

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0983.01 Brita Darling x2241

HOUSE BILL 14-1345

---

HOUSE SPONSORSHIP

Gerou, Duran, May

SENATE SPONSORSHIP

Lambert, Hodge, Steadman

---

House Committees  
Education

Senate Committees

---

A BILL FOR AN ACT

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

---

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*

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.

*applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)*

**Joint Budget Committee.** The bill permits the department of higher education to transfer a limited amount of moneys between an institution of higher education's fee-for-service contracts appropriation and the institution's college opportunity fund spending authority as a result of increases or decreases in actual student enrollment in the institution of higher education.

---

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

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

4 **23-18-202. College opportunity fund - appropriations -**  
5 **payment of stipends - reimbursement - repeal.** (1) (c) (I) If there are  
6 moneys remaining in the college opportunity fund after the final census  
7 date of the last academic term of each state fiscal year, as determined in  
8 accordance with this section, up to three percent of the amount annually  
9 authorized as cash spending authority in the general appropriations act for  
10 a governing board to expend stipends received on behalf of eligible  
11 undergraduate students may be expended by the same governing board for  
12 postsecondary educational services purchased by the department if  
13 authorized through a fee-for-service contract entered into pursuant to  
14 sections 23-1-109.7 and 23-5-130. The department may transfer an  
15 equivalent amount in general fund spending authority from stipends to  
16 fee-for-service contracts to fulfill its fee-for-service contract obligations  
17 to a governing board pursuant to this paragraph (c) and section 23-5-130.

18 (II) IF THERE ARE INSUFFICIENT MONEYS IN THE COLLEGE  
19 OPPORTUNITY FUND AFTER THE FINAL CENSUS DATE OF THE LAST  
20 ACADEMIC TERM OF EACH STATE FISCAL YEAR, AS DETERMINED IN

1 ACCORDANCE WITH THIS SECTION, UP TO THREE PERCENT OF THE AMOUNT  
2 ANNUALLY AUTHORIZED THROUGH A FEE-FOR-SERVICE CONTRACT  
3 ENTERED INTO PURSUANT TO SECTIONS 23-1-109.7 AND 23-5-130 MAY BE  
4 EXPENDED BY THE SAME GOVERNING BOARD FOR COLLEGE OPPORTUNITY  
5 FUND STIPENDS ON BEHALF OF ELIGIBLE UNDERGRADUATE STUDENTS. THE  
6 DEPARTMENT MAY TRANSFER AN EQUIVALENT AMOUNT IN ITS  
7 FEE-FOR-SERVICE CONTRACT OBLIGATIONS TO A GOVERNING BOARD  
8 PURSUANT TO THIS PARAGRAPH (c) AND SECTION 23-5-130 TO GENERAL  
9 FUND SPENDING AUTHORITY FOR COLLEGE OPPORTUNITY FUND STIPENDS.

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