

## CHAPTER 432

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**EDUCATION - POSTSECONDARY**

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## HOUSE BILL 22-1393

BY REPRESENTATIVE(S) Tipper and Soper, Gonzales-Gutierrez, Amabile, Bacon, Benavidez, Bennett, Bird, Caraveo, Cutter, Daugherty, Duran, Esgar, Exum, Froelich, Herod, Hooton, Jodeh, Kipp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Ortiz, Rich, Ricks, Sirota, Sullivan, Titone, Valdez A., Valdez D., Weissman;  
also SENATOR(S) Gonzales and Moreno, Buckner, Coleman, Danielson, Jaquez Lewis, Kolker, Story, Fenberg.

## AN ACT

**CONCERNING CREATING THE DISPLACED AURARIAN SCHOLARSHIP FOR THE DESCENDANTS OF AURARIANS DISPLACED BY THE DEVELOPMENT OF THE AURARIA HIGHER EDUCATION CENTER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **add 23-70-117** as follows:

**23-70-117. Displaced Aurarian scholarship - created - appropriation - legislative declaration - definitions.** (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) WHEN THE AURARIA HIGHER EDUCATION CENTER WAS BUILT IN THE 1970s, A WELL-ESTABLISHED, CLOSE-KNIT, LARGELY HISPANIC COMMUNITY OF MORE THAN THREE HUNDRED HOUSEHOLDS WERE DISPLACED;

(II) AS PART OF THE FORCED RELOCATION, THE RESIDENTS WERE COMPENSATED FOR THEIR HOMES AND PROMISED FREE EDUCATION FOR THE YEARS TO COME;

(III) THE DISPLACED AURARIAN SCHOLARSHIP PROGRAM BEGAN IN THE 1990s AND PROVIDED FUNDS FOR TUITION AND FEES FOR FORMER RESIDENTS OF THE AURARIA NEIGHBORHOOD, THEIR CHILDREN, AND THEIR GRANDCHILDREN; AND

(IV) AN EXPANSION OF THE SCHOLARSHIP WILL ALLOW ALL LINEAL DESCENDANTS OF PEOPLE WHO LIVED IN THE AURARIA NEIGHBORHOOD FROM 1955 TO 1973 TO BE ELIGIBLE AND WILL FUND SCHOLARSHIPS FOR UNDERGRADUATE AND GRADUATE PROGRAMS.

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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.*

(b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE CREATION OF THE DISPLACED AURARIAN SCHOLARSHIP FOR DESCENDANTS OF PEOPLE WHO LIVED IN THE AURARIA NEIGHBORHOOD WILL MAKE ATTENDING METROPOLITAN STATE UNIVERSITY OF DENVER, THE UNIVERSITY OF COLORADO AT DENVER, OR THE COMMUNITY COLLEGE OF DENVER MORE ACCESSIBLE. THE DISPLACED AURARIAN SCHOLARSHIP REAFFIRMS THE STATE'S COMMITMENT TO EQUITY AND RESTORATIVE JUSTICE BY SUPPORTING AND MAKING EDUCATIONAL OPPORTUNITIES ACCESSIBLE TO THE DESCENDANTS OF THOSE DISPLACED BY THE AURARIA HIGHER EDUCATION CENTER.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AURARIA HIGHER EDUCATION CENTER" OR "AURARIA CENTER" MEANS THE MULTI-INSTITUTIONAL HIGHER EDUCATION COMPLEX DESCRIBED IN SECTION 23-70-101.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED IN SECTION 24-1-114.

(c) "DISPLACED AURARIAN" MEANS A PERSON WHOSE FAMILY WAS DISPLACED BY THE DEVELOPMENT OF THE AURARIA CENTER.

(d) "DISPLACED AURARIAN SCHOLARSHIP" OR "SCHOLARSHIP" MEANS THE DISPLACED AURARIAN SCHOLARSHIP CREATED IN SUBSECTION (3)(a) OF THIS SECTION.

(3)(a) THERE IS CREATED THE DISPLACED AURARIAN SCHOLARSHIP. THE PURPOSE OF THE SCHOLARSHIP IS TO FULLY FUND THE TUITION OF DESCENDANTS OF DISPLACED AURARIANS TO ATTEND METROPOLITAN STATE UNIVERSITY OF DENVER, THE UNIVERSITY OF COLORADO AT DENVER, OR THE COMMUNITY COLLEGE OF DENVER.

(b) TO THE EXTENT THAT MONEY IS AVAILABLE, METROPOLITAN STATE UNIVERSITY OF DENVER, THE UNIVERSITY OF COLORADO AT DENVER, AND THE COMMUNITY COLLEGE OF DENVER MUST SUPPLEMENT AND SUPPORT THE INVESTMENT OF SCHOLARSHIP FUNDS FOR THE SCHOLARSHIP.

(c) METROPOLITAN STATE UNIVERSITY OF DENVER, THE UNIVERSITY OF COLORADO AT DENVER, AND THE COMMUNITY COLLEGE OF DENVER SHALL, IN COLLABORATION, ESTABLISH CRITERIA FOR SCHOLARSHIP RECIPIENTS, INCLUDING, BUT NOT LIMITED TO:

(I) DEFINING "ELIGIBLE RECIPIENT";

(II) DEFINING "LINEAL DESCENDANTS";

(III) DEFINING "AURARIA NEIGHBORHOOD";

(IV) DEFINING "QUALIFIED DEGREE PROGRAMS"; AND

(V) DETERMINING THE DOCUMENTATION REQUIRED TO RECEIVE A SCHOLARSHIP.

(4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM THE GENERAL FUND FOR SCHOLARSHIPS TO THE DEPARTMENT TO BE ALLOCATED IN THE FOLLOWING MANNER:

(I) SIX HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS AND SIXTY-SEVEN CENTS TO THE BOARD OF TRUSTEES FOR METROPOLITAN STATE UNIVERSITY OF DENVER, AS ESTABLISHED IN SECTION 23-54-103;

(II) SIX HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS AND SIXTY-SIX CENTS TO THE BOARD OF REGENTS, AS ESTABLISHED BY SECTION 12 OF ARTICLE IX OF THE STATE CONSTITUTION, OF THE UNIVERSITY OF COLORADO AT DENVER; AND

(III) SIX HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS AND SIXTY-SEVEN CENTS TO THE STATE BOARD OF COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AS ESTABLISHED IN SECTION 23-60-104, FOR THE COMMUNITY COLLEGE OF DENVER.

(b) METROPOLITAN STATE UNIVERSITY OF DENVER, THE UNIVERSITY OF COLORADO AT DENVER, AND THE COMMUNITY COLLEGE OF DENVER SHALL EACH HOLD THE FUNDS IN TRUST OR TRANSFER THE FUNDS TO THE INSTITUTIONAL FOUNDATION OF THE INSTITUTIONS, AND SHALL ONLY USE THE FUNDS FOR THE PURPOSE OF THE SCHOLARSHIP AND ANY ADMINISTRATIVE COSTS OF THE SCHOLARSHIP. ANY INTEREST, INCOME, AND PROFIT, IF ANY, MUST BE USED FOR THE SCHOLARSHIP.

**SECTION 2. Appropriation.** For the 2022-23 state fiscal year, \$2,000,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the displaced Aurarian scholarship.

**SECTION 3. 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: June 8, 2022