

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0165.01 Brita Darling x2241

HOUSE BILL 16-1100

HOUSE SPONSORSHIP

Pettersen and Esgar,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF UNACCOMPANIED HOMELESS YOUTH TO**
102 **DETERMINE DOMICILE FOR PURPOSES OF IN-STATE TUITION**
103 **STATUS AT INSTITUTIONS OF HIGHER EDUCATION.**

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://www.leg.state.co.us/bills summaries>.)

The bill amends statutory provisions relating to the persons qualified to determine domicile for purposes of establishing in-state tuition at state institutions of higher education. The bill adds unaccompanied homeless youth to the list of persons who are qualified to determine their own domicile. An "unaccompanied homeless youth" is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

defined in the bill, consistent with the federal definition, as an individual who has not attained 22 years of age and who is either an unaccompanied youth who is a homeless child or youth or who has been verified as unaccompanied, at risk of homelessness, and self-supporting by one of four verifiers listed in the bill.

The bill amends the definition of "qualified person" in the statutory provisions relating to tuition status to include unaccompanied homeless youth.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 23-7-103.5** as
3 follows:

4 **23-7-103.5. Unaccompanied homeless youth - domicile -**
5 **definitions.** (1) AS DEFINED IN SUBSECTION (2) OF THIS SECTION, AN
6 UNACCOMPANIED HOMELESS YOUTH IS A "QUALIFIED PERSON", AS DEFINED
7 IN SECTION 23-7-102, FOR PURPOSES OF DETERMINING HIS OR HER OWN
8 DOMICILE PURSUANT TO SECTION 23-7-102.

9 (2) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT
10 OTHERWISE REQUIRES, "UNACCOMPANIED HOMELESS YOUTH" MEANS AN
11 INDIVIDUAL WHO HAS NOT ATTAINED TWENTY-TWO YEARS OF AGE AND
12 WHO HAS BEEN VERIFIED BY A PERSON DESCRIBED IN PARAGRAPH (b) OF
13 THIS SUBSECTION (2) AS EITHER:

14 (I) AN UNACCOMPANIED YOUTH WHO IS A HOMELESS CHILD OR
15 YOUTH, AS THOSE TERMS ARE DEFINED IN SECTION 725 OF THE FEDERAL
16 "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC.
17 11434a; OR

18 (II) AN UNACCOMPANIED YOUTH, AT RISK OF HOMELESSNESS, AND
19 SELF-SUPPORTING, AS THOSE TERMS ARE DEFINED IN THE FEDERAL
20 STUDENT AID HANDBOOK BY THE UNITED STATES DEPARTMENT OF
21 EDUCATION PURSUANT TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION

1 ACT OF 1965", AS AMENDED, 20 U.S.C. SEC. 1001 ET SEQ.

2 (b) THE FOLLOWING PERSONS MAY VERIFY THAT A YOUTH IS AN
3 UNACCOMPANIED HOMELESS YOUTH AS DEFINED IN PARAGRAPH (a) OF
4 THIS SUBSECTION (2):

5 (I) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON,
6 DESIGNATED PURSUANT TO SECTION 722 (g) (1) (J) (ii) OF THE FEDERAL
7 "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11432;

8 (II) THE DIRECTOR OF A PROGRAM FUNDED UNDER THE FEDERAL
9 "RUNAWAY AND HOMELESS YOUTH ACT", 42 U.S.C. SEC. 5701 ET SEQ.,
10 OR A DESIGNEE OF THE DIRECTOR;

11 (III) THE DIRECTOR OF A PROGRAM FUNDED UNDER SUBTITLE B OF
12 TITLE IV OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE
13 ACT", 42 U.S.C. SEC. 11371 ET SEQ., RELATING TO EMERGENCY SHELTER
14 GRANTS, OR A DESIGNEE OF THE DIRECTOR; OR

15 (IV) A FINANCIAL AID ADMINISTRATOR AT AN INSTITUTION.

16 SECTION 2. In Colorado Revised Statutes, 23-7-102, amend (9)
17 as follows:

18 23-7-102. Definitions. As used in this article, unless the context
19 otherwise requires:

20 (9) "Qualified person" means a person qualified to determine his
21 or her own domicile. A person ~~over the age of twenty-two years, or~~
22 YEARS OF AGE OR OLDER, a student commencing a postbaccalaureate
23 degree-granting program, ~~or~~ an emancipated minor, OR AN
24 UNACCOMPANIED HOMELESS YOUTH PURSUANT TO SECTION 23-7-103.5 is
25 so qualified.

26 SECTION 3. Safety clause. The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.