

**CSFP Briefing Document:
Colorado Legislative History of Mill Levy Overrides**

Colorado Legislative History of Mill Levy Overrides 1988-2023

Vote	Legislation	Year	Legislation	Legislative Changes District Mill Levy Override (MLO*)	Legislative Authorization Additional Types of MLO	Legislative changes by decade
		1988 School Finance Act	HB88-1341	MLO shall not exceed 5.0% of total program		Legislation allows MLO
		1990	Colorado Commission on School Finance, Colorado Leg Council	MLO shall not exceed 7.5% of total program		1990-1999 Three percentage increases; one new type of MLO
		1992	HB92-1344 Legislative Legal Services Digest of Bills 1992, pg. 43	MLO shall not exceed 10.0% of total program or \$200,000, whichever is greater		
		1994 School Finance Act	1994 School Finance Act HB94-1001	MLO shall not exceed 20.0% of total program or \$200K, whichever is greater	Mill Levy for excess transportation costs	
		2001	SB01-129		Supplemental Cost of Living	2000-2009 Change and addition to percentage increase; two new types of MLO
		2007	SB07-199		MLO excess costs for Full-Day Kindergarten	
		2008	HB08-1388	Section 7 - enables districts to use fixed or variable mills in getting to the maximum percentage allowed as a matter of local control - as opposed to the historical norm of only asking for a fixed dollar MLO question.		
		2009	SB09-256	MLO shall not exceed 25% of total program		
	2009 - ongoing: Legislature - Added Budget Stabilization/ Negative	2010	HB10-1369	Calculation of 25% override limit is prior to inclusion of negative factor**		2010-2019 Modification due to new factor; additional percentage to MLO; two new types of MLO
		2015	HB15-1321	MLO for small and rural districts authorized to 30% of total program		
		2016	HB16-1354		MLO for cash funding technology (new or existing), capital construction, and facility maintenance needs (outside current 25% cap-30% small rural districts).	

COLORADO SCHOOL FINANCE PROJECT

Support Children - Support The Future

	Factor to the School Finance Act	2017	HB17-1375	The bill creates the mill levy equalization fund, consisting of such money as the general assembly may appropriate to it, to provide additional funding for institute charter schools.		
		2020	HB20-1418	Funding for the 2020-2021 Year – including many changes due to COVID-19 Required districts to levy the number of mills specified by the requirements in the bill, including the establishment of temporary tax credits, if necessary, to correct historical errors.		Districts to set a mill levy target equal to the lowest of: 1. The mills required to fully fund the district with local property taxes; 2. The mills in place at the time the district obtained voter approval to retain and spend revenue in excess of the property tax revenue limitation imposed on the district by TABOR (de-Bruce); OR 3. 27.000 mills.
		2021	HB21-1164	The act requires CDE to adopt a correction schedule to begin phasing out the tax credits in the 2021 property tax year.		
		2022	SB22-202	Starting 22-23, annually distribute to each eligible school district and each eligible institute charter school an amount of state money as a matching amount to the property tax revenue the eligible district receives from mills levied for additional revenue (override mills).		
		2023	SB23-287	The Public School Finance Act of 2023 appropriates \$23M to the mill levy equalization fund from the state education fund.		
* Mill Levy Override (MLO)- Voter approved addition to the number of mills levied by a school district (MLOs are outside the school finance act)						
**In 2017, the Legislature changed the name of the Negative Factor to the Budget Stabilization Factor (SB17-296)						
SB13-213- Takes effect only if additional revenue comes in on or before November 7, 2017 MLO to 1) fund early childhood education, no cap; 2) technology and maintenance and operation of buildings, no cap; 3) cost of living expenses for district employees, capped at amount equal to 2014-15 district's total program calculated before negative factor, may increase annually beginning in 2016-17 to account for inflation.						