

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.



SENATE BILL 23-118

BY SENATOR(S) Zenzinger, Bridges, Kirkmeyer, Buckner, Cutter, Marchman, Priola;
also REPRESENTATIVE(S) Bird, Sirota, Bockenfeld, Bacon, Boesenecker, Brown, English, Garcia, Gonzales-Gutierrez, Herod, Jodeh, Joseph, Lieder, Lindsay, Mabrey, Martinez, Michaelson Jenet, Ortiz, Ricks, Snyder, Story, Velasco, Young, McCluskie.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

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

SECTION 1. Appropriation to the department of higher education for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part VII and the affected totals, as Part VII (1) and the affected totals are amended by section 9 of chapter 170, (HB 22-1133), as follows:

Section 2. **Appropriation.**

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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART VII							
DEPARTMENT OF HIGHER EDUCATION							
(1) DEPARTMENT ADMINISTRATIVE OFFICE							
Health, Life, and Dental	2,529,583		357,979		1,386,746 ^a	311,122 ^b	473,736(I)
Short-term Disability	24,197		3,421		13,220 ^a	3,877 ^b	3,679(I)
S.B. 04-257 Amortization Equalization Disbursement	702,217		115,734		345,027 ^a	123,491 ^b	117,965(I)
S.B. 06-235 Supplemental Amortization Equalization Disbursement	702,217		115,734		345,027 ^a	123,491 ^b	117,965(I)
Salary Survey	567,669		148,115		226,814 ^a	115,193 ^b	77,547(I)
PERA Direct Distribution	404,354				187,201 ^a	119,488 ^b	97,665(I)
Workers' Compensation	50,413				31,023 ^a	19,390 ^b	
Legal Services	151,211				50,897 ^a	100,314 ^b	
Administrative Law Judge Services	322				322 ^a		
Payment to Risk Management and Property Funds	321,508				281,825 ^a	39,683 ^b	
Leased Space	424,927				112,960 ^a	311,967 ^b	
Payments to OIT	403,907		151,306		166,844^a	85,757 ^b	
	458,868		183,564		189,547 ^a		
CORE Operations	<u>257,323</u>				92,160 ^a	165,163 ^b	
		6,539,848					
		6,594,809					

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of these amounts, ~~\$2,019,259~~ \$2,039,893 shall be from the State Historical Fund created in Section 9 (5)(b)(II) of Article XVIII of the State Constitution and ~~\$1,220,807~~ \$1,222,876 shall be from various sources of cash funds. Of the amount from the State Historical Fund, ~~\$1,749,011~~ \$1,752,416 is estimated to be from the Museum and Preservation Operations Account created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and ~~\$284,176~~ \$287,477 is estimated to be from the Preservation Grant Program Account created in Section 44-30-1201 (5)(c)(I)(A), C.R.S. Of the amount from various sources of cash funds, \$632,328 is estimated to be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., ~~\$452,542~~ \$453,013 is estimated to be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S., and \$137,535 is estimated to be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S.

^b These amounts shall be from ~~departmental~~ STATEWIDE indirect cost recoveries.

**(2) COLORADO COMMISSION ON HIGHER EDUCATION AND
HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS**

(A) Administration

Administration ³⁴	3,670,779			202,082 ^a	3,468,697^b
		3,363,517			105,180 ^b
		(30.6 FTE)		(0.4 FTE)	(30.6 FTE)

^a This amount shall be from private college and university fees paid pursuant to Section 23-1-125 (5), C.R.S., and Section 23-2-104.5, C.R.S.

^b ~~Of this amount, \$2,106,057 shall be from statewide indirect cost recoveries, \$1,257,460 shall be from departmental indirect cost recoveries, and \$105,180~~ THIS AMOUNT shall be transferred from the Department of Education from the Preschool to Postsecondary Education Alignment line item in the Management and Administration section for assistance in aligning public education with postsecondary and workforce readiness standards.

