

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 23-0354.01 Shelby Ross x4510

SENATE BILL 23-096

SENATE SPONSORSHIP

Roberts and Lundeen,

HOUSE SPONSORSHIP

Amabile and Soper,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING POLICIES RELATING TO IN-STATE TUITION**
102 **CLASSIFICATION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER**
103 **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://leg.colorado.gov>.)

Current law limits the number of Colorado scholars that each institution counts in an academic year to 8% of the total number of in-state students. The bill increases that limit to 15%.

The bill permits a peace corps volunteer to be classified as an in-state student for tuition purposes if the student was certified by the

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

SENATE
Amended 2nd Reading
February 21, 2023

director of the peace corps as having served satisfactorily as a peace corps volunteer. A peace corps volunteer who is classified as an in-state student must not be counted as a resident student for any purpose other than tuition classification.

The bill permits a nonresident student athlete to be classified as an in-state student for tuition purposes. A student athlete who is classified as an in-state student may be counted as a resident student for any purpose; except that such a student is not entitled to receive state financial aid.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-113.5, **amend**
3 (4)(d)(I) and (5)(d) as follows:

4 **23-1-113.5. Commission directive - resident admissions -**
5 **report - definitions.** (4) (d) (I) (A) Beginning October 15, 2018, and no
6 later than October 15 each year thereafter, the department shall submit a
7 report to the joint budget committee and to the education committees of
8 the house of representatives and of the senate, or their successor
9 committees, demonstrating that the institutions included in this subsection
10 (4) have met resident admission and enrollment requirements set forth in
11 this section for the prior fiscal year; REPORTING THE TOTAL NUMBER OF
12 RESIDENT AND NONRESIDENT STUDENTS ENROLLED IN EACH INSTITUTION
13 OF HIGHER EDUCATION BEFORE AND AFTER COLORADO SCHOLARS ARE
14 COUNTED AS TWO IN-STATE STUDENTS PURSUANT TO SUBSECTION (5)(a)
15 OF THIS SECTION; AND REPORTING HOW STATE INSTITUTIONS OF HIGHER
16 EDUCATION THAT UTILIZE THE COLORADO SCHOLARS PROGRAM USE
17 ASSOCIATED TUITION REVENUE FOR PURPOSES OF MERIT- AND NEED-BASED
18 SCHOLARSHIPS FOR RESIDENT STUDENTS.

19 (5) (d) Notwithstanding any provision of this subsection (5) to the
20 contrary, the number of Colorado scholars that each institution counts for

1 purposes of ~~subparagraphs (a) and (b) of this subsection (5)~~ SUBSECTIONS
2 (5)(a) AND (5)(b) OF THIS SECTION in an academic year ~~shall~~ MUST not
3 exceed ~~eight~~ FIFTEEN percent of the total number of in-state students that
4 the institution counts in the applicable fraction or percentage in that
5 academic year.

6 **SECTION 2.** In Colorado Revised Statutes, **add 23-7-113** ==
7 as follows:

8 **23-7-113. Tuition classification for == peace corps volunteers.**

9 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 7 TO THE
10 CONTRARY, A STUDENT == SHALL BE CLASSIFIED AS AN IN-STATE STUDENT
11 FOR TUITION PURPOSES IF THE STUDENT WAS CERTIFIED BY THE DIRECTOR
12 OF THE PEACE CORPS AS HAVING SERVED SATISFACTORILY AS A PEACE
13 CORPS VOLUNTEER.

14 (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT
15 PURSUANT TO THIS SECTION MUST NOT BE COUNTED AS A RESIDENT
16 STUDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION.

17 (3) THE GOVERNING BOARD OF EACH STATE-SUPPORTED
18 INSTITUTION OF HIGHER EDUCATION SHALL GRANT IN-STATE TUITION
19 STATUS TO STUDENTS CLASSIFIED PURSUANT TO THIS SECTION.

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