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Final Fiscal Note

Drafting Number: LLS 24-0200 Date: June 6, 2024
Prime Sponsors: Rep. English; Bacon Bill Status: Postponed Indefinitely
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Bill Topic: PROHIBIT STUDENT SECLUSION

Summary of Fiscal Impact: [] State Revenue [] State Transfer [] Local Government
[X] State Expenditure [] TABOR Refund [X] School Districts

The bill prohibits the use of seclusion as a disciplinary method in public schools and requires the State Board of Education and the Colorado Department of Education to create a resource bank of alternatives to student seclusion. The bill increases state expenditures in FY 2024-25 only.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$12,450 to the Colorado Department of Education.

Fiscal Note Status: The fiscal note reflects the introduced bill. The bill was postponed indefinitely by the House Education Committee on April 25, 2024; therefore, the impacts identified in this analysis do not take effect.

Table 1
State Fiscal Impacts Under HB 24-1167

Table with 3 columns: Category, Budget Year FY 2024-25, Out Year FY 2025-26. Rows include Revenue, Expenditures (General Fund), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill prohibits the use of seclusion as a disciplinary measure in public schools. By November 1, 2024, the State Board of Education (SBE) must adopt, amend, or repeal rules to reflect the prohibition. By July 1, 2025, the board and the Colorado Department of Education (CDE) must create a publically accessible resource bank of materials regarding appropriate alternatives to seclusion and restraints. The bill requires that any incidents involving the use of seclusion are reported to the school administration and the student's parent, and specifies that CDE has enforcement authority over investigation decisions related to seclusion.

State Expenditures

The bill increases state expenditures in the CDE by \$12,450 in FY 2024-25 only, paid from the General Fund. The CDE currently has online resources regarding restraint and seclusion; however, the CDE will have costs for one year of contracted services and virtual stakeholder meetings to support the SBE to adopt rules, and to create and post the required resource bank.

The bill also minimally increases workload for the department to administer these changes, contract with a vendor, and advise the State Board of Education on amendments or revisions to existing rules. In limited cases, the CDE may also have an increased workload to enforce seclusion investigation decisions. This additional workload does not require new appropriations.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

School Districts

Public schools and districts will have increased workload to adjust internal policies and rules related to student discipline.

Effective Date

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

State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation of \$12,450 to the Colorado Department of Education.

State and Local Government Contacts

Early Childhood
Law

Education
School Districts

Judicial

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).