

1.Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 16-0165.01 Brita Darling x2241

**HOUSE BILL 16-1100**

**HOUSE SPONSORSHIP**

**Pettersen and Esgar,**

**SENATE SPONSORSHIP**

**Cooke,**

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**House Committees**  
Education

**Senate Committees**  
Education

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF UNACCOMPANIED HOMELESS YOUTH TO**  
102 **DETERMINE DOMICILE FOR PURPOSES OF IN-STATE TUITION**  
103 **STATUS AT 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://www.leg.state.co.us/bills summaries>.)*

The bill amends statutory provisions relating to the persons qualified to determine domicile for purposes of establishing in-state tuition at state institutions of higher education. The bill adds unaccompanied homeless youth to the list of persons who are qualified to determine their own domicile. An "unaccompanied homeless youth" is

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

SENATE  
3rd Reading Unamended  
March 30, 2016

SENATE  
2nd Reading Unamended  
March 29, 2016

HOUSE  
3rd Reading Unamended  
March 16, 2016

HOUSE  
Amended 2nd Reading  
March 15, 2016

defined in the bill, consistent with the federal definition, as an individual who has not attained 22 years of age and who is either an unaccompanied youth who is a homeless child or youth or who has been verified as unaccompanied, at risk of homelessness, and self-supporting by one of four verifiers listed in the bill.

The bill amends the definition of "qualified person" in the statutory provisions relating to tuition status to include unaccompanied homeless youth.

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

2 **SECTION 2.** In Colorado Revised Statutes, **add** 23-7-103.5 as  
3 follows:

4 **23-7-103.5. Unaccompanied homeless youth - domicile -**  
5 **definitions.** (1) AS DEFINED IN SUBSECTION (2) OF THIS SECTION, AN  
6 UNACCOMPANIED HOMELESS YOUTH IS A "QUALIFIED PERSON", AS DEFINED  
7 IN SECTION 23-7-102, FOR PURPOSES OF DETERMINING HIS OR HER OWN  
8 DOMICILE PURSUANT TO THE PROVISIONS OF SECTION 23-7-103.

9 (2) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
10 OTHERWISE REQUIRES, "UNACCOMPANIED HOMELESS YOUTH" MEANS AN  
11 INDIVIDUAL WHO HAS NOT ATTAINED TWENTY-TWO YEARS OF AGE AND  
12 WHO HAS BEEN VERIFIED BY A PERSON DESCRIBED IN PARAGRAPH (b) OF  
13 THIS SUBSECTION (2) AS EITHER:

14 (I) AN UNACCOMPANIED YOUTH WHO IS A HOMELESS CHILD OR  
15 YOUTH, AS THOSE TERMS ARE DEFINED IN SECTION 725 OF THE FEDERAL  
16 "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC.  
17 11434a; OR

18 (II) AN UNACCOMPANIED YOUTH, AT RISK OF HOMELESSNESS, AND  
19 SELF-SUPPORTING. THE COLORADO COMMISSION ON HIGHER EDUCATION  
20 SHALL INCLUDE IN ITS TUITION CLASSIFICATION POLICIES A DEFINITION OF  
21 "UNACCOMPANIED HOMELESS YOUTH, AT RISK OF HOMELESSNESS, AND

1 SELF-SUPPORTING".

2 (b) THE FOLLOWING PERSONS MAY VERIFY THAT A YOUTH IS AN  
3 UNACCOMPANIED HOMELESS YOUTH AS DEFINED IN PARAGRAPH (a) OF  
4 THIS SUBSECTION (2):

5 (I) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON,  
6 DESIGNATED PURSUANT TO SECTION 722 (g) (1) (J) (ii) OF THE FEDERAL  
7 "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11432;

8 (II) THE DIRECTOR OF A PROGRAM FUNDED UNDER THE FEDERAL  
9 "RUNAWAY AND HOMELESS YOUTH ACT", 42 U.S.C. SEC. 5701 ET SEQ.,  
10 OR A DESIGNEE OF THE DIRECTOR;

11 (III) THE DIRECTOR OF A PROGRAM FUNDED UNDER SUBTITLE B OF  
12 TITLE IV OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE  
13 ACT", 42 U.S.C. SEC. 11371 ET SEQ., RELATING TO EMERGENCY SHELTER  
14 GRANTS, OR A DESIGNEE OF THE DIRECTOR; OR

15 (IV) A FINANCIAL AID ADMINISTRATOR AT AN INSTITUTION.

16 **SECTION 3.** In Colorado Revised Statutes, 23-7-102, **amend** (9)  
17 as follows:

18 **23-7-102. Definitions.** As used in this article, unless the context  
19 otherwise requires:

20 (9) "Qualified person" means a person qualified to determine his  
21 or her own domicile. A person ~~over the age of twenty-two years, or~~  
22 YEARS OF AGE OR OLDER, a student commencing a postbaccalaureate  
23 degree-granting program, ~~or~~ an emancipated minor, OR AN  
24 UNACCOMPANIED HOMELESS YOUTH PURSUANT TO SECTION 23-7-103.5 is  
25 so qualified.

26 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.