

CHAPTER 168

EDUCATION - POSTSECONDARY

HOUSE BILL 14-1345

BY REPRESENTATIVE(S) Gerou, Duran, May, Conti, Ginal, Melton, Pettersen, Rosenthal, Salazar, Schafer, Vigil, Young, Buckner, Hullinghorst, Kraft-Tharp; also SENATOR(S) Lambert, Hodge, Steadman, Kefalas, Todd.

AN ACT

CONCERNING AUTHORITY FOR THE DEPARTMENT OF HIGHER EDUCATION TO TRANSFER MONEYS ALLOCATED TO THE GOVERNING BOARD OF AN INSTITUTION OF HIGHER EDUCATION BETWEEN THE GOVERNING BOARD'S APPROPRIATION FOR ITS FEE-FOR-SERVICE CONTRACTS AND THE GOVERNING BOARD'S SPENDING AUTHORITY FOR COLLEGE OPPORTUNITY STIPENDS AS A RESULT OF INCREASES OR DECREASES IN STUDENT ENROLLMENT AT THE INSTITUTION OF HIGHER EDUCATION.

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

SECTION 1. In Colorado Revised Statutes, 23-18-202, **amend** (1) (c) as follows:

23-18-202. College opportunity fund - appropriations - payment of stipends - reimbursement - repeal. (1) (c) If there are moneys remaining in the college opportunity fund OR IF THERE ARE INSUFFICIENT MONEYS IN THE COLLEGE OPPORTUNITY FUND after the final census date of the last academic term of each state fiscal year, as determined in accordance with this section, THE DEPARTMENT MAY TRANSFER up to three percent of the SUM OF THE amount annually authorized as cash spending authority in the general appropriations act for a governing board to expend stipends received on behalf of eligible undergraduate students ~~may be expended by the same governing board for postsecondary educational services purchased by the department if~~ AND THE AMOUNT authorized FOR THE SAME GOVERNING BOARD through a fee-for-service contract entered into pursuant to sections 23-1-109.7 and 23-5-130 ~~The department may transfer an equivalent amount in general fund spending authority from stipends to fee-for-service contracts to fulfill its fee-for-service contract obligations to a governing board pursuant to this paragraph (c) and section 23-5-130~~ BETWEEN THE CASH SPENDING AUTHORITY FOR THE GOVERNING BOARD TO EXPEND STIPENDS RECEIVED ON BEHALF OF ELIGIBLE

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

UNDERGRADUATE STUDENTS AND A FEE-FOR-SERVICE CONTRACT FOR THE GOVERNING BOARD ENTERED INTO PURSUANT TO SECTIONS 23-1-109.7 AND 23-5-130.

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 9, 2014