

## CHAPTER 258

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**EDUCATION - POSTSECONDARY**

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**HOUSE BILL 22-1407**

BY REPRESENTATIVE(S) Valdez D. and Ortiz, Bacon, Bernett, Bird, Boesenecker, Caraveo, Carver, Cutter, Duran, Esgar, Exum, Froelich, Herod, Hooton, Jodeh, Kennedy, Lindsay, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Ricks, Roberts, Titone, Valdez A., Van Beber, Weissman, Woodrow, Young, Garnett; also SENATOR(S) Hinrichsen, Donovan, Liston, Moreno, Rodriguez, Story, Fenberg.

**AN ACT****CONCERNING REQUIRING POSTSECONDARY INSTITUTIONS TO PERMIT VETERANS TO AUDIT COURSES.**

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

**SECTION 1.** In Colorado Revised Statutes, **add 23-7.4-104** as follows:

**23-7.4-104. Veterans education opportunity - noncredit courses.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AUDIT A COURSE FOR NO CREDIT" OR "AUDIT" MEANS ENROLLING IN A COURSE AT AN INSTITUTION BUT NOT COMPLETING COURSE ASSIGNMENTS OR EXAMS AND NOT RECEIVING ACADEMIC CREDIT FOR COMPLETING THE COURSE.

(b) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION IDENTIFIED IN SECTION 23-18-102 (10)(a), A LOCAL DISTRICT COLLEGE AS DEFINED IN SECTION 23-71-102, OR AN AREA TECHNICAL COLLEGE AS DEFINED IN SECTION 23-60-103.

(c) "VETERAN" HAS THE SAME MEANING AS SET FORTH IN SECTION 28-5-100.3 AND INCLUDES A MEMBER OF THE COLORADO NATIONAL GUARD.

(2) AN INSTITUTION OF HIGHER EDUCATION THAT HAS A PROGRAM OR POLICY THAT PERMITS A PERSON TO AUDIT A COURSE OFFERED BY THE INSTITUTION FOR NO CREDIT SHALL, AS PART OF THE INSTITUTION'S PROGRAM OR POLICY, PERMIT A VETERAN TO AUDIT A COURSE FOR NO CREDIT, SUBJECT TO ANY OTHER REQUIREMENTS OF THE PROGRAM OR POLICY. THE INSTITUTION MAY SET AND

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*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.*

COLLECT A FEE OF NO MORE THAN TEN DOLLARS PER COURSE AUDITED BY A VETERAN.

(3) THE GENERAL ASSEMBLY ENCOURAGES EACH INSTITUTION THAT DOES NOT HAVE A PROGRAM OR POLICY THAT PERMITS A PERSON TO AUDIT A COURSE OFFERED BY THE INSTITUTION FOR NO CREDIT TO PERMIT A VETERAN TO AUDIT A COURSE FOR NO CREDIT. AN INSTITUTION THAT PERMITS A VETERAN TO AUDIT A COURSE SHALL NOT COLLECT A FEE OF MORE THAN TEN DOLLARS PER COURSE.

(4) AN INSTITUTION THAT PERMITS A VETERAN TO AUDIT A COURSE FOR NO CREDIT IS NOT REQUIRED TO PERMIT A VETERAN TO AUDIT MORE THAN THREE COURSES IN EACH ACADEMIC SEMESTER FOR THE FEE OF UP TO TEN DOLLARS PER COURSE. AN INSTITUTION MAY PERMIT A VETERAN TO AUDIT ADDITIONAL COURSES FOR A FEE IN A DIFFERENT AMOUNT SET BY THE INSTITUTION.

(5) A VETERAN WHO AUDITS A COURSE FOR NO CREDIT IS NOT AN ELIGIBLE UNDERGRADUATE STUDENT FOR THE PURPOSES OF RECEIVING A COLLEGE OPPORTUNITY FUND STIPEND PURSUANT TO ARTICLE 18 OF THIS TITLE 23.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 27, 2022