Second Regular Session Seventy-third General Assembly STATE OF COLORADO

REENGROSSED

This Version Includes All Amendments Adopted in the House of Introduction SENATE BILL 22-085

LLS NO. 22-0642.01 Conrad Imel x2313

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A BILL FOR AN ACT

101 CONCERNING CREATING THE COLORADO SAFE STUDENT PROTECTION

102 **PROGRAM.**

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 <u>http://leg.colorado.gov.</u>)

The bill creates the Colorado safe student protection program (program) to provide grants to school districts and charter schools to support student safety, including equipment and training to ensure safe student transportation on school buses, and to facilitate the development of a secure website, online application, and mobile application that provide parental notifications about student safety and age-appropriate





health and safety information at no cost to parents (secure digital notification and information tools). The department of education (department) operates the grant program and selects a program facilitator to support schools awarded a program grant. The department allocates a portion of the program money to the program facilitator.

Subject to available appropriations, program grants are 3-year grants that cover the 2022-23 through 2024-25 school years. The department annually distributes grant money. A grant recipient may use a grant award to:

- Provide parents with the secure digital notification and information tools;
- Increase the safety of students and the security of school buses by equipping school buses with hardware and software that monitor driver behavior and enable the buses to communicate directly with first responders; and
- Fund relevant school bus safety training, including federal transportation security awareness training.

The program facilitator may be a public benefit corporation or a nonprofit organization that operates with a charitable purpose and must have at least 7 years of experience in student safety, including student transportation safety. The department allocates program money to the program facilitator. The program facilitator must use program money to:

- Support program grant recipients;
- Develop the secure digital notification and information tools;
- Recruit school bus drivers and conduct or facilitate federal transportation security awareness training;
- Develop and make publicly available school bus transportation safety information and age-appropriate student safety educational materials;
- Conduct a statewide awareness campaign to reduce instances of drivers illegally failing to stop for a school bus; and
- Seek additional sources of funding on behalf of the program.

The program is a 3-year program that repeals in 2025. The bill makes an appropriation.

- 1 Be it enacted by the General Assembly of the State of Colorado:
- 2

SECTION 1. In Colorado Revised Statutes, add article 106 to

- 3 title 22 as follows:
- 4

1	Colorado Safe Student Protection Act
2	22-106-101. Short title. The short title of this article 106 is
3	"ANNA AND MAKAYLA'S LAW".
4	22-106-102. Definitions. As used in this article 106, unless
5	THE CONTEXT OTHERWISE REQUIRES:
6	(1) "Charitable purpose" has the same meaning as set for th
7	IN SECTION 6-16-103 (2).
8	(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
9	CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.
10	(3) "FEDERAL TRANSPORTATION SECURITY AWARENESS TRAINING
11	PROGRAM" MEANS THE SECURITY AWARENESS TRAINING PROGRAM
12	OFFERED TO FRONT LINE TRANSPORTATION PROFESSIONALS THAT IS
13	MANAGED BY THE FEDERAL TRANSPORTATION SECURITY ADMINISTRATION
14	WITHIN THE FEDERAL DEPARTMENT OF HOMELAND SECURITY, KNOWN AS
15	"FIRST OBSERVER PLUS".
16	(4) "GRANT PROGRAM" MEANS THE PROGRAM TO AWARD GRANTS
17	PURSUANT TO SECTION 22-106-104.
18	(5) "PROGRAM" MEANS THE COLORADO SAFE STUDENT
19	PROTECTION PROGRAM CREATED IN SECTION 22-106-103.
20	(6) "PROGRAM FACILITATOR" MEANS THE ORGANIZATION
21	SELECTED BY THE DEPARTMENT PURSUANT TO SECTION 22-106-105 TO
22	SUPPORT GRANT RECIPIENTS.
23	(7) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
24	COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL
25	BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE
26	DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE,
27	URBANIZED AREA.

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(8) "SCHOOL DISTRICT" MEANS ANY SCHOOL DISTRICT ORGANIZED
 AND EXISTING PURSUANT TO LAW. "SCHOOL DISTRICT" INCLUDES A
 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
 I OF ARTICLE 30.5 OF TITLE 22 OR A CHARTER SCHOOL AUTHORIZED BY
 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
 30.5 OF TITLE 22 THAT IS RESPONSIBLE FOR THE TRANSPORTATION OF
 STUDENTS ENROLLED IN THE SCHOOL.