**(B) Division of Private
Occupational Schools**

	1,069,500			1,069,500 ^a	
				(10.3 FTE)	

^a This amount shall be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Special Purpose							
Western Interstate Commission for Higher Education (WICHE)	164,000					164,000 ^a	
WICHE - Optometry	385,500					385,500 ^a	
Distribution to Higher Education Competitive Research Authority	2,800,000				2,800,000 ^b		
Veterinary School Capital Outlay	285,000				143,640(I) ^c	141,360 ^a	
Colorado Geological Survey at the Colorado School of Mines	2,295,019 (15.5 FTE)		634,528		1,660,491 ^d		
Institute of Cannabis Research Hosted at CSU-Pueblo ³⁵	2,800,000				2,800,000 ^e		
GEAR UP	5,000,000						5,000,000(I) (29.1 FTE)
Prosecution Fellowship Program	356,496		356,496				
Rural Teacher Recruitment, Retention, and Professional Development	1,209,357		1,209,357 (0.8 FTE)				
Open Educational Resources Initiatives	1,108,200		1,108,200 (1.0 FTE)				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Forest Restoration and Wildfire Risk Mitigation Grant Program Cash Fund at Colorado State University	8,000,000		8,000,000				
Healthy Forests and Vibrant Communities Fund at Colorado State University	2,000,000		2,000,000				
Colorado Student Leaders Institute	218,825		218,825 (1.0 FTE)				
Strategies for Educator Preparation Programs	59,132		59,132 (1.0 FTE)				
Financial Aid Assessment Tool	154,069					154,069 ^a (0.5 FTE)	
Growing Great Teachers - Teacher Mentor Grants	548,477		548,477 (0.5 FTE)				
Center for Substance Use Disorder, Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center	4,250,000				4,250,000 ^e		
	<u>31,634,075</u>						

^a ~~These amounts~~ OF THESE AMOUNTS, \$690,860 SHALL BE FROM STATEWIDE INDIRECT COST RECOVERIES AND \$154,069 shall be from departmental indirect cost recoveries.

^b This amount shall be from the Innovative Higher Education Research Fund created in Section 23-19.7-104 (1), C.R.S., from limited gaming revenue deposited to the Fund pursuant to Section 44-30-701 (2)(a)(IV), C.R.S., in prior years.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^c This amount shall be from student fees from non-resident students, including fees paid on behalf of non-resident students by the Western Interstate Commission on Higher Education, pursuant to Section 23-31-118 (2), C.R.S. This amount is shown for informational purposes only because the student fees are paid directly to the Veterinary School at Colorado State University.

^d This amount shall be from the Severance Tax Operational Fund created in Section 39-29-109 (2)(b)(1), C.R.S., pursuant to Section 39-29-109.3 (1)(b), C.R.S.

^e This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

**(D) Lease Purchase
Payments and
Capital-related Outlays**

University of Colorado, Lease Purchase of Academic Facilities at Fitzsimons	11,540,613	4,589,105	6,951,508 ^a		
Appropriation to the Higher Education Federal Mineral Lease Revenues Fund	16,631,232	16,631,232			
Lease Purchase of Academic Facilities Pursuant to Section 23-19.9-102, C.R.S.	17,439,900		808,668 ^b	16,631,232 ^c	
Annual Depreciation-Lease Equivalent Payment	<u>7,406,847</u>	7,406,847			
	53,018,592				

^a This amount shall be from the University of Colorado Health Sciences Center at Fitzsimons Trust Fund created in Section 23-20-136 (3)(a), C.R.S.

^b This amount shall be from the Higher Education Federal Mineral Lease Revenues Fund created in Section 23-19.9-102 (1)(a), C.R.S.

^c This amount shall be from the Higher Education Federal Mineral Lease Revenues Fund created in Section 23-19.9-102 (1)(a), C.R.S. The reappropriated funds are from General Fund amounts included in the Appropriation to the Higher Education Federal Mineral Lease Revenues Fund line item in this subdivision.

**(E) Tuition/Enrollment
Contingency³⁶**

75,000,000	75,000,000 ^a
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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(F) Indirect Cost Assessments³⁷							
	7,855,261				424,628 ^a	7,321,029 ^b	109,604(I)
	3,795,585					3,261,353 ^b	
		172,248,207					
		168,188,531					
(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID							
(A) Need Based Grants							
	204,932,006		23,803,408	179,968,585 ^a		1,160,013 ^b	
			24,499,567			463,854 ^b	
(B) Work Study³⁸							
	23,129,178		23,129,178				
(C) Special Purpose							
Veterans'/Law Enforcement/ POW Tuition Assistance	1,143,700		1,143,700				
Native American Students/Fort Lewis College	25,563,965		25,563,965				

^a This amount shall be from tuition revenue from the governing boards, in addition to what is appropriated to the governing boards. This spending authority may be transferred to the governing boards.

