

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0261.01 Brita Darling x2241

HOUSE BILL 19-1093

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HOUSE SPONSORSHIP

Wilson,

SENATE SPONSORSHIP

Todd,

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House Committees  
Education

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING FIXED-RATE TUITION CONTRACTS FOR BACHELOR  
102 DEGREE PROGRAMS AT STATE-SUPPORTED FOUR-YEAR  
103 INSTITUTIONS OF HIGHER EDUCATION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under current law, a state-supported institution of higher education (institution) may offer a student a fixed-rate tuition contract. The bill requires each state-supported 4-year institution to offer a fixed-rate tuition contract for bachelor degree programs. Community colleges may offer a student a fixed-rate tuition contract.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

The fixed-rate tuition must be valid until the earlier of the student's completion of the degree program, the completion of 140 credit hours, or 5 years. All students admitted to the same class and enrolled in the same degree program must receive the same fixed rate.

The bill includes provisions relating to the transferability of the fixed-rate contract among campuses of the same institution, as well as the student's transfer to a different institution.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-5-131, **amend** (2),  
3 (3), and (4) as follows:

4 **23-5-131. Governing boards - tuition - fixed-rate contract -**  
5 **definitions.** (2) (a) There is ~~hereby~~ established a ~~fixed-tuition-rate~~  
6 FIXED-RATE TUITION program. The governing board of each FOUR-YEAR  
7 state-supported institution of higher education that has been designated  
8 as an enterprise pursuant to section 23-5-101.7 ~~may~~ SHALL offer a ~~fixed~~  
9 ~~tuition-rate~~ FIXED-RATE TUITION OPTION FOR ALL BACHELOR DEGREE  
10 PROGRAMS AT EACH CAMPUS OF THE INSTITUTION to a student who is  
11 willing to enter into a contract with the institution for the fixed rate. A  
12 COMMUNITY COLLEGE GOVERNED BY THE STATE BOARD FOR COMMUNITY  
13 COLLEGES AND OCCUPATIONAL EDUCATION AND A STATE-SUPPORTED  
14 INSTITUTION OF HIGHER EDUCATION WITH A TWO-YEAR ROLE AND MISSION  
15 MAY OFFER A FIXED-RATE TUITION OPTION.

16 (b) FIXED-RATE TUITION CONTRACTS FOR STUDENTS WHO ARE  
17 ADMITTED TO THE SAME CLASS AND ENROLLED IN THE SAME DEGREE  
18 PROGRAM MUST INCLUDE THE SAME FIXED RATE. A ~~fixed-rate~~ TUITION  
19 contract ~~shall~~ MUST also specify the amount of the student fees collected  
20 by the institution as of the date of the contract and ~~shall~~ MUST inform the  
21 student that the amount of student fees may increase over the term of the  
22 contract in accordance with the institution's student fee plan adopted

1 pursuant to section 23-5-119.5.

2 (3) (a) THE FIXED-RATE TUITION CONTRACT MUST BE VALID UNTIL  
3 AT LEAST THE EARLIER OF THE STUDENT'S COMPLETION OF THE DEGREE  
4 PROGRAM, THE COMPLETION OF ONE HUNDRED FORTY CREDIT HOURS OF  
5 COURSE WORK, OR FIVE YEARS. COURSE CREDIT RECEIVED BY A STUDENT  
6 THROUGH COMPLETION OF ADVANCED PLACEMENT COURSES, AN  
7 INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM, OR CONCURRENT  
8 ENROLLMENT COURSES OFFERED PURSUANT TO ARTICLE 35 OF TITLE 22 DO  
9 NOT COUNT TOWARD THE TIME AND CREDIT HOUR LIMITATION  
10 ESTABLISHED IN THIS SUBSECTION (3)(a).

11 (b) If a student is unable to complete a degree program within the  
12 duration of the fixed-rate TUITION contract because a course is  
13 unavailable due to a lack of available classes or class space, the  
14 state-supported institution of higher education shall provide the course to  
15 the student free of charge.

16 (4) (a) Each governing board that is participating in the program  
17 shall establish guidelines for each institution under its control relating to  
18 the ~~fixed tuition rate~~ FIXED-RATE TUITION program that ~~shall~~ MUST  
19 include, at a minimum:

20 (I) The degree of flexibility a student has in changing majors or  
21 degree programs without voiding a fixed-rate TUITION contract; AND

22 (II) THE TRANSFERABILITY OF THE FIXED-RATE TUITION CONTRACT  
23 AMONG CAMPUSES OF THE INSTITUTION.

24 (b) (Deleted by amendment, L. 2011, (HB 11-1301), ch. 297, p.  
25 1410, § 1, effective August 10, 2011.)

26 (c) A STUDENT WHO HAS ENTERED INTO A FIXED-RATE TUITION  
27 CONTRACT AND WHO TRANSFERS TO ANOTHER STATE-SUPPORTED

1 INSTITUTION OF HIGHER EDUCATION SHALL BE ELIGIBLE TO ENTER INTO A  
2 CONTRACT WITH THE TRANSFER INSTITUTION AT A FIXED-RATE TUITION  
3 EQUAL TO THE RATE THE STUDENT WOULD HAVE RECEIVED HAD THE  
4 STUDENT ENTERED INTO A FIXED-RATE TUITION CONTRACT WITH THE  
5 TRANSFER INSTITUTION IN THE SAME CLASS YEAR THE STUDENT INITIALLY  
6 ENTERED INTO THE FIXED-RATE TUITION CONTRACT WITH THE FIRST  
7 INSTITUTION.

8 (e) (d) Each state-supported institution of higher education under  
9 the direction and control of a governing board participating in the  
10 program shall publish information relating to the fixed-rate TUITION  
11 contract option in the institution's course catalog or student handbook and  
12 on the institutional website.

13 **SECTION 2. Safety clause.** The general assembly hereby finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, and safety.