

## CHAPTER 143

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**MILITARY AND VETERANS**

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**HOUSE BILL 15-1294**

BY REPRESENTATIVE(S) Lee and Keyser, Esgar, Lebsock, Carver, Lontine, Primavera, Ryden, Salazar, Sias, Tate, Thurlow, Tyler, Williams, Young, Arndt, Brown, Buckner, Conti, Danielson, DelGrosso, Duran, Fields, Garnett, Ginal, Hamner, Kraft-Tharp, McCann, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Priola, Rankin, Rosenthal, Roupe, Singer, Wilson, Windholz, Hulinghorst;  
also SENATOR(S) Todd and Hill, Aguilar, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Woods.

**AN ACT**

**CONCERNING ALIGNMENT OF STATE LAW REGARDING IN-STATE TUITION CLASSIFICATION WITH THE FEDERAL "VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014".**

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

**SECTION 1.** In Colorado Revised Statutes, **add 23-7-108.6** as follows:

**23-7-108.6. Tuition classification for veterans pursuant to federal law.**

(1) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, BEGINNING WITH ANY COURSES ENROLLED AS OF JULY 1, 2015, THE GOVERNING BOARD OF EACH STATE INSTITUTION OF HIGHER EDUCATION SHALL ADOPT A POLICY GRANTING IN-STATE TUITION STATUS TO "COVERED INDIVIDUALS", AS DEFINED IN SECTION 702 OF THE "VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014", 38 U.S.C. SEC. 3679, AS MAY BE AMENDED, AND AS DETERMINED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

(2) A COVERED INDIVIDUAL MUST BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES IF:

(a) THE COVERED INDIVIDUAL RESIDES IN COLORADO WHILE ENROLLED IN THE INSTITUTION, REGARDLESS OF THE LENGTH OF TIME THE COVERED INDIVIDUAL RESIDED IN COLORADO PRIOR TO ENROLLING IN THE INSTITUTION; AND

(b) THE COVERED INDIVIDUAL ENROLLS IN COURSES WITH EDUCATIONAL

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

ASSISTANCE BENEFITS PURSUANT TO CHAPTER 30 OR 33 OF U.S.C. TITLE 38.

(3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO THE CONTRARY, A STUDENT WHO QUALIFIED AS A COVERED INDIVIDUAL AND WHO HAS EXHAUSTED HIS OR HER EDUCATIONAL ASSISTANCE BENEFITS PURSUANT TO CHAPTER 30 OR 33 OF U.S.C. TITLE 38 MUST CONTINUE TO BE CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES SO LONG AS THE STUDENT CONTINUES TO RESIDE IN COLORADO AND REMAINS CONTINUOUSLY ENROLLED IN THE SAME INSTITUTION.

(4) BEGINNING JULY 1, 2015, UPON CLASSIFICATION PURSUANT TO THIS SECTION, THE COVERED INDIVIDUAL IS ALSO ELIGIBLE TO RECEIVE A STIPEND FROM THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF ARTICLE 18 OF THIS TITLE.

(5) A COVERED INDIVIDUAL THAT IS CLASSIFIED AS AN IN-STATE STUDENT SOLELY PURSUANT TO THIS SECTION SHALL NOT BE COUNTED AS A RESIDENT STUDENT FOR ANY OTHER PURPOSE OTHER THAN TUITION CLASSIFICATION.

**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 1, 2015