Fiscal Note

Legislative Council Staff

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SB 26-145: CHARTER SCHOOL INVOLVE LOCAL BALLOT QUESTIONS

Prime Sponsors:
Sen. Bright; Kipp
Rep. Boesenecker; Gilchrist

Fiscal Analyst:
Josh Abram, 303-866-3561
josh.abram@coleg.gov

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Version: Initial Fiscal Note
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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill modifies the procedural requirements for a charter school with capital construction needs to seek money via a ballot question for a special mill levy, or to be included in a school district's ballot question for bonded indebtedness or for an additional mill levy.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- School Districts

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	$0	$0
State Expenditures	$0	$0
Transferred Funds	$0	$0
Change in TABOR Refunds	$0	$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill makes changes to the way charter school capital construction needs are considered in the development of ballot measures to fund school district capital construction.

The bill requires that, if a committee other than the elected school board develops a list of capital construction recommendations to be included in a ballot question, the committee must give equitable consideration to charter schools' capital construction needs.

The bill encourages school districts to voluntarily submit a ballot question for a special mill levy, or include the charter school's capital construction needs in a district's ballot question for approval of bonded indebtedness, or approval of an additional mill levy.

Under current law, charter schools may submit capital construction plans to a school district for consideration. When considering a ballot question, this bill requires that school districts solicit proposals from each charter school about their capital needs, and notify each school of the board's decision to include or omit charter capital needs in the ballot question. Districts must provide charter schools with the specific reasons for excluding them, which must be related to the merits of the proposal, and include an opportunity for the charter school to address any issues.

After an elected school board chooses the construction projects to be included in a ballot question, the board must post a document outlining process used to consider the capital needs of all schools, and describing the reasons for choosing or omitting each capital construction project that was considered.

Finally, the bill encourages school districts to voluntarily solicit proposals from State Charter School Institute (CSI) charter schools in their districts and include funding for CSI schools in any ballot question submitted to voters.

School District

This bill modifies the procedural requirements school districts must follow to consider the capital needs of charter schools in long range planning, and in any decision to request additional mill levy property taxation for capital needs. School districts will have additional workload to solicit and review charter school proposals and document the rationale for any denied charter requests. Whether consideration of charter school proposals increases the amount of school district bond or changes the projects funded is at the discretion of locally elected school boards.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Education