^a Of this amount, \$249,696 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., \$109,635 shall be from statewide indirect cost recoveries from CollegeInvest and CollegeAssist, and \$65,297 shall be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S.

^b This amount shall be from indirect cost recoveries from amounts appropriated for fee-for-service contracts with state governing boards and grants to area technical colleges and local district colleges in this department. ~~Indirect cost assessments shall be deducted from fee-for-service contract and grant payments before such funds are disbursed to recipient institutions.~~

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, ~~\$679,672~~ \$87,252 shall be from departmental indirect cost recoveries and ~~\$480,341~~ \$376,602 shall be from statewide indirect cost recoveries.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Colorado Opportunity Scholarship Initiative Fund	7,000,000		7,000,000				
Tuition Assistance for Career and Technical Education Certificate Programs	450,000		450,000				
Fourth-year Innovation Pilot Program	368,792		368,792	(0.7 FTE)			
	<u>34,526,457</u>						
		262,587,641					

(4) COLLEGE OPPORTUNITY FUND PROGRAM

(A) Stipends

Stipends for an estimated 115,688 eligible full-time equivalent students at \$3,120 per 30 credit hours	360,947,808					
Stipends for an estimated 1,061 eligible full-time equivalent students attending participating private institutions at \$1,560 per 30 credit hours	<u>1,655,048</u>					
	362,602,856		5,767,444	356,835,412		

APPROPRIATION FROM

			APPROPRIATION FROM			
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(B) Fee-for-service Contracts with State Institutions³⁴						
Fee-for-service Contracts with State Institutions Pursuant to Section 23-18-303.5, C.R.S.	464,287,879 460,385,402					
Fee-for-service Contracts with State Institutions for Specialty Education Programs ³³	160,728,834					
Limited Purpose Fee-for-Service Contracts with State Institutions	<u>5,682,806</u>					
	630,699,519	138,475,977	492,223,542 ^a			
	626,797,042	134,573,500				
	993,302,375					
	989,399,898					

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

(5) GOVERNING BOARDS^{34, 39}

(A) Trustees of Adams State University³⁹

	48,171,751		27,162,280 ^a	21,009,471 ^b
	48,122,875			20,960,595 ^b
(353.8 FTE)				

^a Of this amount, \$22,637,194 shall be from the students' share of tuition, \$4,519,580(I) shall be from mandatory fees, and \$5,506(I) represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$2,660,736 for student stipend payments and ~~\$18,348,735~~ \$18,299,859 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

(B) Trustees of Colorado

Mesa University ³⁹	117,986,596			77,543,062 ^a	40,443,534 ^b	
	117,774,049				40,230,987 ^b	
	(784.6 FTE)					

^a Of this amount, \$72,433,545 shall be from the students' share of tuition, \$4,450,170(I), shall be from mandatory fees, and 659,347(I) represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$18,308,472 for student stipend payments, ~~\$21,835,062~~ \$21,622,515 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$300,000 for limited purpose fee-for-service contracts.

**(C) Trustees of
Metropolitan State**

University of Denver ³⁹	217,219,554			134,421,899 ^a	82,797,655 ^b	
	216,911,283				82,489,384 ^b	
	(1,186.4 FTE)					

^a Of this amount, \$107,790,989 shall be from the students' share of tuition and \$26,630,910(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$36,288,720 for student stipend payments, ~~\$46,208,935~~ \$45,900,664 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$300,000 for limited purpose fee-for-service contracts.

**(D) Trustees of Western
Colorado University**³⁹

	42,606,637			24,286,239 ^a	18,320,398 ^b	
	42,560,251				18,274,012 ^b	
	(300.2 FTE)					

^a Of this amount, \$18,119,098 shall be from the student's share of tuition and \$6,167,141(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$4,156,152 for student stipend payments, ~~\$13,964,246~~ \$13,917,860 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$200,000 for limited purpose fee-for-service contracts.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(E) Board of Governors of the Colorado State University System ^{39,39a,39b}	789,511,104		175,000		585,624,545 ^a	203,711,559 ^b	
	788,888,963					203,089,418 ^b	
	(4,902.6 FTE)						
(F) Trustees of Fort Lewis College ³⁹	69,238,620				52,127,213 ^a	17,111,407 ^b	
	69,176,663					17,049,450 ^b	
	(448.4 FTE)						
(G) Regents of the University of Colorado ^{33, 40}	1,586,082,825				1,307,287,261 ^a	278,795,564 ^b	
	1,584,809,812					277,522,551 ^b	
	(10,036.2 FTE)						

^a Of this amount, \$504,153,663 shall be from the students' share of tuition, \$80,570,882(I) shall be from mandatory fees, and \$900,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$51,913,992 for student stipend payments, \$70,039,230 \$69,417,089 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., \$80,407,269 for fee-for-service contracts for specialty education programs, and \$1,351,068 for limited purpose fee-for-service contracts.

