

CHAPTER 243

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 09-1313

BY REPRESENTATIVE(S) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi, Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil, Green, Pace, Pommer, Gagliardi, Ryden;
also SENATOR(S) Bacon, Gibbs, Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller, Morse, Romer, Shaffer B., Boyd, Hudak, Isgar.

AN ACT**CONCERNING EXPANDING CIVIC ENGAGEMENT OPTIONS THROUGH STUDENT-DIRECTED PROGRAMS AT INSTITUTIONS OF HIGHER EDUCATION.**

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

SECTION 1. 23-1-123 (5) (i), the introductory portion to 23-1-123 (7) (b), and 23-1-123 (7) (b) (I), Colorado Revised Statutes, are amended to read:

23-1-123. Commission directive - fee policies. (5) In adopting fee policies pursuant to this section, the commission shall adopt separate policies for fees used for different purposes, including but not limited to the following fee policies:

(i) **Optional fees for student-directed activities.** ~~On and after July 1, 2000, no separate optional fee or charge for an organization whose primary purpose is to engage in political activity or issue advocacy may be collected in conjunction with other student fees; except that, such a fee or charge may be collected if it requires an affirmative authorization by the student or parent to pay such a fee or charge.~~ AN INSTITUTION MAY ESTABLISH, PURSUANT TO PARAGRAPH (g) OF THIS SUBSECTION (5) AND SUBJECT TO THE POLICY ESTABLISHED PURSUANT TO SUBSECTION (3) OF THIS SECTION, AN OPTIONAL FEE TO FUND STUDENT-DIRECTED PROGRAMS TO ENRICH STUDENT LIFE AND LEARNING OPPORTUNITIES. IF AN INSTITUTION ESTABLISHES AN OPTIONAL FEE TO FUND STUDENT-DIRECTED PROGRAMS PURSUANT TO THIS PARAGRAPH (i), THE INSTITUTION MAY ADOPT POLICIES THAT PERMIT MEMBERS OF THE STUDENT BODY TO PLACE A PROPOSED OPTIONAL FEE ON THE BALLOT AT A REGULAR STUDENT ELECTION AND THAT THE OPTIONAL FEE MAY ONLY BE COLLECTED IF THE STUDENT BODY APPROVES THE OPTIONAL FEE BY A MAJORITY 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.

THE VOTES CAST AT A REGULARLY SCHEDULED ELECTION. EACH PROPOSED OPTIONAL FEE MAY BE SUBJECT TO A SEPARATE VOTE.

(7) For purposes of this section:

(b) "Fees" means any ~~mandatory~~ campus-wide fee assessed against students by any institution of higher education the revenues from which are used for academic or nonacademic purposes, including but not limited to the following:

(I) Support for student programs, including but not limited to cultural or social events, off-campus housing assistance, student clubs, student organizations, STUDENT-DIRECTED ISSUE ADVOCACY, and student media;

SECTION 2. 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: May 11, 2009