8 (9) "Secure digital notification and information tools"
9 MEANS THE SECURE WEBSITE, ONLINE APPLICATION, AND MOBILE
10 APPLICATION DESCRIBED IN SECTION 22-106-103 (1)(b).

(10) "SILENT DURESS ALARM" MEANS A SILENT ALARM THAT
SENDS A DISTRESS CALL AND THE LAST-KNOWN GLOBAL POSITIONING
SYSTEM COORDINATES OF THE SCHOOL BUS TO SCHOOL OFFICIALS AND
EMERGENCY RESPONSE PERSONNEL.

(11) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
STATE CONSTITUTION.

18 22-106-103. Colorado safe student protection program 19 creation - department duties - rules. (1) THERE IS CREATED IN THE
 20 DEPARTMENT THE COLORADO SAFE STUDENT PROTECTION PROGRAM TO:
 21 (a) INCREASE THE SAFETY OF STUDENTS, INCLUDING THE SAFETY

22 AND SECURITY OF SCHOOL BUSES;

(b) FACILITATE THE DEVELOPMENT, MAINTENANCE, AND
implementation of secure digital notification and information
tools, including an internet website, online application, and
Mobile application, that send student safety notifications to
parents and provide users with general student health and

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1 SAFETY RESOURCES AND INFORMATION. EACH TOOL MUST:

2 (I) PROVIDE SECURE AND VERIFIABLE PARENTAL NOTIFICATION, AT
3 NO COST TO PARENTS, RELATING TO STUDENT SAFETY, INCLUDING, IF
4 APPLICABLE, SCHOOL BUS STATUS;

5 (II) HAVE THE CAPABILITY TO ALLOW PARENTS TO OPT IN OR OUT
6 OF RECEIVING NOTIFICATIONS;

(III) INCLUDE DATA PRIVACY AND INTEGRITY PROTECTIONS; AND
(IV) INCLUDE DEVICE IDENTITY AND INTEGRITY PROTECTIONS;
(c) PROVIDE SCHOOL DISTRICTS WITH GRANTS TO EQUIP THEIR
SCHOOL BUSES WITH HARDWARE AND SOFTWARE THAT MONITOR DRIVER
BEHAVIOR AND ENABLE THE BUSES TO COMMUNICATE DIRECTLY WITH
FIRST RESPONDERS BY CELLULAR, SATELLITE, OR ANY OTHER AVAILABLE
MEANS OF COMMUNICATION AND BY USING A SILENT DURESS ALARM;

14 (d) IMPROVE SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING
 15 RELATED TO TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS; AND

- 16 (e) INFORM AND EDUCATE THE PUBLIC ABOUT STUDENT SAFETY,
 17 INCLUDING SCHOOL TRANSPORTATION SAFETY.
- 18 (2) THE DEPARTMENT SHALL:

(a) <u>SUBJECT TO AVAILABLE FUNDS, AWARD</u> PROGRAM GRANTS, AS
 DESCRIBED IN SECTION 22-106-104, IN ACCORDANCE WITH STATE BOARD
 RULES; AND

(b) SELECT AN ORGANIZATION TO SERVE AS THE PROGRAM
FACILITATOR, AS DESCRIBED IN SECTION 22-106-105, IN ACCORDANCE
WITH STATE BOARD RULES.

25 (3) PURSUANT TO ARTICLE 4 OF THIS TITLE 22, THE STATE BOARD
26 SHALL ADOPT RULES NECESSARY FOR THE ADMINISTRATION OF THIS
27 ARTICLE 106. AT A MINIMUM, THE RULES MUST INCLUDE:

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1(a)PROCEDURES TO IMPLEMENT THE GRANT PROGRAM,2INCLUDING:

- 3 (I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
- 4 (II) THE CRITERIA FOR AWARDING A GRANT TO A SCHOOL DISTRICT
 5 AND DETERMINING THE AMOUNT OF THE AWARD; AND
- 6 (III) A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF
 7 GRANT MONEY TO RURAL, URBAN, AND SUBURBAN SCHOOL DISTRICTS AND
 8 SCHOOL DISTRICTS IN ALL AREAS OF THE STATE; AND
- 9 (b) PROCEDURES FOR SELECTING A PROGRAM FACILITATOR, 10 INCLUDING:
- 11

(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;

