

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0872.01 Conrad Imel x2313

SENATE BILL 19-174

SENATE SPONSORSHIP

Garcia and Hill,

HOUSE SPONSORSHIP

Buentello and Neville,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING TUITION ASSISTANCE ELIGIBILITY FOR DEPENDENT**
102 **CHILDREN OF CERTAIN PERSONS, AND, IN CONNECTION**
103 **THEREWITH, DETERMINING ELIGIBILITY FOR DEPENDENTS OF**
104 **PRISONERS OF WAR, MILITARY PERSONNEL MISSING IN ACTION,**
105 **NATIONAL GUARDSMEN, LAW ENFORCEMENT OFFICERS, AND**
106 **FIREFIGHTERS.**

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://leg.colorado.gov>.)

Under existing law, state tuition assistance is available for a

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

dependent of a prisoner of war or military personnel missing in action, a dependent of a person who died or was permanently disabled while on duty as a Colorado National Guardsman, and a dependent of any person who has been permanently disabled or killed while acting as a police officer, sheriff, or other law enforcement officer or firefighter (dependents) who are not eligible for federal educational benefits.

The bill clarifies that a dependent who is eligible for state tuition assistance and federal educational benefits pursuant to the federal "Public Safety Officers' Benefits Act" may receive the state tuition assistance prior to receiving the federal benefit. The state tuition assistance available to a dependent is reduced by the amount of any federal educational benefit provided to the dependent.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-3.3-204, **repeal**
3 **and reenact, with amendments,** (4) as follows:

4 **23-3.3-204. Dependents of prisoners of war and military**
5 **personnel missing in action.** (4) (a) A QUALIFIED DEPENDENT MAY
6 RECEIVE BENEFITS PURSUANT TO THIS SECTION PRIOR TO RECEIVING
7 FEDERAL EDUCATIONAL BENEFITS AVAILABLE TO DEPENDENTS PURSUANT
8 TO THE FEDERAL "PUBLIC SAFETY OFFICERS' BENEFITS ACT", 34 U.S.C.
9 SEC. 10281, ET SEQ.

10 (b) THE BENEFIT PROVIDED PURSUANT TO THIS SECTION MUST BE
11 REDUCED BY AN AMOUNT EQUAL TO THE AMOUNT OF ANY FEDERAL
12 EDUCATIONAL BENEFITS PROVIDED TO THE DEPENDENT.

13 **SECTION 2.** In Colorado Revised Statutes, 23-3.3-205, **repeal**
14 **and reenact, with amendments,** (2) as follows:

15 **23-3.3-205. Dependents of deceased or permanently disabled**
16 **National Guardsman, law enforcement officer, or firefighter.**
17 (2) (a) A QUALIFIED DEPENDENT MAY RECEIVE BENEFITS PURSUANT TO
18 THIS SECTION PRIOR TO RECEIVING FEDERAL EDUCATIONAL BENEFITS
19 AVAILABLE TO DEPENDENTS PURSUANT TO THE FEDERAL "PUBLIC SAFETY

1 OFFICERS' BENEFITS ACT", 34 U.S.C. SEC. 10281, ET SEQ.

2 (b) THE BENEFIT PROVIDED PURSUANT TO THIS SECTION MUST BE
3 REDUCED BY AN AMOUNT EQUAL TO THE AMOUNT OF ANY FEDERAL
4 EDUCATIONAL BENEFITS PROVIDED TO THE DEPENDENT.

5 **SECTION 3. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2020 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.