

CHAPTER 94

EDUCATION - POSTSECONDARY

HOUSE BILL 15-1224

BY REPRESENTATIVE(S) Mitsch Bush, Hamner, Rankin, Duran, Pettersen, Priola, Rosenthal, Tate, Williams, Young, Hullinghorst;
also SENATOR(S) Hill and Todd, Crowder, Donovan, Merrifield, Newell.

AN ACT

CONCERNING ACCOUNTING FOR STATE MONEYS RECEIVED BY PUBLIC POSTSECONDARY INSTITUTIONS THAT DO NOT PARTICIPATE IN THE COLLEGE OPPORTUNITY FUND PROGRAM.

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

SECTION 1. In Colorado Revised Statutes, 23-71-133, **add** (3) as follows:

23-71-133. Colorado mountain college - approval of baccalaureate degrees - attorney general to advise. (3) IN ACCORDANCE WITH THE BUDGET ADOPTED BY THE BOARD OF TRUSTEES FOR COLORADO MOUNTAIN COLLEGE PURSUANT TO SECTION 23-71-123 (1), COLORADO MOUNTAIN COLLEGE MAY USE ANY STATE-APPROPRIATED MONEYS THE COLLEGE RECEIVES, IN ADDITION TO ANY OTHER REVENUES OF THE COLLEGE, TO OPERATE ANY BACCALAUREATE DEGREE PROGRAM THAT THE COLORADO COMMISSION ON HIGHER EDUCATION APPROVES PURSUANT TO THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 23-18-304, **amend** (3) (a) and (3) (b) as follows:

23-18-304. Funding for specialty education programs - area vocational schools - local district junior colleges. (3) (a) Except as provided in paragraph (b) of this subsection (3), for the 2015-16 state fiscal year and each fiscal year thereafter, the AMOUNT OF THE ~~direct grants~~ GRANT made to ~~eligible junior college districts pursuant to~~ COLORADO MOUNTAIN COLLEGE AND THE AMOUNT OF THE DIRECT GRANT MADE TO AIMS COMMUNITY COLLEGE, AS PROVIDED IN part 3 of article 71 of this title, for a state fiscal year must be equal to the amount of the ~~grants~~ DIRECT GRANT made TO EACH INSTITUTION in the preceding state fiscal year, increased or decreased by a percentage equal to the percentage change in the total

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

state appropriation for the applicable state fiscal year from the total state appropriation for the preceding state fiscal year.

(b) After considering the status of the performance contracts with ~~the local district junior colleges~~ COLORADO MOUNTAIN COLLEGE AND WITH AIMS COMMUNITY COLLEGE pursuant to section 23-5-129, the commission may recommend as part of its budget request that ~~THE direct grants to local district junior colleges~~ GRANT TO EITHER OR BOTH INSTITUTIONS increase by a percentage that is greater than the percentage change in the total state appropriation for the preceding state fiscal year or decrease by a percentage that is less than the percentage change in the total state appropriation for the applicable fiscal year from the total state appropriation for the preceding state fiscal year.

SECTION 3. In Colorado Revised Statutes, 23-71-301, **amend** (1) as follows:

23-71-301. Direct grants to junior college districts - occupational courses.

(1) (a) ~~Any junior college district operating or organized and operating as such during the entire school year in which a grant is made shall be entitled to~~ COLORADO MOUNTAIN COLLEGE AND AIMS COMMUNITY COLLEGE SHALL EACH ANNUALLY RECEIVE a direct grant, from funds appropriated for this purpose, in an amount specified annually by the general assembly pursuant to section 23-18-304. ~~Procedures for the certification by junior college districts to the state board for community colleges and occupational education, referred to in this part 3 as the "board", of the numbers of students and the quarter or semester hours for which students are registered shall be prescribed by regulation of the board. No moneys shall be distributed under this section for any students other than those enrolled in postsecondary courses for credit in degree and certificate programs.~~

(b) ~~The board shall establish procedures for the distribution of direct grants that encourage each district college to maintain an appropriate balance of vocational enrollments within its service area.~~

SECTION 4. In Colorado Revised Statutes, 23-71-302, **amend** (1); and **repeal** (2) as follows:

23-71-302. Distribution of grants. (1) ~~The payment dates and allocation of grants paid on such dates shall be as determined by the board, with prior notice to the state treasurer. The board shall ANNUALLY certify to the state treasurer the amounts~~ AMOUNT OF THE DIRECT GRANTS to be paid to ~~eligible junior college districts~~ COLORADO MOUNTAIN COLLEGE, AIMS COMMUNITY COLLEGE, and the area vocational schools, as direct grants from sums appropriated by the general assembly for such purpose, and, upon such certification, the board shall make distribution of such amounts to the respective junior college districts or area vocational schools. ~~Such amounts may be used~~ SPECIFIED BY THE GENERAL ASSEMBLY AND APPROPRIATED PURSUANT TO SECTION 23-18-304 FOR THE APPLICABLE FISCAL YEAR. EACH INSTITUTION OR AREA VOCATIONAL SCHOOL MAY USE THE DIRECT GRANTS for current operating costs of the junior college or area vocational school or for capital construction.

(2) ~~Should the appropriations for implementation of this section and section 23-71-301 be less than the total amount required for distribution, the board shall~~

~~prorate the amount to be paid to each district in the same proportion as the appropriation bears to the amount approved eligible for distribution. Should the appropriations for implementation of this section and section 23-71-301 exceed the amount required, any unexpended balances shall revert to the general fund.~~

SECTION 5. 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: April 10, 2015