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FISCAL NOTE

Drafting Number: LLS 18-0819
Prime Sponsors: Sen. Fenberg

Date: January 30, 2018
Bill Status: Senate SVMA
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Bill Topic: IN-STATE TUITION FOREIGN NATIONALS SETTLED IN CO

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill allows certain refugees and special immigrants to qualify for in-state tuition at institutions of higher education. The bill impacts state revenue to institutions of higher education, and increases state expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill allows refugees or special immigrants who were admitted to the United States under certain federal laws and have settled in Colorado to be eligible for in-state tuition at state institutions of higher education.

Background and Data

Immigrants admitted under the following federal regulations and who have settled in Colorado are allowed in-state tuition under the bill:

- refugees and emergency situation refugees (8 U.S.C. sec 1157);
- special immigrant status for citizens of Afghanistan or Iraq who are or were employed by the U.S. Government and meet certain other criteria (Pub. L. 111-8, Division F, Title VI, sec 602; Pub. L. 110-181, sec 1244);
- special immigrant status for persons serving as translators with the U.S. Armed Forces in Iraq or Afghanistan (Pub. L. 109-163, sec. 1059); and

From October 2016 to January 2018, 17,173 refugees and special immigrant visa holders have been placed in Colorado. Of those, 868 are special immigrant visa holders from Afghanistan, and 634 are special immigrant visa holders from Iraq. It is not known exactly how many of those immigrants arrived under the specific federal regulations listed in the bill, how many are still residing here, or would attend state institutions of higher education.

State Revenue

Beginning in FY 2018-19, the bill impacts tuition revenue by a minimal amount to state institutions of higher education. This fiscal note assumes that few immigrants admitted under the specified federal regulations are currently enrolled in institutions of higher education and are paying non-resident tuition. To the extent that some students are reclassified as residents, tuition revenue to the institutions will decrease. Conversely, for each student who enrolls as a result of becoming eligible for in-state tuition under the bill, that school's tuition revenue will increase.

State Expenditures

The bill increases state expenditures for the College Opportunity Fund (COF) by a minimal amount beginning in FY 2018-19. Students classified as resident students for tuition receive stipend payments on their behalf from the COF, paid to the institution of higher education in which they enroll. For FY 2017-18, the COF stipend was \$77 per semester credit hour for eligible students attending public institutions (\$2,310 for 30 credit hours). The stipend amount for FY 2018-19 has not yet been determined. Appropriations to the COF are made from the General Fund. Because the number of additional students eligible for COF stipends is unknown, any change in General Fund appropriations to COF must be made during the annual budget setting process.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Higher Education