^a Of this amount, \$46,325,775 shall be from the students' share of tuition and \$5,801,438(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$3,485,040 for student stipend payments and \$13,626,367 \$13,564,410 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

^a Of this amount, \$1,222,479,222 shall be from the students' share of tuition, \$66,601,614(I) shall be from mandatory fees, \$15,206,425 shall be from the Tobacco Litigation Settlement Moneys Health Education Fund created in Section 24-75-1104.5 (1.7)(c), C.R.S., and \$3,000,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$90,381,408 for student stipend payments, ~~\$105,052,813~~ \$103,779,800 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., \$80,321,565 for fee-for-service contracts for specialty education programs, and \$3,039,778 for limited purpose fee-for-service contracts.

(H) Trustees of the Colorado School of Mines⁴¹

233,193,276	202,983,780(I) ^a	30,209,496^b
233,058,976		30,075,196 ^b
(1,014.8 FTE)		

^a Of this amount, \$186,319,694 shall be from the students' share of tuition and \$16,664,086 shall be from mandatory fees. The cash funds appropriations from tuition and fees are shown for informational purposes only because pursuant to Section 23-41-104.6 (5)(c)(I)(A), C.R.S., the Board of Trustees may establish the resident and nonresident tuition rates for the Colorado School of Mines.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$8,900,112 for student stipend payments and ~~\$21,309,384~~ \$21,175,084 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

(I) University of Northern Colorado³⁹

146,941,865	89,957,137 ^a	56,984,728^b
146,768,036		56,810,899 ^b
(1,216.1 FTE)		

^a Of this amount, \$73,858,137 shall be from the students' share of tuition and \$16,099,000(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$16,968,120 for student stipend payments and ~~\$40,016,608~~ \$39,842,779 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(J) State Board for Community Colleges and Occupational Education State System Community Colleges³⁹							
	544,684,643				302,421,128 ^a	242,263,515^b	
	543,663,486					241,242,358 ^b	
	(5,752.2 FTE)						
		3,795,636,871					
		3,791,734,394					
(6) LOCAL DISTRICT COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.³⁴							
Colorado Mountain College	11,519,100		10,766,151		752,949(I) ^a		
	11,454,695		10,701,746				
Aims Community College	13,660,017		12,787,311		872,706(I) ^a		
	<u>13,584,483</u>		12,711,777				
		25,179,117					
		25,039,178					
^a These amounts represent estimates of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.							
(7) DIVISION OF OCCUPATIONAL EDUCATION							
(A) Administrative Costs	962,309					962,309 ^a	
	(9.0 FTE)						

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
^a This amount shall be from statewide indirect cost recoveries.							
(B) Distribution of State Assistance for Career and Technical Education pursuant to Section 23-8-102. C.R.S.	28,244,361					28,244,361 ^a	
^a This amount shall be transferred from the Department of Education from the Transfer to the Department of Higher Education for Distribution of State Assistance for Career and Technical Education line item appropriation in the Assistance to Public Schools section.							
(C) Area Technical Colleges³⁴	18,392,334		18,392,334				
	18,325,074		18,325,074				
(D) Sponsored Programs							
(1) Administration	2,709,888						
	(23.0 FTE)						
(2) Programs	<u>16,156,031</u>						
	18,865,919						18,865,919(I)
(E) Colorado First Customized Job Training	4,500,000					4,500,000 ^a	
^a This amount shall be transferred from the Governor - Lieutenant Governor - State Planning and Budgeting from the Colorado First Customized Job Training line item appropriation in the Economic Development Programs section.							
		70,964,923					
		70,897,663					

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(8) AURARIA HIGHER EDUCATION CENTER							
Administration		24,139,958				24,139,958 ^a (211.4 FTE)	

