

CHAPTER 351

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 08-166

BY SENATOR(S) Shaffer, Bacon, Boyd, Brophy, Cadman, Gibbs, Groff, Harvey, Isgar, Johnson, Kester, Kopp, Mitchell S., Renfroe, Romer, Sandoval, Schultheis, Spence, Tapia, Taylor, Tochtrop, Tupa, Ward, Williams, Windels, and Wiens; also REPRESENTATIVE(S) McNulty, Butcher, Carroll M., Casso, Frangas, Gallegos, Gardner C., Garza-Hicks, Green, Jahn, Kefalas, Kerr A., Labuda, Lambert, Looper, Lundberg, Massey, May M., Merrifield, Middleton, Mitchell V., Rice, Romanoff, Rose, Scanlan, Solano, Stafford, Summers, and Todd.

AN ACT

CONCERNING ELIGIBILITY FOR THE COLLEGE OPPORTUNITY FUND FOR MEMBERS OF THE COLORADO NATIONAL GUARD WHO ARE ELIGIBLE FOR IN-STATE TUITION, AND MAKING APPROPRIATION THEREFOR.

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

SECTION 1. Repeal. 23-7-108 (3), Colorado Revised Statutes, is repealed as follows:

23-7-108. Tuition classification of Colorado National Guard personnel.
~~(3) Notwithstanding any provision of section 23-18-102 (5) to the contrary, a member of the Colorado National Guard or his or her dependent who is classified as an in-state student solely pursuant to this section shall not be eligible to receive a stipend pursuant to part 2 of article 18 of this title.~~

SECTION 2. Appropriation - adjustments to the 2008 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, for allocation to the college opportunity fund program, for student stipend payments, for the fiscal year beginning July 1, 2008, the sum of twenty-eight thousand six hundred twelve dollars (\$28,612), or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, the reappropriated funds appropriation to the department of higher education, governing boards, from student stipend payments, for the fiscal year beginning July 1, 2008, shall be increased by

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

twenty-eight thousand six hundred twelve dollars (\$28,612). Said sum shall be from the appropriation made in subsection (1) of this section.

(3) For the implementation of this act, the cash funds appropriation to the department of higher education, governing boards, from the student's share of tuition, for the fiscal year beginning July 1, 2008, shall be decreased by twenty-eight thousand six hundred twelve dollars (\$28,612).

(4) 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 twenty-eight thousand six hundred twelve dollars (\$28,612).

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 29, 2008