- 12 (II) A PROCESS FOR DISTRIBUTING PROGRAM MONEY TO THE
 13 PROGRAM FACILITATOR; AND
- 14 (III) PROCEDURES FOR VERIFYING THE PROGRAM FACILITATOR'S
 15 CONTINUED ELIGIBILITY TO SERVE AS THE FACILITATOR.
- 16 (4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
 17 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
 18 PURPOSES OF THIS ARTICLE 106.
- 19 22-106-104. Program grants report. (1) (a) SUBJECT TO
 20 AVAILABLE MONEY, THE DEPARTMENT SHALL AWARD GRANTS TO SCHOOL
 21 DISTRICTS TO ACHIEVE THE GOALS OF THE PROGRAM BY PROVIDING THOSE
 22 DISTRICTS WITH FUNDING NECESSARY TO:
- 23 (I) PROVIDE PARENTS WITH NO-COST SECURE DIGITAL
 24 NOTIFICATION AND INFORMATION TOOLS;
- (II) INCREASE THE SAFETY OF STUDENTS AND THE SECURITY OF
 SCHOOL BUSES BY EQUIPPING SCHOOL BUSES WITH HARDWARE AND
 SOFTWARE THAT MONITOR DRIVER BEHAVIOR AND ENABLE THE BUSES TO

1 COMMUNICATE DIRECTLY WITH FIRST RESPONDERS; AND

2 (III) FUND NECESSARY AND RELEVANT SCHOOL BUS SAFETY3 TRAINING.

4 (b) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS OF THE
5 PROGRAM AND ANY GRANT PROGRAM APPLICATION DEADLINES.

6 (2) IN ORDER TO BE ELIGIBLE FOR A GRANT PURSUANT TO THIS
7 SECTION, A SCHOOL DISTRICT MUST SUBMIT AN APPLICATION TO THE
8 DEPARTMENT. THE APPLICATION MUST INCLUDE THE FOLLOWING
9 INFORMATION:

10 (a) A DESCRIPTION OF ANY STUDENT SAFETY AND SECURITY
11 CHALLENGES FACED BY THE SCHOOL DISTRICT;

(b) A SUMMARY OF THE SCHOOL BUS TRANSPORTATION PROVIDED
BY THE SCHOOL DISTRICT TO ITS STUDENTS AND A DESCRIPTION OF ANY
SCHOOL BUS SAFETY AND SECURITY CHALLENGES FACED BY THE SCHOOL
DISTRICT;

16 (c) How the school district will use a grant award in
17 FURTHERANCE OF THE GOALS OF THE PROGRAM, AS DESCRIBED IN SECTION
18 22-106-103 (1);

19 (d) ANY MEASURABLE GOALS THAT THE SCHOOL DISTRICT EXPECTS
20 TO ACHIEVE WITH GRANT MONEY; AND

(e) ANY OTHER INFORMATION REQUIRED BY STATE BOARD RULE.
(3) AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS
SECTION, THE DEPARTMENT SHALL AWARD GRANTS TO APPLICANTS IN
ACCORDANCE WITH STATE BOARD RULES.

(4) THE PROGRAM FACILITATOR SHALL PROVIDE A SCHOOL
DISTRICT THAT RECEIVES A GRANT AWARD SUPPORT AND
RECOMMENDATIONS. A SCHOOL DISTRICT THAT RECEIVES A GRANT AWARD

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1 <u>MAY ONLY</u> USE THE GRANT AWARD FOR THE FOLLOWING:

(a) THE OPERATION AND USE OF SECURE DIGITAL NOTIFICATION
AND INFORMATION TOOLS TO PROVIDE SECURE AND VERIFIABLE PARENTAL
NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY,
INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY
RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;

7 (b) ACQUIRING EQUIPMENT NECESSARY FOR SCHOOL BUSES TO
8 COMMUNICATE DIRECTLY WITH FIRST RESPONDERS BY CELLULAR,
9 SATELLITE, OR ANY OTHER AVAILABLE MEANS OF AND BY USING A SILENT
10 DURESS ALARM, INCLUDING INSTALLATION, MAINTENANCE, TRAINING,
11 TELECOMMUNICATION, AND DATA-RELATED COSTS RELATED TO THE
12 EQUIPMENT;

