

CHAPTER 62

EDUCATION - POSTSECONDARY

SENATE BILL 23-096

BY SENATOR(S) Roberts and Lundeen, Cutter, Exum, Gardner, Ginal, Hansen, Kirkmeyer, Kolker, Marchman, Moreno, Pelton B., Pelton R., Priola, Rich, Rodriguez, Will;
 also REPRESENTATIVE(S) Amabile and Soper, Bacon, Bird, Brown, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Jodeh, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, McLachlan, Michaelson Jenet, Ortiz, Snyder, Story, Taggart, Weissman, McCluskie.

AN ACT**CONCERNING POLICIES RELATING TO IN-STATE TUITION CLASSIFICATION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION.**

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

SECTION 1. In Colorado Revised Statutes, 23-1-113.5, **amend** (4)(d)(I)(A) and (5)(d); and **add** (5)(d.5) and (5)(d.6) as follows:

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

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

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.

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

(d.5) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE AN EFFORT TO RECRUIT IN-STATE STUDENTS WHO GRADUATED FROM A HIGH SCHOOL THAT IS A RURAL SCHOOL OR IN A RURAL SCHOOL DISTRICT, AS DEFINED IN SECTION 23-76-102 (4).

(d.6) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE AN EFFORT TO RETAIN SCHOLARS FROM EACH DEMOGRAPHIC BACKGROUND WITH DISPROPORTIONATELY LOW RETENTION RATES.

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

23-7-113. Tuition classification for peace corps volunteers.

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

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

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

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

Approved: April 11, 2023