

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0842.01 Yelana Love x2295

HOUSE BILL 26-1294

HOUSE SPONSORSHIP

Espenozza and Luck,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CORRECTION OF A CITATION WITHIN THE
102 DEFINITION OF "ACTIVE DUTY" FOR PURPOSES OF THE
103 "INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR
104 MILITARY CHILDREN".

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/>.)

Statutory Revision Committee. The bill corrects a citation within the definition of "active duty" in the "Interstate Compact on Educational Opportunity for Military Children".

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-60-3402, **amend**
3 Articles II and III as follows:

4 **24-60-3402. Compact approved and ratified.**

5 The general assembly hereby approves and ratifies and the
6 governor shall enter into a compact on behalf of the state of Colorado
7 with any of the United States or other jurisdictions legally joining therein
8 in the form substantially as follows:

9 INTERSTATE COMPACT ON EDUCATIONAL
10 OPPORTUNITY FOR MILITARY CHILDREN

11 ARTICLE II - DEFINITIONS

12 As used in this compact, unless the context clearly requires a
13 different construction:

14 A. "Active duty" means: full-time duty status in the active
15 uniformed service of the United States, including members of the
16 National Guard and Reserve on active duty orders pursuant to 10 U.S.C.
17 ~~Section~~ CHAPTERS 1209 and 1211.

18 B. "Children of military families" means: a school-aged child(ren),
19 enrolled in Kindergarten through Twelfth (12th) grade, in the household
20 of an active duty member.

21 C. "Compact commissioner" means: the voting representative of
22 each compacting state appointed pursuant to Article VIII of this compact.

23 D. "Deployment" means: the period one (1) month prior to the
24 service members' departure from their home station on military orders
25 through six (6) months after return to their home station.

26 E. "Education(al) records" means: those official records, files, and

1 data directly related to a student and maintained by the school or local
2 education agency, including but not limited to records encompassing all
3 the material kept in the student's cumulative folder such as general
4 identifying data, records of attendance and of academic work completed,
5 records of achievement and results of evaluative tests, health data,
6 disciplinary status, test protocols, and individualized education programs.

7 F. "Extracurricular activities" means: a voluntary activity
8 sponsored by the school or local education agency or an organization
9 sanctioned by the local education agency. Extracurricular activities
10 include, but are not limited to, preparation for and involvement in public
11 performances, contests, athletic competitions, demonstrations, displays,
12 and club activities.

13 G. "Interstate Commission on Educational Opportunity for
14 Military Children" means: the commission that is created under Article
15 IX of this compact, which is generally referred to as Interstate
16 Commission.

17 H. "Local education agency" means: a public authority legally
18 constituted by the state as an administrative agency to provide control of
19 and direction for Kindergarten through Twelfth (12th) grade public
20 educational institutions.

21 I. "Member state" means: a state that has enacted this compact.

22 J. "Military installation" means: a base, camp, post, station, yard,
23 center, homeport facility for any ship, or other activity under the
24 jurisdiction of the Department of Defense, including any leased facility,
25 which is located within any of the several States, the District of
26 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands,
27 Guam, American Samoa, the Northern Marianas Islands and any other

1 U.S. Territory. Such term does not include any facility used primarily for
2 civil works, rivers and harbors projects, or flood control projects.

3 K. "Non-member state" means: a state that has not enacted this
4 compact.

5 L. "Receiving state" means: the state to which a child of a military
6 family is sent, brought, or caused to be sent or brought.

7 M. "Rule" means: a written statement by the Interstate
8 Commission promulgated pursuant to Article XII of this compact that is
9 of general applicability, implements, interprets or prescribes a policy or
10 provision of the Compact, or an organizational, procedural, or practice
11 requirement of the Interstate Commission, and has the force and effect of
12 statutory law in a member state, and includes the amendment, repeal, or
13 suspension of an existing rule.

14 N. "Sending state" means: the state from which a child of a
15 military family is sent, brought, or caused to be sent or brought.

16 O. "State" means: a state of the United States, the District of
17 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands,
18 Guam, American Samoa, the Northern Marianas Islands and any other
19 U.S. Territory.

20 P. "Student" means: the child of a military family for whom the
21 local education agency receives public funding and who is formally
22 enrolled in Kindergarten through Twelfth (12th) grade.

23 Q. "Transition" means: 1) the formal and physical process of
24 transferring from school to school or 2) the period of time in which a
25 student moves from one school in the sending state to another school in
26 the receiving state.

27 R. "Uniformed service(s)" means: the Army, Navy, Air Force,

1 Marine Corps, Coast Guard as well as the Commissioned Corps of the
2 National Oceanic and Atmospheric Administration, and Public Health
3 Services.

4 S. "Veteran" means: a person who served in the uniformed services
5 and who was discharged or released from there under conditions other
6 than dishonorable.

7 ARTICLE III - APPLICABILITY

8 A. Except as otherwise provided in Section C, this compact shall
9 apply to the children of:

10 1. active duty members of the uniformed services as defined in this
11 compact, including members of the National Guard and Reserve on active
12 duty orders pursuant to 10 U.S.C. ~~Section~~ CHAPTERS 1209 and 1211;

13 2. members or veterans of the uniformed services who are severely
14 injured and medically discharged or retired for a period of one (1) year
15 after medical discharge or retirement; and

16 3. members of the uniformed services who die on active duty or as
17 a result of injuries sustained on active duty for a period of one (1) year
18 after death.

19 B. The provisions of this interstate compact shall only apply to
20 local education agencies as defined in this compact.

21 C. The provisions of this compact shall not apply to the children
22 of:

23 1. inactive members of the national guard and military reserves;

24 2. members of the uniformed services now retired, except as
25 provided in Section A;

26 3. veterans of the uniformed services, except as provided in
27 Section A; and

1 4. other U.S. Dept. of Defense personnel and other federal agency
2 civilian and contract employees not defined as active duty members of the
3 uniformed services.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.