

CHAPTER 259

EDUCATION - POSTSECONDARY

HOUSE BILL 26-1078

BY REPRESENTATIVE(S) Smith and Hamrick, Brown, Camacho, Clifford, Duran, English, Goldstein, Jackson, Joseph, Lieder, Lindsay, McCormick, Nguyen, Phillips, Sirota, Stewart K., Story, Titone, Carter, Paschal, Ricks, Rydin;
also SENATOR(S) Marchman and Kirkmeyer, Bright, Amabile, Benavidez, Carson, Catlin, Cutter, Danielson, Daugherty, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Mullica, Pelton R., Snyder, Wallace, Weissman, Coleman.

AN ACT

CONCERNING INCREASING THE NUMBER OF OFF-CAMPUS COURSES OFFERED BY INSTITUTIONS OF HIGHER EDUCATION TO STUDENTS IN CONCURRENT ENROLLMENT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 22-35-110, **amend** (1) as follows:

22-35-110. Exclusions - limitation.

(1) (a) ~~Except for courses offered as part of the TREP program pursuant to section 22-35-108.5,~~ This article 35 does not apply to ~~any~~ A course that is offered as part of a program of off-campus instruction established pursuant to section 23-1-109 (1) to (5) UNLESS THE COURSE OFFERED MEETS ALL REQUIREMENTS OF THIS ARTICLE 35 AND THE REQUIREMENTS OF AN ACCREDITING AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

(b) AFTER JULY 1, 2028, ADDITIONAL COURSES THAT ARE ELIGIBLE PURSUANT TO THIS SECTION FOR PARTICIPATION IN CONCURRENT ENROLLMENT COURSES SHALL NOT BE APPROVED PURSUANT TO THIS ARTICLE 35 UNLESS THE APPROPRIATION MADE BY THE GENERAL ASSEMBLY TO THE DEPARTMENT IS SUFFICIENT FOR THE DEPARTMENT TO COMPLY WITH COURSE AUDIT AND OVERSIGHT REQUIREMENTS. COURSES THAT ARE ELIGIBLE PURSUANT TO THIS SECTION FOR PARTICIPATION AS CONCURRENT ENROLLMENT COURSES AND ARE APPROVED PURSUANT TO THIS ARTICLE 35 BEFORE JULY 1, 2028, RETAIN THEIR APPROVED STATUS. BEGINNING IN THE ANNUAL GENERAL APPROPRIATIONS ACT FOR THE 2028-29 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL INDICATE VIA FOOTNOTE TO THE ANNUAL GENERAL

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.

APPROPRIATIONS ACT WHETHER THE FUNDING FOR THE DEPARTMENT IS CALCULATED TO PROVIDE SUFFICIENT FUNDING FOR COURSE AUDIT AND OVERSIGHT REQUIREMENTS TO ALLOW ADDITIONAL COURSES TO BE APPROVED PURSUANT TO THIS SECTION.

SECTION 2. Appropriation - adjustments to 2026 long bill. (1) Except as provided in subsection (2) of this section, to implement this act, appropriations made in the annual general appropriation act for the 2026-27 state fiscal year to the department of higher education are adjusted as follows:

(a) The general fund appropriation for the college opportunity fund program to be used for fee-for-service contracts with state institutions pursuant to section 23-18-303.5, C.R.S., is decreased by \$80,178; and

(b) The reappropriated funds appropriation for the regents of the university of Colorado received from the fee-for-service contracts with state institutions pursuant to section 23-18-303.5, C.R.S., under subsection (1)(a) of this section is decreased by \$80,178.

(2) Subsection (1) of this section does not require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year if:

(a) The amount of the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of higher education for the college opportunity fund program to be used for fee-for-service contracts with state institutions pursuant to section 23-18-303.5, C.R.S., is less than the amount of the adjustment required in subsection (1)(a) of this section; or

(b) The annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of higher education for the college opportunity fund program to be used for fee-for-service contracts with state institutions pursuant to section 23-18-303.5, C.R.S.

SECTION 3. Appropriation. (1) For the 2026-27 state fiscal year, \$66,056 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$21,685 for use by school district operations for administration related to public school finance, which amount is based on an assumption that the division will require an additional 0.2 FTE; and

(b) \$44,371 for use by student pathways for postsecondary workforce readiness administration, which amount is based on an assumption that the division will require an additional 0.4 FTE.

SECTION 4. Effective date. This act takes effect upon passage; except that section 2 of this act takes effect only if the annual general appropriation act for the 2026-27 state fiscal year becomes law, in which case section 2 takes effect upon the effective date of this act or of the annual general appropriation act for state fiscal year 2026-27, whichever is later.

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