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## Legislative Update: May 11, 2017

**Legislative Update**  
*Legislative & advocacy issues affecting school boards*

**COLORADO ASSOCIATION OF SCHOOL BOARDS**



### ... The Final 72 Hours Under the Golden Dome

If numerology is your thing, you will appreciate a trend toward the triplicate in the waning days of the 2017 legislative session. With 3 days before the end of the session, 3 bills took center stage, and one of those wasn't even introduced until 3 days before the end of the session. The final outcome of so much politicking? 3 new laws that will impact hospitals, roads and schools.

**No. 1** – The Hospital Provider Fee (HPF) is a mechanism created by the General Assembly to leverage additional federal funding for Medicaid and to help hospitals deal with the cost of uncompensated care. **Gov. John Hickenlooper** proposed – way back in November – a substantial cut to the HPF to balance the state budget. The resulting cuts would have been devastating to rural hospitals, perhaps forcing some to close their doors. In an attempt to save rural hospitals and also address the state's ongoing issues with funding transportation and schools, **Sens. Jerry Sonnenberg**, R-Sterling, and **Lucia Guzman**, D-Denver, along with **Reps. KC Becker**, D-Boulder, and **Jon Becker**, R-Fort Morgan, sponsored [Senate Bill 267](#). It is a large and complex bill and included elements that neither party liked. Negotiations on a compromise were intense and almost derailed multiple times. However, in a rare show of bipartisanship, senators and representatives from both parties came together to pass a bill that will:

- Make the Hospital Provider Fee a state enterprise fund and not part of the General Fund

- Make available \$1.8 billion for statewide transportation projects, with a focus on counties with 50,000 or fewer residents
- Add \$30 million to the State Education Fund, targeted to small rural and rural school districts

SB 267 does not solve the state's funding issues, but it does provide some relief and buys some time to make meaningful structural changes. The bill was approved by both the Senate and the House with just hours to spare.

**No. 2** – Educational choice in Colorado consists of a menu of neighborhood, magnet and charter schools. All of these schools, and the students they serve, have had to deal with reduced state funding due to the Negative Factor. Mill Levy Overrides (MLO) have provided some districts with additional voter-approved funds to help fill budgetary gaps. Most school districts share MLO revenue with their authorized charter schools, but for the second year in a row, the General Assembly sought to force districts to share MLO funding with charter schools even if the charter school didn't exist when the MLO was approved.

2017's version of the bill was [Senate Bill 61](#), sponsored by **Sens. Owen Hill**, R-Colorado Springs, and **Angela Williams**, D-Denver. SB 61 passed out of the Senate in mid-March and then languished in the House. The bill became increasingly "toxic" as the session trudged along ... which leads us to bill No. 3 in our trifecta.

**No. 3** – The School Finance Act is required annually by state law. The 2017 version of the School Finance Act was [Senate Bill 296](#), sponsored, coincidentally, by **Sen. Hill**. With his SB 61 stalled in the House, Sen. Hill attempted to shoehorn most of SB 61 into the School Finance Act. His amendment set off a flurry of activity that ultimately led to a brand-new bill being introduced at 7:10 p.m. on third-to-final day of the session. That legislation, [House Bill 1375](#), was a compromise deal brokered by **Rep. Brittany Pettersen**, D-Lakewood, that provided some flexibility but still forces local districts to share MLO funds. The bill drew vigorous debate in both the House and Senate before ultimately being approved with just 12 hours left in the session.

This must be said: The General Assembly pretends to respect local control, but then disregards that concept when it fits their needs. What is clear with the passage of HB 1375 is that proponents of local control, and those who believe that government closest to the people is the most accountable, lost big-time in the entire discussion. Forcing locally elected school boards to ignore the intent of voters is a sad commentary on the state of governing in Colorado.

Need more information? Want to discuss some of the policy implications? Then you'll want to attend one of [CASB Legislative Wrap-Up meetings](#) around the state.

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