

## CHAPTER 235

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**EDUCATION - UNIVERSITIES AND COLLEGES**


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**SENATE BILL 08-079**

BY SENATOR(S) Sandoval, Groff, Romer, Tapia, Tupa, Veiga, Williams, Bacon, Boyd, Keller, Shaffer, Ward, and Windels;  
also REPRESENTATIVE(S) Massey, Carroll T., Ferrandino, Marshall, Casso, Gardner B., Labuda, Looper, Madden, McFadyen,  
McGihon, Middleton, Peniston, Scanlan, and Todd.

**AN ACT**

**CONCERNING ASSIGNMENT OF IN-STATE STUDENT CLASSIFICATION TO A STUDENT WHO IS A UNITED STATES CITIZEN WHO HAS ATTENDED HIGH SCHOOL IN COLORADO FOR A SPECIFIED PERIOD OF TIME PRIOR TO THE DATE THE STUDENT RECEIVED A SECONDARY SCHOOL CERTIFICATE, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** Article 7 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**23-7-110. Tuition classification for United States citizens who attend and graduate from Colorado high schools or complete a Colorado general equivalency diploma.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE CONTRARY, A STUDENT WHO IS A UNITED STATES CITIZEN SHALL BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES IF:

(a) THE STUDENT GRADUATED FROM A PUBLIC OR PRIVATE HIGH SCHOOL IN THIS STATE; AND

(b)(I) THE STUDENT ATTENDED A PUBLIC OR PRIVATE HIGH SCHOOL IN THIS STATE FOR AT LEAST THREE YEARS IMMEDIATELY PRECEDING THE DATE THE STUDENT ENROLLED IN A COLORADO INSTITUTION OF HIGHER EDUCATION; OR

(II) THE STUDENT COMPLETED A GENERAL EQUIVALENCY DIPLOMA IN THIS STATE AND RESIDED IN THIS STATE FOR AT LEAST THREE YEARS IMMEDIATELY PRECEDING THE DATE THE STUDENT ENROLLED IN A COLORADO INSTITUTION OF HIGHER EDUCATION.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(2) ANY INFORMATION PROVIDED TO SATISFY THE CRITERIA SPECIFIED IN THIS SECTION SHALL BE CONFIDENTIAL UNLESS DISCLOSURE IS EXPLICITLY REQUIRED BY LAW.

(3) THIS SECTION PROVIDES AN ADDITIONAL OPTION FOR A STUDENT SEEKING TO BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES. THIS SECTION SHALL NOT BE INTERPRETED TO IMPOSE ADDITIONAL REQUIREMENTS UPON A STUDENT SEEKING TO BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES UNDER ANY OTHER SECTION OF THIS ARTICLE 7.

**SECTION 2. Appropriation - adjustments to the 2008 long bill.** (1) For the implementation of this act, the general fund appropriation to the controlled maintenance trust fund made in section 23 of the annual general appropriation act, for the fiscal year beginning July 1, 2008, shall be decreased by seventy-one thousand seven hundred sixty dollars (\$71,760).

(2) In addition to any other appropriation, there is hereby appropriated, to the department of higher education, for the fiscal year beginning July 1, 2008, the following:

(a) Out of any moneys in the general fund not otherwise appropriated, for allocation to the college opportunity fund created in section 23-18-202 (1) (a), Colorado Revised Statutes, the sum of seventy-one thousand seven hundred sixty dollars (\$71,760), or so much thereof as may be necessary, for stipends for an estimated 26.0 full-time equivalent students attending state-operated institutions.

(b) To the trustees of metropolitan state college of Denver, the sum of one hundred forty-four thousand eight hundred twenty-five dollars (\$144,825), or so much thereof as may be necessary, to provide educational services to students. Of said sum, sixty-nine thousand dollars (\$69,000) shall be from reappropriated funds received from the appropriation made in subsection (2) (a) of this section for student stipends, and seventy-five thousand eight hundred twenty-five dollars (\$75,825) cash funds shall be from the students' share of tuition.

(c) To the state board for community colleges and occupational education state system, the sum of five thousand seventy-five dollars (\$5,075), or so much thereof as may be necessary, to provide educational services to students. Of said sum, two thousand seven hundred sixty dollars (\$2,760) shall be from reappropriated funds received from the appropriation made in subsection (2) (a) of this section for student stipends, and two thousand three hundred fifteen dollars (\$2,315) cash funds shall be from the students' share of tuition.

**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, and safety.

Approved: May 20, 2008