

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0898.01 Ken Fowler x2372

HOUSE BILL 26-1386

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HOUSE SPONSORSHIP

**Brown and Taggart, Sirota**

SENATE SPONSORSHIP

**Bridges and Kirkmeyer, Amabile**

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**House Committees**  
Appropriations

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING CHANGING THE FUNDING MECHANISM FOR THE  
102 COLORADO NATIONAL GUARD TUITION WAIVER PROGRAM.

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**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/>.)*

**Joint Budget Committee.** In current law, a person who is a member of the Colorado National Guard who is accepted for enrollment at a designated institution of higher education (member) has all their tuition costs waived. All tuition waiver costs are currently funded by the state from money in the Colorado National Guard tuition fund.

The bill changes the funding mechanism of the Colorado National

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.*

Guard tuition waiver program by requiring each designated institution of higher education to waive the remaining balance of a member's tuition cost in excess of the amount of any private, state, or federal financial assistance received. The bill requires the department of military and veterans affairs to reimburse each institution for 50% of the cost of tuition waived by the institution and requires the general assembly to appropriate money to the Colorado National Guard tuition fund to cover the reimbursement.

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

2           **SECTION 1.** In Colorado Revised Statutes, 23-7.4-302, **amend**  
3 (3)(a), (3)(b), and (7) as follows:

4           **23-7.4-302. Tuition waiver for members of the National Guard**  
5 **- rules - fund - legislative declaration - definitions - repeal.**

6           (3) (a) ~~Subject to annual appropriations, a person who is a~~  
7 ~~member of the Colorado National Guard, upon being accepted for~~  
8 ~~enrollment at a designated institution of higher education, may pursue~~  
9 ~~studies that lead to a postgraduate degree, a bachelor's degree, an~~  
10 ~~associate degree, or a certificate of completion. with all tuition waived.~~

11 EACH DESIGNATED INSTITUTION OF HIGHER EDUCATION SHALL, FOR A  
12 MEMBER WHO IS ACCEPTED FOR ENROLLMENT, WAIVE THE REMAINING  
13 BALANCE OF TUITION COST IN EXCESS OF THE AMOUNT OF ANY PRIVATE,  
14 STATE, OR FEDERAL FINANCIAL ASSISTANCE RECEIVED BY THE MEMBER.

15 For a member, the tuition waiver must not exceed more than sixty-five  
16 credit hours at a designated two-year institution of higher education and  
17 no more than one hundred thirty credit hours at a designated four-year  
18 institution of higher education; except that the total credit hours for a  
19 member who attends both a designated two-year and a designated  
20 four-year institution of higher education must not exceed more than one  
21 hundred forty-five credit hours. The department of military and veterans

1 affairs shall administer the tuition waiver program.

2 (b) (I) To prevent hardship to a designated institution of higher  
3 education, ~~if there is a significant increase in the member enrollment in~~  
4 ~~the tuition waiver program, the number of members attending with a~~  
5 ~~tuition waiver must not exceed the greater of:~~ THE DEPARTMENT OF  
6 MILITARY AND VETERANS AFFAIRS SHALL REIMBURSE A DESIGNATED  
7 INSTITUTION OF HIGHER EDUCATION FOR FIFTY PERCENT OF THE COST OF  
8 MEMBERS' TUITION THAT IS WAIVED BY THE INSTITUTION PURSUANT TO  
9 THIS SECTION. THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO  
10 THE COLORADO NATIONAL GUARD TUITION FUND, CREATED IN  
11 SUBSECTION (9) OF THIS SECTION, TO COVER FIFTY PERCENT OF THE COST  
12 OF TUITION WAIVED AT EACH DESIGNATED INSTITUTION OF HIGHER  
13 EDUCATION PURSUANT TO THIS SECTION.

14 ~~(A) A twenty-five percent increase in member enrollment in a~~  
15 ~~designated institution of higher education compared to the member~~  
16 ~~calculation described in subsection (3)(b)(II) of this section; or~~

17 ~~(B) More than five additional members enrolled in a designated~~  
18 ~~institution of higher education compared to the member calculation~~  
19 ~~described in subsection (3)(b)(II) of this section.~~

20 (II) ~~For each designated institution of higher education, the~~  
21 ~~department of military and veterans affairs shall determine the base~~  
22 ~~member enrollment described in subsection (3)(b)(I)(A) or (3)(b)(I)(B)~~  
23 ~~of this section by calculating the average fall semester member~~  
24 ~~enrollment at the designated institution of higher education for the~~  
25 ~~previous three fall semesters. The department of military and veterans~~  
26 ~~affairs, in consultation with designated institutions of higher education,~~  
27 ~~shall adopt rules to determine how to select members to participate in the~~

1 tuition waiver program if a significant increase in member enrollment in  
2 the tuition waiver program occurs pursuant to subsection (3)(b)(I) of this  
3 section.

4 (III) ~~The department of military and veterans affairs shall~~  
5 ~~determine community college member enrollment caps for each~~  
6 ~~community college. The department of military and veterans affairs shall~~  
7 ~~provide funds to the state board of community colleges and occupational~~  
8 ~~education for tuition waivers. The state board of community colleges and~~  
9 ~~occupational education shall distribute the funds to each community~~  
10 ~~college in which a member is enrolled.~~

11 (IV) (A) The department of military and veterans affairs may  
12 request adjustments to the annual appropriation based on changes to  
13 Colorado National Guard member enrollment and changes to the cost of  
14 tuition.

15 (B) ~~If the difference between the calculated tuition for base~~  
16 ~~member enrollment, as described in subsection (3)(b)(II) of this section,~~  
17 ~~and the annual appropriation is less than twenty-five percent, the~~  
18 ~~department of military and veterans affairs may prorate funding and~~  
19 ~~distribute funds to each designated institution of higher education~~  
20 ~~proportionately.~~

21 (C) ~~If the difference between the calculated tuition for base~~  
22 ~~member enrollment, as described in subsection (3)(b)(II) of this section,~~  
23 ~~and the annual appropriation is more than twenty-five percent, the tuition~~  
24 ~~waiver program is suspended and the designated institutions of higher~~  
25 ~~education shall distribute the remaining tuition waiver funds on a~~  
26 ~~first-come, first-serve basis to members until the tuition waiver funds are~~  
27 ~~exhausted.~~

1           (7) The department of military and veterans affairs shall adopt  
2 rules to certify member eligibility at the request of a designated institution  
3 of higher education, to communicate member eligibility to the designated  
4 institution of higher education, and to administer the tuition waiver  
5 program pursuant to this section, INCLUDING A PROCESS TO REIMBURSE A  
6 DESIGNATED INSTITUTION OF HIGHER EDUCATION FOR FIFTY PERCENT OF  
7 THE COST OF TUITION WAIVED BY THE INSTITUTION.

8           **SECTION 2. Effective date.** This act takes effect July 1, 2026.

9           **SECTION 3. Safety clause.** The general assembly finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, or safety or for appropriations for  
12 the support and maintenance of the departments of the state and state  
13 institutions.