

CHAPTER 75

EDUCATION - POSTSECONDARY

SENATE BILL 23-224

BY SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Buckner, Coleman, Cutter, Exum, Ginal, Kolker, Priola;
 also REPRESENTATIVE(S) Sirota and Bockenfeld, Bird, Amabile, Bacon, Froelich, Hamrick, Lieder, Lindsay, Marshall,
 Michaelson Jenet, Snyder, Story, Taggart, Titone, Vigil, Young, McCluskie.

AN ACT

CONCERNING POLICIES TO BE ESTABLISHED BY THE COLORADO COMMISSION ON HIGHER EDUCATION RELATED TO POSTGRADUATE STUDENT EXCHANGE PROGRAMS.

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

SECTION 1. In Colorado Revised Statutes, 23-1-108, **amend** (10) as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning - reporting - definitions. (10) (a) The commission may enter INTO, on behalf of the state of Colorado, ~~into~~ agreements with another state or with the western interstate commission for higher education on behalf of another state for the granting of full or partial waivers of the ~~nonresident~~ tuition to residents of such other states who are postgraduate or professional students at or are eligible for admission as postgraduate students to any of the ~~state-supported~~ institutions of higher education in Colorado. ~~if the agreement provides that, under substantially the same circumstances, such other state will grant reciprocal waivers to residents of Colorado who are postgraduate or professional students of universities or colleges in such other states.~~ SUBJECT TO AVAILABLE APPROPRIATIONS, THE COMMISSION MAY ALSO ENTER INTO, ON BEHALF OF THE STATE OF COLORADO, AGREEMENTS WITH ANOTHER STATE OR WITH THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION FOR RECIPROCAL FULL OR PARTIAL TUITION WAIVERS OR MAY GRANT TUITION SUBSIDIES TO COLORADO RESIDENTS WHO ARE POSTGRADUATE OR PROFESSIONAL STUDENTS AT OR ARE ELIGIBLE FOR ADMISSION AS POSTGRADUATE STUDENTS AT INSTITUTIONS IN OTHER STATES THAT OFFER PROFESSIONAL TRAINING IN A SUBJECT THAT IS DETERMINED TO BE A STATE NEED AND FOR WHICH APPROPRIATE TRAINING IS NOT AVAILABLE WITHIN THE STATE. IF AN AGREEMENT PROVIDES FOR A TUITION SUBSIDY TO A COLORADO RESIDENT TO ATTEND AN OUT-OF-STATE INSTITUTION, THE AGREEMENT MUST INCLUDE A REQUIREMENT THAT

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.

THE STUDENT FULFILL A POST-EDUCATIONAL SERVICE REQUIREMENT OR REPAY THE SUBSIDY. The commission, in consultation with the affected Colorado institutions, shall establish regulations governing the administration of agreements and the granting of waivers. In 1996 and in each subsequent even-numbered year, the commission shall report to the governor and the general assembly on these programs, INCLUDING REPORTING ON ANY CHANGES IMPLEMENTED AND THE IMPACT OF THOSE CHANGES.

(b) IF THE COMMISSION ENTERS INTO A PROFESSIONAL STUDENT EXCHANGE PROGRAM THROUGH THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION CREATED PURSUANT TO SECTION 24-60-601, THE COMMISSION SHALL ESTABLISH POLICIES TO MAXIMIZE THE BENEFIT OF THE EXCHANGE PROGRAM TO COLORADO RESIDENTS. THE POLICIES MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) POLICIES IN WHICH, IF THE COMMISSION CONTINUES TO PARTICIPATE IN A PROGRAM FOR COLORADO RESIDENTS SEEKING POSTSECONDARY OPTOMETRY DEGREES AT INSTITUTIONS IN OTHER STATES, THE COMMISSION SHALL ENSURE THAT ANY STUDENT WHO ENTERS THE POSTSECONDARY OPTOMETRY PROGRAM BEGINNING IN THE 2024-25 ACADEMIC YEAR AND THEREAFTER, AS A PART OF THE STUDENT'S POST-EDUCATIONAL SERVICE COMMITMENT, SHALL AGREE TO PROVIDE SERVICES TO COLORADANS ENROLLED IN PROGRAMS ESTABLISHED PURSUANT TO THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF TITLE 25.5; AND

(II) POLICIES THAT PROMOTE THE PROVISION OF SERVICES IN UNDERSERVED AREAS. SUCH POLICIES MAY INCLUDE REDUCING THE SERVICE REQUIREMENT FOR AN INDIVIDUAL TO MEET THE INDIVIDUAL'S POST-EDUCATIONAL SERVICE REQUIREMENT BY SERVING IN AREAS THAT HAVE INSUFFICIENT ACCESS TO OPTOMETRY SERVICES. THE COMMISSION SHALL COLLABORATE WITH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IDENTIFY AREAS THAT ARE UNDERSERVED IN OPTOMETRY OR OTHER MEDICALLY RELATED FIELDS.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 17, 2023