

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING ENSURING AFFORDABILITY AT PUBLIC RESEARCH UNIVERSITIES IN COLORADO.

Prime Sponsors: Sens. Priola and Kerr  
Reps. Arndt and Wist

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/28/18.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
<b>XXX</b>	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The fiscal note dated 3/28/18 indicates that no appropriation is required. However, tuition revenue, including nonresident tuition revenue, is subject to appropriation for all of the state higher education governing boards except the Colorado School of Mines. This bill is expected to increase nonresident tuition revenue received and spent by the University of Colorado by \$8,181,450 in FY 2018-19. An appropriation for this amount is therefore required.

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
J.001	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001** Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$8,181,450 cash funds from tuition to the Department of Higher Education for use by the Regents of the University of Colorado for FY 2018-19.

**Points to Consider***Technical Issues*

The bill retains existing statutory language in Section 23-1-113.5 (4)(a)(III), C.R.S., specifying that the provisions of the bill apply if "The institution continues to admit one hundred percent of all Colorado first-time freshman applicants who meet the guaranteed admissions criteria;". However, pursuant to Section 23-1-113 (1)(b), C.R.S., "Students who meet the minimum criteria for admission are not guaranteed admission to the institution to which they have applied, but they are eligible for consideration." JBC staff is not aware of any "guaranteed admissions criteria" for freshmen students in state statute or rule.

*TABOR/ Excess State Revenues Impact*

Based on an annual analysis by the Office of the State Auditor, the higher education governing boards affected by this bill qualify as enterprises under the Taxpayer's Bill of Rights (TABOR). As a result, this bill is not expected to impact TABOR refunds.