^a This amount shall be from the appropriations to the Governing Boards in the Department of Higher Education for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

(9) HISTORY COLORADO

(A) Central Administration⁴²

Central Administration	2,109,185 (12.0 FTE)			1,992,843 ^a			116,342(I)
Collections and Curatorial Services	1,211,746 (16.5 FTE)			1,211,746 ^a			
Facilities Management	1,830,385 (10.0 FTE)			1,830,385 ^a			
Historical Site Maintenance and Operations	727,844 (5.0 FTE)			727,844 ^a			
Lease Purchase of Colorado History Museum	<u>3,525,209</u>		3,525,209				
	9,404,369						

^a Of these amounts, \$5,312,818 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., \$300,000 shall be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S., and \$150,000 shall be from the Enterprise Services Cash Fund created in Section 24-80-209 (2), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

(B) History Colorado Museums⁴²

History Colorado Center	983,793 (7.0 FTE)			580,804 ^a	325,000 ^b		77,989(I)
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Community Museums	2,828,402 (19.0 FTE)		1,064,376		1,761,023 ^c		3,003(I)
Statewide Programming	4,140,931 (34.5 FTE)				4,140,931 ^d		
	<u>7,953,126</u>						

^a Of this amount, \$545,580 shall be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., and \$35,224 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

^b This amount shall be from indirect cost recoveries from the State Historical Fund program.

^c Of this amount, \$932,596 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and \$828,427 shall be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

^d Of this amount, \$2,588,664 shall be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., and \$1,552,267 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

**(C) Office of Archeology
and Historic Preservation⁴²**

	1,729,077 (23.0 FTE)			843,388 ^a	97,283 ^b	788,406(I)
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^a Of this amount, \$783,388 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and \$60,000 shall be from the Enterprise Services Cash Fund created in Section 24-80-209 (2), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

^b This amount shall be transferred from the Governor - Lieutenant Governor - State Planning and Budgeting from the Economic Development Programs section.

**(D) State Historical Fund
Program**

Administration	1,767,493 (17.0 FTE)			1,767,493 ^a		
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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Statewide Preservation							
Grants	8,690,000				8,690,000(I) ^a		
Gaming Cities Distributions	5,500,000				5,500,000(I) ^b		
Indirect Cost Assessment for History Colorado Administration	325,000				325,000 ^a		
	16,282,493						

^a These amounts shall be from the Preservation Grant Program Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(A), C.R.S. Amounts in this account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S. Pursuant to Section 44-30-1201 (5)(c)(I)(A), C.R.S., money in the Preservation Grant Program Account is subject to annual appropriation for the selection, monitoring, and administration of grants. Any money not appropriated for these administrative purposes is continuously appropriated for preservation grants.

^b This amount shall be from Limited Gaming Revenues deposited in the State Historical Fund created in Section 9 (5)(b)(II) of Article XVIII of the State Constitution and reflects an estimate of the 20 percent share of State Historical Fund revenues to be used for the preservation and restoration of the cities of Central, Black Hawk, and Cripple Creek pursuant to Section 9 (5)(b)(III) of Article XVIII of the State Constitution.

(E) Cumbres and Toltec Railroad Commission^{42a}	5,847,800		1,365,000		4,482,800(I) ^a	
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^a Of this amount, \$4,462,800 shall be from the State of New Mexico and \$20,000 shall be from Cumbres and Toltec Scenic Railroad Commission cash funds.

41,216,865

TOTALS PART VII (HIGHER EDUCATION)	\$5,391,815,805	\$317,432,333	\$1,029,027,539 ^a	\$2,938,645,039 ^b	\$1,080,861,074	\$25,849,820 ^c
	\$5,379,798,937	\$317,414,591		\$2,938,667,742 ^b	\$1,068,839,245	

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, \$462,782,850 contains an (I) notation.

