e) THE DIVISION MAY CONSULT WITH THE STATE BOARD OF THE
17 GREAT OUTDOORS COLORADO TRUST FUND ESTABLISHED PURSUANT TO
18 SECTION 6 OF ARTICLE XXVII OF THE STATE CONSTITUTION, THE OUTDOOR
19 EQUITY BOARD CREATED IN SECTION 33-9-203, THE ENVIRONMENTAL
20 JUSTICE ADVISORY BOARD CREATED IN SECTION 25-1-134 (2), AND THE
21 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD CREATED IN
22 SECTION 22-43.7-106 REGARDING THE GRANT PROGRAM.

23 (3) (a) ON OR BEFORE JANUARY 15, 2026, THE DIVISION SHALL
24 IMPLEMENT A TIMELINE FOR THE PLANNING PROGRAM, WHICH MUST
25 INCLUDE:

26 (I) ANNOUNCING THE PLANNING PROGRAM;

27 (II) ACCEPTING APPLICATIONS FROM ELIGIBLE APPLICANTS AND

1 REVIEWING APPLICATIONS IN A TIMELY MANNER;

2 (III) SELECTING THE GRANT RECIPIENTS;

3 (IV) DISTRIBUTING GRANT MONEY TO THE GRANT RECIPIENTS; AND

4 (V) ESTABLISHING REPORTING TIMELINES AND REQUIREMENTS FOR

5 THE GRANT RECIPIENTS OF THE PLANNING PROGRAM. GRANT RECIPIENTS

6 SHALL REPORT, AT A MINIMUM, THE FOLLOWING TO THE DIVISION:

7 (A) THE AMOUNT OF MONEY RECEIVED FROM THE PLANNING

8 PROGRAM;

9 (B) THE NUMBER OF STUDENTS AFFECTED BY THE GRANT; AND

10 (C) A DESCRIPTION OF HOW THE GRANT MONEY WAS SPENT.

11 (b) GRANT RECIPIENTS OF THE PLANNING PROGRAM SHALL

12 DEVELOP PROFESSIONAL PLAN, DESIGN, AND CONSTRUCTION DOCUMENTS

13 THROUGH A COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS IN

14 COLLABORATION WITH STUDENTS, EDUCATORS, AND COMMUNITY

15 MEMBERS. THE PLANNING AND DESIGN DOCUMENTS FOR THE COMMUNITY

16 SCHOOLYARD MUST INCLUDE:

17 (I) ECOLOGICAL, CLIMATE, AND BIODIVERSITY GOALS;

18 (II) EDUCATION AND HEALTH GOALS;

19 (III) RECREATION GOALS;

20 (IV) ACCESSIBILITY, SAFETY, AND LICENSING STANDARDS;

21 (V) THE NUMBER OF STUDENTS ENROLLED AT EACH SCHOOL

22 SERVED BY THE GRANT;

23 (VI) THE TOTAL ACREAGE SIZE OF THE SCHOOL PROPERTY;

24 (VII) THE ACREAGE SIZE OF THE PROPOSED COMMUNITY

25 SCHOOLYARD;

26 (VIII) A CONCEPT PLAN DRAWING OF THE PROPOSED COMMUNITY

27 SCHOOLYARD DESIGN, WHICH MUST INCORPORATE DESIGN FEATURES THAT

1 CREATE HEALTHY AND ENVIRONMENTALLY SOUND SPACES. DESIGN
2 FEATURES MAY INCLUDE:

3 (A) FOOD AND POLLINATOR GARDENS;

4 (B) NATURAL PLAYGROUNDS, INCLUDING NATURAL AND
5 NATURE-BASED ELEMENTS, INCLUDING ROCK GARDENS, SAND BOXES,
6 STUMP LOGS, STREAMS, LIVING PLANTS, AND OTHER FEATURES THAT ARE
7 INTEGRATED WITH THE OUTDOOR LANDSCAPE AND VEGETATION;

