

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

**INTRODUCED**

LLS NO. 23-0354.01 Shelby Ross x4510

**SENATE BILL 23-096**

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**SENATE SPONSORSHIP**

**Roberts and Lundeen,**

**HOUSE SPONSORSHIP**

**Amabile and Soper,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101    **CONCERNING POLICIES RELATING TO IN-STATE TUITION**  
102            **CLASSIFICATION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER**  
103            **EDUCATION.**

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**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>.)*

Current law limits the number of Colorado scholars that each institution counts in an academic year to 8% of the total number of in-state students. The bill increases that limit to 15%.

The bill permits a peace corps volunteer to be classified as an in-state student for tuition purposes if the student was certified by the

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

director of the peace corps as having served satisfactorily as a peace corps volunteer. A peace corps volunteer who is classified as an in-state student must not be counted as a resident student for any purpose other than tuition classification.

The bill permits a nonresident student athlete to be classified as an in-state student for tuition purposes. A student athlete who is classified as an in-state student may be counted as a resident student for any purpose; except that such a student is not entitled to receive state financial aid.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-113.5, **amend**  
3 (5)(d) as follows:

4 **23-1-113.5. Commission directive - resident admissions -**  
5 **report - definitions.** (5) (d) Notwithstanding any provision of this  
6 subsection (5) to the contrary, the number of Colorado scholars that each  
7 institution counts for purposes of ~~subparagraphs (a) and (b) of this~~  
8 ~~subsection (5)~~ SUBSECTIONS (5)(a) AND (5)(b) OF THIS SECTION in an  
9 academic year ~~shall~~ MUST not exceed ~~eight~~ FIFTEEN percent of the total  
10 number of in-state students that the institution counts in the applicable  
11 fraction or percentage in that academic year.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 23-7-113 and  
13 23-7-114 as follows:

14 **23-7-113. Tuition classification for returning peace corps**  
15 **volunteers.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
16 ARTICLE 7 TO THE CONTRARY, A STUDENT WHO WAS A RESIDENT OF  
17 COLORADO PRIOR TO SERVING AS A PEACE CORPS VOLUNTEER MAY BE  
18 CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES IF THE  
19 STUDENT WAS CERTIFIED BY THE DIRECTOR OF THE PEACE CORPS AS  
20 HAVING SERVED SATISFACTORILY AS A PEACE CORPS VOLUNTEER.

1           (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT  
2 PURSUANT TO THIS SECTION MUST NOT BE COUNTED AS A RESIDENT  
3 STUDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION.

4           (3) THE GOVERNING BOARD OF EACH STATE-SUPPORTED  
5 INSTITUTION OF HIGHER EDUCATION MAY GRANT IN-STATE TUITION  
6 STATUS TO STUDENTS CLASSIFIED PURSUANT TO THIS SECTION.

7           **23-7-114. Tuition classification for nonresident student**  
8 **athletes - definition.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF  
9 THIS ARTICLE 7 TO THE CONTRARY, A STUDENT ATHLETE WHO OTHERWISE  
10 WOULD NOT BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION  
11 PURPOSES PURSUANT TO THIS ARTICLE 7 MAY BE CLASSIFIED AS AN  
12 IN-STATE STUDENT FOR PURPOSES OF TUITION AT ANY STATE-SUPPORTED  
13 INSTITUTION OF HIGHER EDUCATION.

14           (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT  
15 PURSUANT TO THIS SECTION MAY BE COUNTED AS A RESIDENT STUDENT  
16 FOR ANY PURPOSE; EXCEPT THAT SUCH A STUDENT IS NOT ENTITLED TO  
17 RECEIVE STATE FINANCIAL AID.

18           (3) THE GOVERNING BOARD OF EACH STATE-SUPPORTED  
19 INSTITUTION OF HIGHER EDUCATION MAY GRANT IN-STATE TUITION  
20 STATUS TO STUDENTS CLASSIFIED PURSUANT TO THIS SECTION.

21           (4) AS USED IN THIS SECTION, "STUDENT ATHLETE" MEANS A  
22 FULL-TIME OR PART-TIME STUDENT ENROLLED IN AN INSTITUTION OF  
23 HIGHER EDUCATION THAT PARTICIPATES IN A SPORT REGULATED BY THE  
24 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION.

25           **SECTION 3. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, or safety.