

## CHAPTER 170

---

**EDUCATION - POSTSECONDARY**


---

**SENATE BILL 19-174**

BY SENATOR(S) Garcia and Hill, Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Winter, Woodward, Zenzinger;  
 also REPRESENTATIVE(S) Buentello and Neville, Beckman, Bird, Bockenfeld, Buckner, Caraveo, Carver, Cutter, Duran, Esgar, Exum, Geitner, Gray, Hansen, Herod, Hooton, Jackson, Kennedy, Kipp, Kraft-Tharp, Lontine, Michaelson Jenet, Mullica, Ransom, Roberts, Saine, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman, Will.

**AN ACT**

**CONCERNING TUITION ASSISTANCE ELIGIBILITY FOR DEPENDENT CHILDREN OF CERTAIN PERSONS, AND, IN CONNECTION THEREWITH, DETERMINING ELIGIBILITY FOR DEPENDENTS OF PRISONERS OF WAR, MILITARY PERSONNEL MISSING IN ACTION, NATIONAL GUARDSMEN, LAW ENFORCEMENT OFFICERS, AND FIREFIGHTERS.**

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

**SECTION 1.** In Colorado Revised Statutes, 23-3.3-204, **repeal and reenact, with amendments**, (4) as follows:

**23-3.3-204. Dependents of prisoners of war and military personnel missing in action.** (4) (a) A QUALIFIED DEPENDENT MAY RECEIVE BENEFITS PURSUANT TO THIS SECTION PRIOR TO RECEIVING FEDERAL EDUCATIONAL BENEFITS AVAILABLE TO DEPENDENTS PURSUANT TO THE FEDERAL "PUBLIC SAFETY OFFICERS' BENEFITS ACT", 34 U.S.C. SEC. 10281, ET SEQ.

(b) THE BENEFIT PROVIDED PURSUANT TO THIS SECTION MUST BE REDUCED BY AN AMOUNT EQUAL TO THE AMOUNT OF ANY FEDERAL EDUCATIONAL BENEFITS PROVIDED TO THE DEPENDENT.

**SECTION 2.** In Colorado Revised Statutes, 23-3.3-205, **repeal and reenact, with amendments**, (2) as follows:

**23-3.3-205. Dependents of deceased or permanently disabled National Guardsman, law enforcement officer, or firefighter.** (2) (a) A QUALIFIED

---

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

DEPENDENT MAY RECEIVE BENEFITS PURSUANT TO THIS SECTION PRIOR TO RECEIVING FEDERAL EDUCATIONAL BENEFITS AVAILABLE TO DEPENDENTS PURSUANT TO THE FEDERAL "PUBLIC SAFETY OFFICERS' BENEFITS ACT", 34 U.S.C. SEC. 10281, ET SEQ.

(b) THE BENEFIT PROVIDED PURSUANT TO THIS SECTION MUST BE REDUCED BY AN AMOUNT EQUAL TO THE AMOUNT OF ANY FEDERAL EDUCATIONAL BENEFITS PROVIDED TO THE DEPENDENT.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 14, 2019