

CHAPTER 256

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 05-053

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 also REPRESENTATIVE(S) Coleman, Vigil, Berens, Boyd, Buescher, Butcher, Cerbo, Clapp, Cloer, Crane, Decker, Frangas, Gallegos, Green, Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Kerr, King, Knoedler, Larson, Lindstrom, Lundberg, Marshall, Massey, McFadyen, Merrifield, Paccione, Penry, Pommer, Ragsdale, Romanoff, Rose, Schultheis, Solano, Soper, Stafford, Sullivan, and Todd.

AN ACT**CONCERNING THE COLORADO NATIONAL GUARD TUITION ASSISTANCE PROGRAM.**

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

SECTION 1. 23-5-111.4 (2) (a.5), (2) (b) (IV), (2) (d), (3), (5), and (6) and the introductory portion to 23-5-111.4 (7), Colorado Revised Statutes, are amended to read:

23-5-111.4. Tuition for members of the national guard. (2) (a.5) A member shall be eligible for tuition assistance pursuant to this section to the extent that THE SUM OF THE MEMBER'S tuition assistance from ~~other~~ ALL sources, including the federal government, ~~first be applied to the member's tuition prior to any tuition assistance received pursuant to this section~~ DOES NOT EXCEED ONE HUNDRED PERCENT OF THE COST OF TUITION.

(b) In order to qualify for the tuition assistance authorized by this section, such member:

(IV) Must ~~agree to serve one year~~ in the Colorado national guard ~~for each semester of~~ DURING THE PERIOD OF TIME THAT THE MEMBER IS RECEIVING tuition AND FEE assistance. ~~granted. For purposes of this section, one semester shall be equal to fifteen semester hours or twenty-three quarter hours.~~

(d) For the purposes of this section, "member" means an enlisted member OR OFFICER of the national guard. ~~or any officer described in subparagraph (H) of~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~paragraph (b) of this subsection (2):~~

(3) (a) For the purposes of this section, "designated institution of higher education" means the Colorado state university - Pueblo, Adams state college, Mesa state college, Metropolitan state college of Denver, Fort Lewis college, Western state college of Colorado, all independent area vocational schools, all local district colleges, the university of northern Colorado, the university of Colorado at Boulder, the university of Colorado at Denver, the university of Colorado at Colorado Springs, Colorado state university, the Colorado school of mines, the university of Colorado health sciences center, and all community colleges governed by the state board for community colleges and occupational education.

~~(b) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS SHALL ESTABLISH THE BASIS FOR THE tuition assistance at the university of Colorado health sciences center. shall be based on the amount of in-state tuition for general studies at the university of Colorado at Boulder.~~

(5) FOR each individual member of the Colorado national guard WHO IS A CONTINUING STUDENT AND WHO IS receiving tuition assistance as provided in this section, THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS shall obtain certification from the designated institution of higher education PRIOR TO THE PAYMENT TO THE INSTITUTION attesting to ~~his~~ THE MEMBER'S current satisfactory academic standing at such designated institution of higher education, as determined by ~~rules and~~ MILITARY regulations established pursuant to subsection (7) of this section, ~~and present such certificate to the department of military and veterans affairs at the time of enrollment~~ for each semester or quarter for which tuition assistance is requested. No tuition assistance shall be granted without such certification.

(6) Any ~~person~~ MEMBER who ~~fails to serve the required one-year period in the Colorado national guard for each semester of tuition assistance granted,~~ LEAVES THE COLORADO NATIONAL GUARD in violation of ~~such person's~~ THE MEMBER'S agreement under subsection (2) of this section DURING AN ACADEMIC TERM FOR WHICH THE MEMBER IS RECEIVING TUITION ASSISTANCE shall be required to repay to the department of military and veterans affairs the AMOUNT OF tuition assistance granted for ~~each such year~~ THAT ACADEMIC TERM and any and all collection fees incurred by the department of military and veterans affairs. Any such repayment of tuition assistance shall be credited to the Colorado national guard tuition fund created in subsection (9) of this section.

(7) The department of military and veterans affairs shall promulgate ~~rules~~ MILITARY REGULATIONS for the administration of tuition assistance as provided in this section, including, but not limited to, the following:

SECTION 2. Effective date. This act shall take effect July 1, 2005.

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

Approved: June 2, 2005