

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 10-0787.01 Richard Sweetman

SENATE BILL 10-151

SENATE SPONSORSHIP

White, Keller, Tapia

HOUSE SPONSORSHIP

Pommer, Ferrandino, Lambert

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF THE COLORADO COMPREHENSIVE**
102 **HEALTH FUND.**

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://www.leg.state.co.us/billsummaries>.)

The bill repeals the Colorado comprehensive health education fund and makes conforming amendments.

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

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 Unam ended
March 17, 2010

SENATE
3rd Reading Unam ended
February 24, 2010

SENATE
2nd Reading Unam ended
February 19, 2010

1 **SECTION 1.** 22-25-105 (3), Colorado Revised Statutes, is
2 amended to read:

3 **22-25-105. Review of local comprehensive health education**
4 **programs and local student wellness programs - allocation of funds**
5 **by the state board of education.** (3) (a) The state board of education
6 shall establish a review and prioritization process for the allocation of
7 available funds to school districts, boards of cooperative services, and
8 facility schools based upon applications submitted to the department of
9 education and giving due consideration to the guidelines developed
10 pursuant to section 22-25-104 (3) (a). Funding may be made available to
11 districts or facility schools to implement portions of a comprehensive
12 health education program or portions of a local student wellness program
13 that are coordinated with health education, according to the needs of the
14 individual school district or facility school. Pursuant to the review and
15 prioritization process, the state board of education shall allocate available
16 funds to the applying school districts, boards of cooperative services, and
17 facility schools based on whether the state board of education finds that
18 a school district, a board of cooperative services, or a facility school has
19 planned or developed a local comprehensive health education program or
20 a local school wellness program that will serve the objectives of this
21 article. Funding for local comprehensive health education programs and
22 local school wellness programs may include, but shall not be limited to,
23 the implementation of training programs, in-service education institutes,
24 and curriculum development programs for staff who shall instruct in
25 comprehensive health education or for staff who shall instruct in or
26 otherwise provide services through student wellness programs that are
27 coordinated with health education. The state board of education shall not

1 allocate funds to school districts, boards of cooperative services, or
2 facility schools pursuant to the provisions of this subsection (3) until the
3 department determines the amount of money that will be available for
4 allocation. ~~from the Colorado comprehensive health education fund.~~

5 (b) If SUFFICIENT moneys are not available ~~in the Colorado~~
6 ~~comprehensive health education fund sufficient~~ to fund programs in every
7 school district, the department may establish pilot programs for school
8 districts that express an interest in developing or expanding a local
9 comprehensive health education program or one or more components of
10 a local student wellness program, ~~that~~ WHICH COMPONENTS include and
11 are coordinated with health education, and in which DISTRICTS there is a
12 need for a program.

13 (c) ~~(F) Notwithstanding any provision of this section to the~~
14 ~~contrary, in any budget year in which the amount of moneys available in~~
15 ~~the Colorado comprehensive health education fund, created in section~~
16 ~~22-25-109, is equal to or less than the amount available for the 2007-08~~
17 ~~budget year, the state board shall not allocate moneys to a local student~~
18 ~~wellness program.~~

19 ~~(H) In any budget year in which the amount of moneys available~~
20 ~~in the Colorado comprehensive health education fund exceeds the amount~~
21 ~~available for the 2007-08 budget year, the total amount of moneys that the~~
22 ~~state board may allocate to local student wellness programs shall not~~
23 ~~exceed the difference between the amount available in the fund in the~~
24 ~~applicable budget year and the amount available in the fund in the~~
25 ~~2007-08 budget year.~~

26 **SECTION 2.** 22-25-109, Colorado Revised Statutes, is amended
27 **BY THE ADDITION OF A NEW SUBSECTION** to read:

1 **22-25-109. Colorado comprehensive health education fund -**
2 **creation - acceptance of funds - repeal.** (3) THIS SECTION IS REPEALED,
3 EFFECTIVE JULY 1, 2010. ANY MONEY REMAINING IN THE COLORADO
4 COMPREHENSIVE HEALTH EDUCATION FUND ON JULY 1, 2010, SHALL BE
5 CREDITED TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION
6 22-54-114.

7 **SECTION 3.** 22-54-114 (3) (a), Colorado Revised Statutes, is
8 amended to read:

9 **22-54-114. State public school fund.** (3) (a) ~~Fifty percent of~~
10 Any unexpended balance of moneys appropriated by the general assembly
11 in the state public school fund at the end of each fiscal year shall ~~be~~
12 ~~transferred to the Colorado comprehensive health education fund created~~
13 ~~in section 22-25-109.~~ The remaining fifty percent and any balances
14 ~~derived from other sources shall remain in said~~ THE state public school
15 fund and become available for distribution during the following fiscal
16 year.

17 **SECTION 4. Specified effective date.** Sections 1 and 3 of this
18 act shall take effect July 1, 2010, and the remainder of this act shall take
19 effect upon passage.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.