8 (C) STORMWATER MANAGEMENT;

9 (D) TRADITIONAL PLAYGROUND EQUIPMENT;

10 (E) CLIMATE-APPROPRIATE NON-INVASIVE PLANTS AND
11 VEGETATION;

12 (F) WALKING TRAILS;

13 (G) SHADE TREES;

14 (H) OUTDOOR CLASSROOMS WITH CHALKBOARDS, TABLES, SINKS,
15 AND LARGE SITTING AREAS FOR TEACHERS TO LEAD OUTDOOR LESSONS; OR

16 (I) CALM SPACES FOR CHILDREN;

17 (IX) IDENTIFICATION OF COMMUNITY PARTNERS, INCLUDING
18 NONPROFIT ORGANIZATIONS OR DESIGN PROFESSIONALS THAT HAVE
19 EXPERTISE IN OUTDOOR LEARNING SPACES OR OUTDOOR EDUCATION
20 SPACES; AND

21 (X) A PLAN FOR THE LONG-TERM MAINTENANCE OF THE
22 COMMUNITY SCHOOLYARD.

23 (c) THE COMMUNITY-BASED ORGANIZATION DESCRIBED IN
24 SUBSECTION (2)(c)(II) OF THIS SECTION IS ENCOURAGED TO PROVIDE
25 TECHNICAL ASSISTANCE TO THE GRANT RECIPIENT TO HELP FACILITATE
26 THE COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS TO PLAN
27 AND DESIGN PARK-LIKE SPACES, OUTDOOR LEARNING SPACES, OR

1 OUTDOOR EDUCATION SPACES WITH STUDENTS, EDUCATORS, AND
2 COMMUNITY MEMBERS, AS DESCRIBED IN SUBSECTION (3)(b) OF THIS
3 SECTION.

4 (4) (a) ON OR BEFORE JANUARY 15, 2026, THE DIVISION SHALL
5 IMPLEMENT A TIMELINE FOR THE CONSTRUCTION PROGRAM, WHICH MUST
6 INCLUDE:

- 7 (I) ANNOUNCING THE CONSTRUCTION PROGRAM;
- 8 (II) ACCEPTING APPLICATIONS FROM ELIGIBLE APPLICANTS;
- 9 (III) SELECTING THE GRANT RECIPIENTS;
- 10 (IV) DISTRIBUTING GRANT MONEY TO THE GRANT RECIPIENTS; AND
- 11 (V) ESTABLISHING REPORTING TIMELINES AND REQUIREMENTS FOR
- 12 THE GRANT RECIPIENTS OF THE CONSTRUCTION PROGRAM. GRANT
- 13 RECIPIENTS MUST REPORT, AT A MINIMUM, THE FOLLOWING TO THE
- 14 DIVISION:

- 15 (A) THE NUMBER OF STUDENTS AFFECTED BY THE GRANT;
- 16 (B) A DESCRIPTION OF HOW THE GRANT MONEY WAS SPENT; AND
- 17 (C) THE ESTABLISHMENT OF A COMMUNITY-USE AGREEMENT, AS
- 18 DESCRIBED IN SUBSECTION (2)(c)(I) OF THIS SECTION, FOR COMMUNITY
- 19 ACCESS AND USE OF THE COMMUNITY SCHOOLYARD OUTSIDE OF SCHOOL
- 20 HOURS.

21 (b) IF THE PROPOSED COMMUNITY SCHOOLYARD CONSTRUCTION
22 PROJECT EXCEEDS ONE MILLION DOLLARS, THE GRANT RECIPIENT MUST
23 HAVE A MINIMUM OF TWENTY-FIVE PERCENT OF THE TOTAL CONSTRUCTION
24 BUDGET AVAILABLE AS MATCHING FUNDS AT THE TIME OF THE GRANT
25 AWARD. THE TOTAL CONSTRUCTION BUDGET MAY INCLUDE IN-KIND
26 CONTRIBUTIONS.

