

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0165.01 Brita Darling x2241

HOUSE BILL 16-1100

HOUSE SPONSORSHIP

Pettersen and Esgar,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF UNACCOMPANIED HOMELESS YOUTH TO
102 DETERMINE DOMICILE FOR PURPOSES OF IN-STATE TUITION
103 STATUS AT INSTITUTIONS OF HIGHER EDUCATION.

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/bills summaries>.)

The bill amends statutory provisions relating to the persons qualified to determine domicile for purposes of establishing in-state tuition at state institutions of higher education. The bill adds unaccompanied homeless youth to the list of persons who are qualified to determine their own domicile. An "unaccompanied homeless youth" is

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.

defined in the bill, consistent with the federal definition, as an individual who has not attained 22 years of age and who is either an unaccompanied youth who is a homeless child or youth or who has been verified as unaccompanied, at risk of homelessness, and self-supporting by one of four verifiers listed in the bill.

The bill amends the definition of "qualified person" in the statutory provisions relating to tuition status to include unaccompanied homeless youth.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-7-103.5 as
3 follows:

4 **23-7-103.5. Unaccompanied homeless youth - domicile -**
5 **definitions.** (1) AS DEFINED IN SUBSECTION (2) OF THIS SECTION, AN
6 UNACCOMPANIED HOMELESS YOUTH IS A "QUALIFIED PERSON", AS DEFINED
7 IN SECTION 23-7-102, FOR PURPOSES OF DETERMINING HIS OR HER OWN
8 DOMICILE PURSUANT TO SECTION 23-7-102.

9 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
10 REQUIRES, "UNACCOMPANIED HOMELESS YOUTH" MEANS AN INDIVIDUAL
11 WHO HAS NOT ATTAINED TWENTY-TWO YEARS OF AGE AND WHO HAS BEEN
12 VERIFIED AS EITHER AN UNACCOMPANIED YOUTH WHO IS A HOMELESS
13 CHILD OR YOUTH, AS THOSE TERMS ARE DEFINED IN SECTION 725 OF THE
14 FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C.
15 SEC. 11434a, OR AS UNACCOMPANIED, AT RISK OF HOMELESSNESS, AND
16 SELF-SUPPORTING, BY:

17 (a) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON,
18 DESIGNATED PURSUANT TO SECTION 722 (g) (1) (J) (ii) OF THE FEDERAL
19 "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11432;

20 (b) THE DIRECTOR OF A PROGRAM FUNDED UNDER THE FEDERAL
21 "RUNAWAY AND HOMELESS YOUTH ACT", 42 U.S.C. SEC. 5701 ET SEQ.,

1 OR A DESIGNEE OF THE DIRECTOR;

2 (c) THE DIRECTOR OF A PROGRAM FUNDED UNDER SUBTITLE B OF
3 TITLE IV OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE
4 ACT", 42 U.S.C. SEC. 11371 ET SEQ., RELATING TO EMERGENCY SHELTER
5 GRANTS, OR A DESIGNEE OF THE DIRECTOR; OR

6 (d) A FINANCIAL AID ADMINISTRATOR AT AN INSTITUTION.

7 **SECTION 2.** In Colorado Revised Statutes, 23-7-102, **amend** (9)
8 as follows:

9 **23-7-102. Definitions.** As used in this article, unless the context
10 otherwise requires:

11 (9) "Qualified person" means a person qualified to determine his
12 or her own domicile. A person ~~over the age of twenty-two years, or~~
13 YEARS OF AGE OR OLDER, a student commencing a postbaccalaureate
14 degree-granting program, ~~or~~ an emancipated minor, OR AN
15 UNACCOMPANIED HOMELESS YOUTH PURSUANT TO SECTION 23-7-103.5 is
16 so qualified.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.