^c This amount contains an (I) notation.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 33 Department of Health Care Policy and Financing, Grand Totals; Department of Higher Education, College Opportunity Fund Program, Fee-for-service Contracts with State Institutions, Fee-for-service Contracts with State Institutions for Specialty Education Programs; and Governing Boards, Regents of the University of Colorado -- The Department of Higher Education shall transfer \$800,000 to the Department of Health Care Policy and Financing for administrative costs and family medicine residency placements associated with care provided by the faculty of the health sciences center campus at the University of Colorado that are eligible for payment pursuant to Section 25.5-4-401, C.R.S. If the federal Centers for Medicare and Medicaid services continues to allow the Department of Health Care Policy and Financing to make supplemental payments to the University of Colorado School of Medicine, the Department of Higher Education shall transfer the amount approved, up to \$78,885,357, to the Department of Health Care Policy and Financing pursuant to Section 23-18-304(1)(c), C.R.S. If permission is discontinued, or is granted for a lesser amount, the Department of Higher Education shall transfer any portion of the \$78,885,357 that is not transferred to the Department of Health Care Policy and Financing to the Regents of the University of Colorado.
- 34 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Administration; College Opportunity Fund Program, Fee-for-service Contracts with State Institutions; Governing Boards; Local District College Grants Pursuant to Section 23-71-301, C.R.S.; and Division of Occupational Education, Area Technical Colleges -- Of the total funding allocated to the Higher Education institutions for FY 2022-23, \$50,000,000 allocated to institutions is based on institutions' share of first generation, underrepresented minority, and Pell-eligible students in FY 2019-20 and their improvement in retaining underrepresented minority students in FY 2019-20 compared to prior years. It is the General Assembly's intent that this funding be used to prioritize retention of first generation, underrepresented minority, and low income students in FY 2022-23 and future years consistent with the goals of Colorado's Higher Education Master Plan, including the development, enhancement, and expansion of programs to recruit and retain such students as well as steps to reduce the cost of higher education through tuition rate freezes, reductions, and need-based scholarships for Colorado resident students.
- 35 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Special Purpose, Institute of Cannabis Research Hosted at CSU - Pueblo -- Of the appropriation in this line item, \$500,000 remains available until the close of the 2023-24 fiscal year.
- 36 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Tuition/Enrollment Contingency -- The Colorado Commission on Higher Education may transfer spending authority from this line item to the Governing Boards if tuition revenue increases beyond appropriated levels. The spending authority for this line item is in addition to the funds appropriated directly to the Governing Boards. It is the General Assembly's intent that the Colorado Commission on Higher Education transfer spending authority from this line item to allow institutions to receive and expend tuition revenue beyond appropriated levels that results from higher than expected enrollment and not to support tuition increases that exceed the assumptions outlined in the footnotes for each governing board.
- 37 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Indirect Cost Assessments -- ~~It is the General Assembly's intent that the Department of Higher Education adjusts its accounting procedures for indirect cost collections from institutions~~

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

~~of higher education so that reappropriated funds in this line item for indirect cost assessments are deducted from fee-for-service contract and grant amounts that are otherwise payable to institutions of higher education. The intent of this change is to eliminate~~ THIS LINE ITEM INCORPORATES A REDUCTION IN INDIRECT COST COLLECTIONS FROM THE HIGHER EDUCATION GOVERNING BOARDS. THIS CHANGE REDUCES a double-count of revenue under which the Department disburses funds to the institutions and then counts indirect cost assessments received from the institutions as revenue to the State's TABOR district. This change is expected to enable the State to retain an additional ~~\$7,321,029~~ \$4,059,676 in General Fund revenue under the State's Referendum C cap.

- 38 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study - Two percent of the Work Study appropriation remains available for expenditure until the close of the 2023-24 state fiscal year.

- 39 Department of Higher Education, Governing Boards, Trustees of Adams State University, Trustees of Colorado Mesa University, Trustees of Metropolitan State University of Denver, Trustees of Western Colorado University, Board of Governors of the Colorado State University System, Trustees of Fort Lewis College, University of Northern Colorado, and State Board for Community Colleges and Occupational Education State System Community Colleges -- The amounts in these line items are calculated based on the assumption that no undergraduate student with in-state classification will pay more tuition in FY 2022-23 than two percent over what a student would have paid in FY 2021-22 for the same credit hours and course of ~~study~~. STUDY, EXCEPT AS DESCRIBED BELOW. These amounts are also calculated based on the assumption that each governing board will increase tuition rates for graduate and nonresident students based on its assessment of market conditions. THE AMOUNT FOR COLORADO MESA UNIVERSITY IS CALCULATED BASED ON THE ASSUMPTION THAT AN UNDERGRADUATE STUDENT WITH IN-STATE CLASSIFICATION WHO IS TAKING A CAREER AND TECHNICAL EDUCATION COURSE IN A FIELD OTHER THAN AVIATION WILL PAY BETWEEN SEVENTEEN PERCENT AND FORTY-FOUR PERCENT LESS THAN WHAT A STUDENT WOULD HAVE PAID IN FY 2021-22 FOR THE SAME CREDIT HOURS AND COURSE OF STUDY, WHILE ANY OTHER UNDERGRADUATE STUDENT WITH IN-STATE CLASSIFICATION WILL PAY NO MORE THAN THREE PERCENT OVER WHAT A STUDENT WOULD HAVE PAID IN FY 2021-22 FOR THE SAME CREDIT HOURS AND COURSE OF STUDY. The General Assembly intends to adjust the amounts in these line items through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.