27 (c) ELIGIBLE APPLICANTS WHO DID NOT APPLY TO THE PLANNING

1 PROGRAM MAY APPLY TO THE CONSTRUCTION PROGRAM AND MUST
2 SUBMIT THE PROFESSIONAL PLAN, DESIGN, AND CONSTRUCTION
3 DOCUMENTS DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION TO THE
4 DIVISION DURING THE CONSTRUCTION PROGRAM APPLICATION PERIOD
5 DESCRIBED IN SUBSECTION (4)(a)(II) OF THIS SECTION. ELIGIBLE
6 APPLICANTS MUST PROVIDE EVIDENCE THAT THE PROFESSIONAL PLAN,
7 DESIGN, AND CONSTRUCTION DOCUMENTS WERE CREATED THROUGH A
8 COMMUNITY-CENTERED PARTICIPATORY DESIGN PROCESS IN
9 COLLABORATION WITH STUDENTS, EDUCATORS, AND COMMUNITY
10 MEMBERS. THE ELIGIBLE APPLICANT MUST PROVIDE DOCUMENTATION OF
11 A COMMUNITY-USE AGREEMENT WITH A COMMUNITY-USE PARTNER.

12 (5) ON OR BEFORE JANUARY 15, 2028, THE DIVISION SHALL
13 COMPILE A REPORT SUMMARIZING THE GRANT RECIPIENT REPORTS FROM
14 THE PLANNING PROGRAM RECEIVED PURSUANT TO SUBSECTION (3)(a)(V)
15 OF THIS SECTION AND THE CONSTRUCTION PROGRAM PURSUANT TO
16 SUBSECTION (4)(a)(V) OF THIS SECTION. THE DIVISION SHALL SUBMIT THE
17 REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
18 REPRESENTATIVES AND SENATE; THE HOUSE OF REPRESENTATIVES
19 TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE; AND
20 THE SENATE LOCAL GOVERNMENT AND HOUSING COMMITTEE, OR THEIR
21 SUCCESSOR COMMITTEES.

22 (6) THE DIVISION MAY ADOPT RULES TO CARRY OUT THE PURPOSES
23 OF THIS SECTION.

24 (7)(a) FOR THE 2025-26 FISCAL YEAR, THE DEPARTMENT OF LOCAL
25 AFFAIRS SHALL USE TWO MILLION DOLLARS FROM THE LOCAL
26 GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102 (5)
27 OR THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION

1 39-29-110 FOR PURPOSES OF THIS SECTION.

2 (b) FOR THE 2026-27 FISCAL YEAR, THE DEPARTMENT OF LOCAL
3 AFFAIRS SHALL USE TWO MILLION DOLLARS FROM THE LOCAL
4 GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102 (5)
5 OR THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION
6 39-29-110 FOR PURPOSES OF THIS SECTION.

7 (c) OF THE TOTAL FUNDS DESCRIBED IN SUBSECTIONS (7)(a) AND
8 (7)(b) OF THIS SECTION, THE DIVISION MAY USE UP TO FIVE PERCENT OF
9 THE FUNDS IT RECEIVES FOR THE GRANT PROGRAM TO PAY FOR THE DIRECT
10 AND INDIRECT COSTS OF ADMINISTERING THE GRANT PROGRAM.

11 (8) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2030.

12

13 **SECTION 2. Appropriation.** For the 2025-26 state fiscal year,
14 \$50,000 is appropriated to the department of local affairs for use by the
15 division of local government. This appropriation is from reappropriated
16 funds from the local government severance tax fund created in section
17 39-29-110 (1)(a)(I), C.R.S., and the local government mineral impact
18 fund created in section 34-63-102 (5)(a)(I), C.R.S., that are continuously
19 appropriated to the department of local affairs, and is based on an
20 assumption that the division will require an additional 0.4 FTE. To
21 implement this act, the division may use this appropriation for program
22 costs related to field services.

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2026 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.