

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-0354.01 Shelby Ross x4510

SENATE BILL 23-096

SENATE SPONSORSHIP

Roberts and Lundeen, Cutter, Exum, Gardner, Ginal, Hansen, Kirkmeyer, Kolker, Marchman, Moreno, Pelton B., Pelton R., Priola, Rich, Rodriguez, Will

HOUSE SPONSORSHIP

Amabile and Soper,

Senate Committees
Education

House Committees
Education

A BILL FOR AN ACT

101 **CONCERNING POLICIES RELATING TO IN-STATE TUITION**
102 **CLASSIFICATION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER**
103 **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 applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law limits the number of Colorado scholars that each institution counts in an academic year to 8% of the total number of in-state students. The bill increases that limit to 15%.

The bill permits a peace corps volunteer to be classified as an in-state student for tuition purposes if the student was certified by the

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

HOUSE
Amended 2nd Reading
March 17, 2023

SENATE
3rd Reading Unamended
February 22, 2023

SENATE
Amended 2nd Reading
February 21, 2023

director of the peace corps as having served satisfactorily as a peace corps volunteer. A peace corps volunteer who is classified as an in-state student must not be counted as a resident student for any purpose other than tuition classification.

The bill permits a nonresident student athlete to be classified as an in-state student for tuition purposes. A student athlete who is classified as an in-state student may be counted as a resident student for any purpose; except that such a student is not entitled to receive state financial aid.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-113.5, **amend**
3 (4)(d)(I) and (5)(d); and add (5)(d.5) and (5)(d.6) as follows:

4 **23-1-113.5. Commission directive - resident admissions -**
5 **report - definitions.** (4) (d) (I) (A) Beginning October 15, 2018, and no
6 later than October 15 each year thereafter, the department shall submit a
7 report to the joint budget committee and to the education committees of
8 the house of representatives and of the senate, or their successor
9 committees, demonstrating that the institutions included in this subsection
10 (4) have met resident admission and enrollment requirements set forth in
11 this section for the prior fiscal year; REPORTING THE TOTAL NUMBER OF
12 RESIDENT AND NONRESIDENT STUDENTS ENROLLED IN EACH INSTITUTION
13 OF HIGHER EDUCATION BEFORE AND AFTER COLORADO SCHOLARS ARE
14 COUNTED AS TWO IN-STATE STUDENTS PURSUANT TO SUBSECTION (5)(a)
15 OF THIS SECTION; REPORTING HOW STATE INSTITUTIONS OF HIGHER
16 EDUCATION THAT UTILIZE THE COLORADO SCHOLARS PROGRAM USE
17 ASSOCIATED TUITION REVENUE FOR PURPOSES OF MERIT- AND NEED-BASED
18 SCHOLARSHIPS FOR RESIDENT STUDENTS; AND REPORTING THE NUMBER OF
19 ENTERING FIRST-YEAR COLORADO RESIDENTS, BY COUNTY, WHO QUALIFY
20 AS A COLORADO SCHOLAR.

1 (5)(d) Notwithstanding any provision of this subsection (5) to the
2 contrary, the number of Colorado scholars that each institution counts for
3 purposes of subparagraphs (a) and (b) of this subsection (5) SUBSECTIONS
4 (5)(a) AND (5)(b) OF THIS SECTION in an academic year ~~shall~~ MUST not
5 exceed ~~eight~~ FIFTEEN percent of the total number of in-state students that
6 the institution counts in the applicable fraction or percentage in that
7 academic year.

8 (5) (d.5) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE AN
9 EFFORT TO RECRUIT IN-STATE STUDENTS WHO GRADUATED FROM A HIGH
10 SCHOOL THAT IS A RURAL SCHOOL OR IN A RURAL SCHOOL DISTRICT, AS
11 DEFINED IN SECTION 23-76-102 (4).

12 (d.6) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE AN
13 EFFORT TO RETAIN SCHOLARS FROM EACH DEMOGRAPHIC BACKGROUND
14 WITH DISPROPORTIONATELY LOW RETENTION RATES.

15 **SECTION 2.** In Colorado Revised Statutes, **add 23-7-113** == ==
16 as follows:

17 **23-7-113. Tuition classification for == peace corps volunteers.**

18 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 7 TO THE
19 CONTRARY, A STUDENT == SHALL BE CLASSIFIED AS AN IN-STATE STUDENT
20 FOR TUITION PURPOSES IF THE STUDENT WAS CERTIFIED BY THE DIRECTOR
21 OF THE PEACE CORPS AS HAVING SERVED SATISFACTORILY AS A PEACE
22 CORPS VOLUNTEER.

23 (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT
24 PURSUANT TO THIS SECTION MUST NOT BE COUNTED AS A RESIDENT
25 STUDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION.

26 (3) THE GOVERNING BOARD OF EACH STATE-SUPPORTED
27 INSTITUTION OF HIGHER EDUCATION SHALL GRANT IN-STATE TUITION

1 STATUS TO STUDENTS CLASSIFIED PURSUANT TO THIS SECTION.

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SECTION 3. Safety clause. The general assembly hereby finds,

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determines, and declares that this act is necessary for the immediate

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preservation of the public peace, health, or safety.