- 39a Department of Higher Education, Governing Boards, Board of Governors of the Colorado State University System -- It is the General Assembly's intent that \$75,000 General Fund in this line item be spent for the Beef Sticks for Backpacks Program.

- 39b Department of Higher Education, Governing Boards, Board of Governors of the Colorado State University System -- It is the General Assembly's intent that \$100,000 General Fund in this line item be spent for the AgNext Climate Change Program.

- 40 Department of Higher Education, Governing Boards, Regents of the University of Colorado -- The amount in this line item is calculated based on the following assumptions. In accordance with the resident tuition guarantee at the University of Colorado Boulder, each undergraduate resident student with in-state classification who entered in FY 2019-20, FY 2020-21, or FY 2021-22 is assumed to have no increase in tuition through FY 2022-23, FY 2023-24, and FY 2024-25, respectively, for the same credit hours and course of study. A new undergraduate student at the University of Colorado Boulder with in-state classification is assumed to pay no more than 4.3 percent over what a student would have paid in FY 2021-22 for the same credit hours and course of study, except as provided below for students in Natural Sciences and Environmental Design programs, and to pay the same tuition rate through FY 2025-26 so long

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

as the student is continuously enrolled and making academic progress. A new undergraduate student enrolled in Natural Sciences at the University of Colorado Boulder campus is assumed to be assessed tuition at the same rate as a new student enrolled in Engineering, and a new undergraduate student enrolled in Environmental Design at the University of Boulder campus is assumed to be assessed tuition at the same rate as a new student enrolled in Media, Communication, and Information. The amount in this line item is also calculated based on the assumption that no undergraduate student with in-state classification enrolled at the University of Colorado Denver or the University of Colorado Colorado Springs will pay more in tuition in FY 2022-23 than two percent over what a student would have paid in FY 2021-22 for the same credit hours and course of study; except that mandatory student fees of up to a total of \$420 for 30 credit hours at the University of Colorado Denver and \$240 for 30 credit hours at the University of Colorado Colorado Springs may be incorporated into resident tuition rates, with no resulting effective combined tuition and mandatory fee increase to any student, and any incorporated fees shall never be reestablished as a student fee. This amount is also calculated based on the assumption that each governing board will increase tuition rates for graduate and nonresident students based on its assessment of market conditions. The General Assembly intends to adjust the amount in this line item through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.

- 41 Department of Higher Education, Governing Boards, Trustees of the Colorado School of Mines -- The cash funds appropriation from tuition in this line item is for informational purposes only. Pursuant to the provisions of Section 23-41-104.6 (5)(c), C.R.S., the Board of Trustees has authority to establish resident and non-resident tuition rates for the Colorado School of Mines. The General Assembly intends to adjust the amount in this line item through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.
- 42 Department of Higher Education, History Colorado, Central Administration; History Colorado Museums; and Office of Archaeology and Historic Preservation -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., History Colorado may transfer up to 10.0 percent of the total amount appropriated in these sections between the sections and among the line items within the sections.
- 42a Department of Higher Education, History Colorado, Cumbres and Toltec Railroad Commission -- The amount in this line item is calculated based on the following assumptions: (1) This line item includes \$240,000 General Fund for annual Commission operating expenses and other routine ongoing costs including controlled maintenance; (2) the balance of the General Fund appropriation, totaling \$1,125,000, is for capital projects including locomotive boiler repair, passenger car upgrades, and track, bridge, and tunnel upgrades; and (3) the General Fund amount above the \$240,000 ongoing operating support is based on an analysis of the Railroad's capital outlay needs over a three year period and is not assumed to continue after FY 2024-25. The amount in this line item for capital projects remains available for expenditure until the close of the 2024-25 state fiscal year.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO