

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0524.01 Julie Pelegrin x2700

**SENATE BILL 17-076**

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**SENATE SPONSORSHIP**

**Priola,**

**HOUSE SPONSORSHIP**

**Coleman,**

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**Senate Committees**  
Education

**House Committees**  
Education

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**A BILL FOR AN ACT**

101      **CONCERNING AUTHORITY TO SPEND MONEY IN THE PUBLIC SCHOOL**  
102      **PERFORMANCE FUND.**

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**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>.)*

Under existing law, the department of education may accept gifts, grants, and donations to use in making monetary awards to certain high-performing public schools and in purchasing tangible items of recognition for the schools. The bill specifies that the department may expend any amount received as a gift, grant, or donation for this purpose without further appropriation.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
2nd Reading Unamended  
March 16, 2017

SENATE  
3rd Reading Unamended  
February 9, 2017

SENATE  
2nd Reading Unamended  
February 6, 2017

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 22-11-605 as  
3 follows:

4           **22-11-605. School awards program fund - creation -**  
5 **contributions.** (1) The department ~~is hereby authorized to receive~~ MAY  
6 ACCEPT AND EXPEND gifts, grants, and donations from any source, public  
7 or private, to ~~fund~~ MAKE financial awards AND PURCHASE TANGIBLE  
8 ITEMS OF RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO AWARD to  
9 public schools pursuant to ~~the program established in~~ THE PROVISIONS OF  
10 this part 6. ~~The department is further authorized to receive gifts, grants,~~  
11 ~~and donations from any source, public or private, to fund tangible items~~  
12 ~~of recognition, such as banners or trophies, to be awarded to public~~  
13 ~~schools that are identified as eligible to receive such financial awards.~~  
14 The department shall transmit all public and private gifts, grants, and  
15 donations received pursuant to this section to the state treasurer who shall  
16 credit the same, in addition to any appropriations made by the general  
17 assembly, ~~and the amount transferred pursuant to subsection (3) of this~~  
18 ~~section,~~ to the school awards program fund, which is hereby created in the  
19 state treasury and referred to in this section as the "fund".

20           (2) ~~Moneys in~~ SUBJECT TO ANNUAL APPROPRIATION, THE  
21 DEPARTMENT MAY EXPEND MONEY THAT IS APPROPRIATED TO the fund  
22 ~~shall be subject to annual appropriation by the general assembly to the~~  
23 ~~department for purposes of making~~ TO MAKE financial awards and  
24 ~~funding~~ PURCHASE tangible items of recognition, such as banners or  
25 trophies, TO AWARD TO PUBLIC SCHOOLS pursuant to the provisions of this  
26 part 6. ~~At the end of any fiscal year, all unexpended and unencumbered~~

1 ~~moneys in the fund shall remain in the fund and shall not be credited or~~  
2 ~~transferred to the general fund or any other fund. However, In accordance~~  
3 ~~with section 24-36-114, C.R.S., THE STATE TREASURER SHALL CREDIT all~~  
4 ~~interest derived from the deposit and investment of moneys MONEY in the~~  
5 ~~fund shall be credited to the general fund. Any moneys THE DEPARTMENT~~  
6 ~~SHALL USE ANY MONEY credited OR APPROPRIATED to the fund shall be~~  
7 ~~used exclusively for awards and items of recognition and shall not be~~  
8 ~~used USE THE MONEY to pay for the expenses of the department in~~  
9 ~~administering the program established in this part 6.~~

10 ~~(3) Repealed.~~

11 **SECTION 2. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly (August  
14 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
15 referendum petition is filed pursuant to section 1 (3) of article V of the  
16 state constitution against this act or an item, section, or part of this act  
17 within such period, then the act, item, section, or part will not take effect  
18 unless approved by the people at the general election to be held in  
19 November 2018 and, in such case, will take effect on the date of the  
20 official declaration of the vote thereon by the governor.