

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 26-1386

BY REPRESENTATIVE(S) Brown and Taggart, Sirota, Bacon, Barron, Boesenecker, Bradfield, Bradley, Caldwell, Camacho, Carter, Clifford, DeGraaf, Duran, English, Espenoza, Feret, Flanell, Froelich, Garcia Sander, Gilchrist, Goldstein, Gonzalez R., Hamrick, Hartsook, Johnson, Joseph, Keltie, Lindsay, Lukens, Mabrey, Marshall, Martinez, Mauro, McCormick, Nguyen, Paschal, Richardson, Ricks, Rutinel, Rydin, Slaugh, Smith, Stewart K., Stewart R., Story, Suckla, Titone, Valdez, Velasco, Weinberg, Willford, Winter T., Zokaie, McCluskie;
also SENATOR(S) Bridges and Kirkmeyer, Amabile.

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

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

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

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

(3) (a) ~~Subject to annual appropriations, a person who is a member~~

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.

~~of the Colorado National Guard, upon being accepted for enrollment at a designated institution of higher education, may pursue studies that lead to a postgraduate degree, a bachelor's degree, an associate degree, or a certificate of completion. with all tuition waived.~~ EACH DESIGNATED INSTITUTION OF HIGHER EDUCATION SHALL, FOR A MEMBER WHO IS ACCEPTED FOR ENROLLMENT, WAIVE THE REMAINING BALANCE OF TUITION COST IN EXCESS OF THE AMOUNT OF ANY PRIVATE, STATE, OR FEDERAL FINANCIAL ASSISTANCE RECEIVED BY THE MEMBER. For a member, the tuition waiver must not exceed more than sixty-five credit hours at a designated two-year institution of higher education and no more than one hundred thirty credit hours at a designated four-year institution of higher education; except that the total credit hours for a member who attends both a designated two-year and a designated four-year institution of higher education must not exceed more than one hundred forty-five credit hours. The department of military and veterans affairs shall administer the tuition waiver program.

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

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

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

(II) ~~For each designated institution of higher education, the department of military and veterans affairs shall determine the base member~~

~~enrollment described in subsection (3)(b)(I)(A) or (3)(b)(I)(B) of this section by calculating the average fall semester member enrollment at the designated institution of higher education for the previous three fall semesters. The department of military and veterans affairs, in consultation with designated institutions of higher education, shall adopt rules to determine how to select members to participate in the tuition waiver program if a significant increase in member enrollment in the tuition waiver program occurs pursuant to subsection (3)(b)(I) of this section.~~

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

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

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

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

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

COST OF TUITION WAIVED BY THE INSTITUTION.

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

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

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO