

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0784.01 Julie Pelegrin

SENATE BILL 11-158

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Gerou, Becker, Ferrandino

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE READ-TO-ACHIEVE 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 <http://www.leg.state.co.us/billsummaries>.)

2010-2011 Budget Balancing Bill. The bill repeals the read-to-achieve program, effective July 1, 2011. The tobacco settlement moneys previously allocated to the read-to-achieve cash fund will be allocated to the state general fund. The moneys previously paid from the read-to-achieve cash fund to reimburse school districts for educational services provided to juveniles held in jails will be appropriated from the general fund for the 2011-12 fiscal year.

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.*

The bill makes conforming amendments.

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

2 SECTION 1. 22-7-908, Colorado Revised Statutes, is amended
3 to read:

4 22-7-908. Read-to-achieve cash fund - created. (1) There is
5 hereby established in the state treasury the read-to-achieve cash fund,
6 referred to in this section as the "cash fund". The cash fund shall consist
7 of moneys transferred thereto pursuant to subsection (3) of this section
8 and any other moneys that may be made available by the general
9 assembly. Subject to appropriation by the general assembly, moneys in
10 the cash fund shall be used to provide grants pursuant to this part 9. to the
11 reading assistance grant program created pursuant to section 22-88-102,
12 and for reimbursements to school districts for educational services
13 provided pursuant to section 22-32-141 to juveniles held in jails or other
14 facilities for the detention of adult offenders. Any moneys not provided
15 as grants may be invested by the state treasurer as provided in section
16 24-36-113, C.R.S. All interest derived from the deposit and investment
17 of moneys in the cash fund shall be credited to the cash fund. EXCEPT AS
18 OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF
19 SUBSECTION (3) OF THIS SECTION, any amount remaining in the cash fund
20 at the end of any fiscal year shall remain in the cash fund and shall not be
21 credited or transferred to the general fund or to any other fund.

22 (3) (a) Except as otherwise provided IN PARAGRAPH (b) OF THIS
23 SUBSECTION (3) AND in section 24-75-1104.5 (1) (h) and (5), C.R.S.,
24 beginning with the 2007-08 fiscal year, and for each fiscal year thereafter
25 so long as the state receives moneys pursuant to the master settlement

1 agreement, the state treasurer shall annually transfer to the cash fund five
2 percent of the amount of moneys received by the state in accordance with
3 the master settlement agreement, other than attorney fees and costs, for
4 the preceding fiscal year; except that the amount so transferred to the cash
5 fund in any fiscal year shall not exceed eight million dollars. The state
6 treasurer shall transfer the amount specified in this subsection (3) from
7 moneys credited to the tobacco litigation settlement cash fund created in
8 section 24-22-115, C.R.S.

9 (b) (I) FOR THE 2011-12 FISCAL YEAR AND THE 2012-13 FISCAL
10 YEAR, THE STATE TREASURER SHALL NOT TRANSFER TO THE CASH FUND
11 THE AMOUNT SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3) FOR
12 THE APPLICABLE FISCAL YEAR BUT SHALL INSTEAD TRANSFER SAID
13 AMOUNT TO THE STATE GENERAL FUND IN ACCORDANCE WITH SECTION
14 24-75-1104.5 (1) (h) (II), C.R.S.

15 (II) THE STATE TREASURER SHALL TRANSFER TO THE STATE
16 GENERAL FUND ANY UNEXPENDED AND UNENCUMBERED MONEYS
17 REMAINING IN THE CASH FUND AS OF JUNE 30, 2011.

18 (III) NOTWITHSTANDING THE PROVISIONS OF SECTION 22-7-904
19 (3), THE MEMBERS OF THE READ-TO-ACHIEVE BOARD SHALL NOT RECEIVE
20 REIMBURSEMENT FOR ANY EXPENSES INCURRED IN THE PERFORMANCE OF
21 THEIR DUTIES IN THE 2011-12 FISCAL YEAR OR THE 2012-13 FISCAL YEAR.

22 **SECTION 2.** 24-75-1104.5 (1) (h), Colorado Revised Statutes,
23 is amended to read:

24 **24-75-1104.5. Use of settlement moneys - programs - repeal.**

25 (1) Except as otherwise provided in subsection (5) of this section, for the
26 2004-05 fiscal year and for each fiscal year thereafter, the following
27 programs, services, or funds shall receive the following specified amounts

1 from the settlement moneys received by the state in the preceding fiscal
2 year; except that fifteen million four hundred thousand dollars of strategic
3 contribution fund moneys and, for the 2010-11 fiscal year and for each
4 fiscal year thereafter only, the lesser of sixty-five million dollars of other
5 settlement moneys or all other settlement moneys shall be allocated in
6 each fiscal year in which they are received by the state and except that, of
7 the other settlement moneys received by the state in the 2009-10 fiscal
8 year, the lesser of sixty-five million dollars or all of such moneys shall be
9 transferred to the general fund on June 30, 2010, and shall not be
10 allocated:

11 (h) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF
12 THIS PARAGRAPH (h), the read-to-achieve grant program created in part 9
13 of article 7 of title 22, C.R.S., shall receive five percent of the total
14 amount of settlement moneys annually received by the state, not to exceed
15 eight million dollars in any fiscal year, as provided in said section; except
16 that, for the 2004-05 fiscal year, the read-to-achieve grant program shall
17 receive nineteen percent of the total amount of settlement moneys
18 received, not to exceed nineteen million dollars.

19 (II) FOR THE 2011-12 FISCAL YEAR AND THE 2012-13 FISCAL YEAR,
20 THE AMOUNT THAT WOULD HAVE BEEN TRANSFERRED TO THE
21 READ-TO-ACHIEVE GRANT PROGRAM PURSUANT TO SUBPARAGRAPH (I) OF
22 THIS PARAGRAPH (h) FOR THE APPLICABLE FISCAL YEAR SHALL BE
23 TRANSFERRED INSTEAD TO THE STATE GENERAL FUND, AND THE
24 READ-TO-ACHIEVE GRANT PROGRAM SHALL NOT RECEIVE ANY PORTION OF
25 THE SETTLEMENT MONEYS IN EITHER OF SAID FISCAL YEARS.

26 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.