

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 22-0339.01 Conrad Imel x2313

HOUSE BILL 22-1155

HOUSE SPONSORSHIP

Will and McCluskie,

SENATE SPONSORSHIP

Gonzales,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING IN-STATE TUITION CLASSIFICATION AT INSTITUTIONS OF**
102 **HIGHER EDUCATION FOR STUDENTS WHO COMPLETE HIGH**
103 **SCHOOL IN COLORADO.**

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://leg.colorado.gov>.)

Under existing law, an institution of higher education (institution) must classify a student, other than a nonimmigrant alien, as an in-state student for tuition purposes if the student attended high school in Colorado for at least 3 years immediately preceding the date the student either graduated from a Colorado high school or successfully completed

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

a high school equivalency examination and the student is admitted to college within 12 months of graduating high school or completing the equivalency examination. The bill repeals the requirements that a student has attended a Colorado high school for 3 years and be admitted to college within 12 months of graduating or completing an equivalency examination.

The bill requires an institution to classify a student as an in-state student for tuition purposes if the student:

- Graduated from a Colorado high school or successfully completed a high school equivalency examination in Colorado; and
- Has resided in Colorado for at least 12 consecutive months prior to enrolling in an institution.

Because the bill repeals the requirement to be admitted to college within 12 months of graduation, the bill also repeals the exception to that requirement for a student who does not have lawful immigration status and graduated or successfully completed the equivalency examination prior to September 1, 2013.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-7-110, **amend** (1)
3 introductory portion, (1)(a), (1)(b), and (2)(b); **repeal** (3); and **add** (2.5)
4 as follows:

5 **23-7-110. Tuition classification of students who successfully**
6 **complete high school or a high school equivalency examination in**
7 **Colorado.** (1) Notwithstanding any other provision of this article
8 ARTICLE 7 to the contrary, a student, other than a nonimmigrant alien,
9 must be classified as an in-state student for tuition purposes if:

10 (a) The student **EITHER** attended a public or private high school in
11 Colorado for at least ~~three years~~ **ONE YEAR** immediately preceding the
12 date the student ~~either~~ graduated from a Colorado high school or **WAS**
13 **PHYSICALLY PRESENT IN COLORADO FOR AT LEAST ONE YEAR**
14 **IMMEDIATELY PRECEDING THE DATE THE STUDENT** successfully completed
15 a high school equivalency examination, as defined in section 22-33-102

1 (8.5), C.R.S., in Colorado; and

2 (b) ~~Except as provided in subsection (3) of this section, within~~
3 ~~twelve months after graduating or successfully completing a high school~~
4 ~~equivalency examination, as defined in section 22-33-102 (8.5), C.R.S.,~~
5 ~~in Colorado, the student is admitted to a Colorado institution or attends~~
6 ~~an institution of higher education under a reciprocity agreement pursuant~~
7 ~~to section 23-1-112. THE STUDENT HAS BEEN PHYSICALLY PRESENT IN~~
8 ~~COLORADO FOR AT LEAST TWELVE CONSECUTIVE MONTHS PRIOR TO~~
9 ~~ENROLLING IN AN INSTITUTION.~~

10 (2) (b) The institution shall not count a student described in
11 subsection (2)(a) of this section as a resident for any purpose other than
12 tuition classification AND THE PURPOSE DESCRIBED IN SUBSECTION (2.5)
13 OF THIS SECTION; except that the student is eligible for the college
14 opportunity fund program pursuant to the provisions of part 2 of article
15 18 of this title 23 and state student financial assistance pursuant to article
16 3.3 of this title 23, upon confirmation of the student's uniquely identifying
17 student number provided by the local education provider where the
18 student graduated from high school or successfully completed his or her
19 A high school equivalency examination, as defined in section 22-33-102
20 (8.5), and may be eligible for institutional or other private financial aid
21 programs.

22 (2.5) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT
23 PURSUANT TO THIS SECTION IS AN IN-STATE STUDENT FOR THE PURPOSES
24 OF SECTION 23-1-113.5.

25 (3) ~~A student who satisfies the requirements of paragraph (a) of~~
26 ~~subsection (1) of this section, who is subject to the provisions of~~
27 ~~paragraph (a) of subsection (2) of this section, and who graduated or~~

1 ~~successfully completed his or her high school equivalency examination,~~
2 ~~as defined in section 22-33-102 (8.5), C.R.S., prior to September 1, 2013,~~
3 ~~but was not admitted to an institution within twelve months after~~
4 ~~graduating or completing the high school equivalency examination, must~~
5 ~~be classified as an in-state student for tuition purposes so long as the~~
6 ~~student has been physically present in Colorado on a continuous basis for~~
7 ~~at least eighteen months prior to enrolling in the institution.~~

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.