

CHAPTER 258

EDUCATION - POSTSECONDARY

HOUSE BILL 26-1016

BY REPRESENTATIVE(S) Phillips and Taggart, Bacon, Brown, Camacho, Clifford, Duran, Goldstein, Hamrick, Jackson, Lieder, Lindsay, Nguyen, Ricks, Rutinel, Rydin, Sirota, Smith, Stewart K., McCluskie, English;
also SENATOR(S) Frizell and Amabile, Bridges, Cutter, Exum, Jodeh, Kipp, Snyder.

AN ACT

CONCERNING THE CONTINUATION OF OPEN EDUCATIONAL RESOURCES POLICIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 23-1-134, **amend** (3) introductory portion and (3)(c) as follows:

23-1-134. Commission directive - open educational resources - course notice - report - definitions.

(3) Notwithstanding the requirement in section 24-1-136 (11)(a)(I), on or before October 1, 2021, and ~~on or before December 1 each year thereafter through December 1, 2026~~ ANNUALLY THEREAFTER UNTIL DECEMBER 31, 2031, the department shall prepare and shall submit to the commission, the council, the joint budget committee, and the education committees of the senate and the house of representatives, or any successor committees, a report concerning implementation and development of open educational resources around the state. The department shall work with the council in preparing the report, and the public institutions of higher education shall collaborate with the department and council in providing the information necessary for the report. At a minimum, the report must include:

(c) The number and percentage of the courses offered by the public institutions of higher education that ~~use open educational resources as the primary resources for the course~~ ARE ZERO TEXTBOOK COST FOR STUDENTS;

SECTION 2. In Colorado Revised Statutes, 23-4.5-103, **amend** (1)(a) introductory portion, (1)(a)(II), (1)(a)(IV), (1)(a)(V), and (1)(a)(VI) as follows:

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.

23-4.5-103. Colorado open educational resources council - created - duties - report.

(1) There is created in the department of higher education the Colorado open educational resources council, which is composed of the following members:

(a) ~~Twelve~~ FIFTEEN persons from public institutions of higher education appointed by the executive director as follows:

(II) ~~Three~~ FOUR library professionals;

(IV) ~~One~~ TWO instructional design ~~expert~~ EXPERTS;

(V) One ~~informational technology expert~~ ACADEMIC TECHNOLOGIST; and

(VI) ~~One administrator~~ TWO ADMINISTRATORS;

SECTION 3. In Colorado Revised Statutes, **amend** 23-4.5-106 as follows:

23-4.5-106. Repeal of article.

This article 4.5 is repealed, effective ~~November 1, 2026~~ NOVEMBER 1, 2031.

SECTION 4. Appropriation. For the 2026-27 state fiscal year, \$275,000 is appropriated to the department of higher education for use by the Colorado commission on higher education and higher education special purpose programs. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the department may use this appropriation for open educational resources initiatives.

SECTION 5. 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.

Approved: June 1, 2026