13 (c) ACQUIRING EQUIPMENT TO MONITOR SCHOOL BUS DRIVER BEHAVIOR TO PREVENT EXCESSIVE SPEED, TRAVELING OFF ROUTE, AND 14 15 UNNECESSARY IDLING, SO THAT GRANT RECIPIENTS CAN TRAIN DRIVERS TO 16 FOLLOW PROCEDURES THAT REDUCE ACCIDENTS, LOWER SCHOOL BUS 17 OPERATING COSTS, AND REDUCE EMISSIONS PRODUCED BY SCHOOL BUSES; 18 (d) SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING RELATED 19 TO PROVIDING TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS, AND 20 THE PROVISION OF BACKGROUND CHECKS WHEN NECESSARY FOR SCHOOL 21 BUS DRIVERS TO OPERATE EQUIPMENT ACQUIRED WITH GRANT MONEY; 22 AND

(e) OBTAINING CREDENTIALS OR OTHER PERMISSIONS, INCLUDING
DIGITAL IDENTITIES, NECESSARY FOR DISTRICT PERSONNEL, INCLUDING
BUS DRIVERS, TO PROPERLY OPERATE EQUIPMENT ACQUIRED WITH GRANT
MONEY AND TO FACILITATE PARTICIPATION IN THE FEDERAL
TRANSPORTATION SECURITY AWARENESS TRAINING PROGRAM.

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(5) ANNUALLY, ON A SCHEDULE DETERMINED BY THE
 DEPARTMENT, A SCHOOL DISTRICT THAT RECEIVES A GRANT PURSUANT TO
 THIS SECTION SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT
 INCLUDES INFORMATION ABOUT THE USE OF GRANT MONEY, WHETHER THE
 SCHOOL DISTRICT ACHIEVED ANY OF THE GOALS DESCRIBED IN ITS GRANT
 APPLICATION, AND ANY OTHER INFORMATION REQUESTED BY THE
 DEPARTMENT.

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9 22-106-105. Program facilitator - report. (1) As soon as
10 POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT,
11 IN ACCORDANCE WITH STATE BOARD RULES, SHALL SELECT AN
12 ORGANIZATION TO SERVE AS A PROGRAM FACILITATOR THAT SUPPORTS
13 SCHOOL DISTRICTS AWARDED A GRANT PURSUANT TO THIS ARTICLE 106.
14 _____

15 (2) THE PROGRAM FACILITATOR MAY BE A PUBLIC BENEFIT
16 CORPORATION, AS DESCRIBED IN SECTION 7-101-503 (1), OR A NONPROFIT
17 THAT OPERATES WITH A CHARITABLE PURPOSE AND MUST HAVE AT LEAST
18 SEVEN YEARS OF EXPERIENCE IN STUDENT SAFETY, EVIDENCE-BASED
19 SCHOOL BUS SAFETY AND SURFACE TRANSPORTATION SECURITY, CHILD
20 SAFETY CAMPAIGN MANAGEMENT, AND CONDUCTING FUNDRAISING
21 CAMPAIGNS THAT SUPPORT STUDENT SAFETY-RELATED INITIATIVES.

(3) IN ORDER TO BE SELECTED AS THE PROGRAM FACILITATOR, AN
ORGANIZATION MUST SUBMIT AN APPLICATION TO THE DEPARTMENT. AN
APPLICATION MUST:

(a) DEMONSTRATE THAT THE APPLICANT HAS THE EXPERIENCE
REQUIRED OF THE PROGRAM FACILITATOR, AS DESCRIBED IN SUBSECTION
(2) OF THIS SECTION;

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(b) DESCRIBE ANY PUBLIC SERVICE CAMPAIGNS CONDUCTED BY
 THE APPLICANT WITH THE SUPPORT OF GOVERNMENTAL ENTITIES OR MEDIA
 ORGANIZATIONS;

4 (c) DEMONSTRATE THE APPLICANT'S ABILITY TO OBTAIN
5 CORPORATE SPONSORSHIPS AND OTHER FUNDING THROUGH GIFTS, GRANTS,
6 AND DONATIONS THAT WOULD ALLOW THE APPLICANT TO PROVIDE SCHOOL
7 DISTRICTS WITH SERVICES DESCRIBED IN THIS ARTICLE 106, IN ADDITION
8 TO THE SERVICES FUNDED WITH STATE MONEY; AND

9 (d) INCLUDE ANY OTHER INFORMATION REQUIRED BY STATE10 BOARD RULES.

11 (4) (a) THE DEPARTMENT SHALL SELECT ONE ORGANIZATION THAT
12 MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN THIS SECTION TO
13 SERVE AS THE PROGRAM FACILITATOR.

14 (b) THE ORGANIZATION SELECTED BY THE DEPARTMENT SHALL 15 CONTINUE TO SERVE AS THE PROGRAM FACILITATOR AS LONG AS THE 16 ORGANIZATION MEETS THE CRITERIA DESCRIBED IN SUBSECTION (2) OF 17 THIS SECTION AND DOES NOT VIOLATE ANY PROVISION OF THIS SECTION. 18 (5) (a) THE DEPARTMENT SHALL DISTRIBUTE FIFTY PERCENT OF 19 MONEY, INCLUDING ANY MONEY APPROPRIATED AND ANY GIFTS, GRANTS, 20 AND DONATIONS, FOR THE GRANT PROGRAM TO THE PROGRAM 21 FACILITATOR. 22 (b) THE PROGRAM FACILITATOR SHALL USE PROGRAM MONEY FOR 23 THE FOLLOWING: 24 (I) SUPPORTING SCHOOL DISTRICTS AWARDED GRANTS PURSUANT 25 TO SECTION 22-106-104; 26 (II)DEVELOPING AND MAINTAINING THE SECURE DIGITAL

27 NOTIFICATION AND INFORMATION TOOLS DESCRIBED IN SECTION

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22-106-103 (1)(b) TO PROVIDE SECURE AND VERIFIABLE PARENTAL
 NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY,
 INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY
 RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;

5 (III) RECRUITING SCHOOL BUS DRIVERS;

6 (IV) CONDUCTING OR FACILITATING, AT NO COST TO SCHOOLS,
7 TRAINING FROM THE FEDERAL TRANSPORTATION SECURITY AWARENESS
8 TRAINING PROGRAM;

9 (V) DEVELOPING, AND MAKING PUBLICLY AVAILABLE, SCHOOL BUS
10 TRANSPORTATION SAFETY INFORMATION AND AGE-APPROPRIATE STUDENT
11 SAFETY EDUCATIONAL MATERIALS;

(VI) CONDUCTING A STATEWIDE AWARENESS CAMPAIGN TO
REDUCE INSTANCES WHEN DRIVERS FAIL TO STOP FOR A SCHOOL BUS WHEN
REQUIRED BY LAW, KNOWN AS A STOP-ARM VIOLATION; AND

(VII) SEEKING PRIVATE FUNDING FOR THE PROGRAM AND
STUDYING THE AVAILABILITY OF NEW FUNDING SOURCES, INCLUDING
SEEKING GIFTS, GRANTS, AND DONATIONS ON BEHALF OF THE PROGRAM
FROM THE FEDERAL GOVERNMENT, CORPORATIONS, OR OTHER
NONGOVERNMENTAL ENTITIES.

(6) <u>ON A SCHEDULE DETERMINED BY THE DEPARTMENT, BUT AT</u>
<u>LEAST ANNUALLY,</u> THE PROGRAM FACILITATOR SHALL SUBMIT A REPORT
TO THE DEPARTMENT CONCERNING THE OPERATION OF THE PROGRAM. THE
REPORT MUST INCLUDE DOCUMENTATION OF THE PROGRAM FACILITATOR'S
USE OF PROGRAM MONEY AND A DESCRIPTION OF THE PROGRAM
FACILITATOR'S DUTIES PERFORMED AS REQUIRED PURSUANT TO
SUBSECTION (5) OF THIS SECTION.

27 (7) IN ADDITION TO THE RESPONSIBILITIES DESCRIBED IN THIS

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SECTION, THE PROGRAM FACILITATOR SHALL MAKE ITS BEST EFFORTS TO
 SUPPORT STUDENT SAFETY INITIATIVES IN SCHOOL DISTRICTS THAT WERE
 NOT AWARDED A PROGRAM GRANT, INCLUDING SOLICITING AND SECURING
 FUNDING FOR THOSE INITIATIVES.

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6 <u>26-106-106.</u> Department report. The DEPARTMENT SHALL 7 INCLUDE INFORMATION ABOUT THE PROGRAM IN ITS ANNUAL 8 PRESENTATION TO THE LEGISLATIVE COMMITTEES OF REFERENCE 9 PURSUANT TO SECTION 2-7-203.

10 SECTION 2. Appropriation. For the 2021-22 state fiscal year, 11 <u>\$3,500,000</u> is appropriated to the department of education. This 12 appropriation is from the general fund. To implement this act, the 13 department may use this appropriation for the Colorado safe student 14 protection program. Any money appropriated in this section not expended 15 prior to July 1, 2022, is further appropriated to the department for the 16 2022-23 state fiscal year for the same purpose.

SECTION 3. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.