

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

**ENGROSSED**

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

LLS NO. 17-0872.01 Brita Darling x2241

**SENATE BILL 17-174**

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**SENATE SPONSORSHIP**

**Lambert, Lundberg, Moreno**

**HOUSE SPONSORSHIP**

**Hamner, Young, Rankin**

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**Senate Committees**

Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ALLOCATION OF MONEY BY THE COLORADO**  
102              **COMMISSION ON HIGHER EDUCATION FOR TUITION ASSISTANCE**  
103              **FOR MEMBERS OF THE NATIONAL GUARD.**

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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/>.)*

**Joint Budget Committee.** Under current law, the Colorado commission on higher education (commission) is prohibited from allocating more than \$800,000 annually for purposes of providing tuition assistance to members of the National Guard. The bill removes statutory provisions relating to the limit on appropriations and the commission's

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  
2nd Reading Unamended  
February 9, 2017

allocation of money for the tuition assistance program.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 23-3.3-202  
3 as follows:

4           **23-3.3-202. Program funding.** ~~(1)~~ Out of any ~~moneys~~ MONEY  
5 provided for the financial assistance program authorized by section  
6 23-3.3-102, the commission shall first provide tuition assistance to  
7 individuals who qualify under the provisions of this part 2. ~~or section~~  
8 ~~23-5-111.4, consistent with the provisions of subsection (2) of this~~  
9 ~~section.~~

10           ~~(2) The commission shall not allocate more than eight hundred~~  
11 ~~thousand dollars under subsection (1) of this section for purposes of~~  
12 ~~providing tuition assistance to members of the National Guard pursuant~~  
13 ~~to section 23-5-111.4.~~

14           **SECTION 2.** In Colorado Revised Statutes, 23-5-111.4, **amend**  
15 (3)(a) and (9)(a) as follows:

16           **23-5-111.4. Tuition for members of the National Guard -**  
17 **definitions.** (3) (a) For the purposes of this section, "designated  
18 institution of higher education" means the Colorado state university -  
19 Pueblo, Adams state university, Colorado Mesa university, Metropolitan  
20 state university of Denver, Fort Lewis college, Western state Colorado  
21 university, all independent area technical colleges, all local district  
22 colleges, the university of northern Colorado, the university of Colorado  
23 at Boulder, the university of Colorado at Denver, the university of  
24 Colorado at Colorado Springs, Colorado state university, the Colorado  
25 school of mines, the university of Colorado health sciences center, all

1 community colleges governed by the state board for community colleges  
2 and occupational education, and any private institution of higher  
3 education in Colorado that qualifies for the college opportunity fund  
4 pursuant to article 18 of this ~~title~~ TITLE 23 and that offers an accredited  
5 certificate or degree program in homeland security. For a member of the  
6 Colorado National Guard enrolled in a private institution of higher  
7 education, tuition assistance is limited to the completion of the accredited  
8 certificate or degree program in homeland security and is provided at the  
9 discretion of the adjutant general of the department of military and  
10 veterans affairs. ~~The tuition benefit to members of the Colorado National~~  
11 ~~Guard under this subsection (3) for an accredited certificate or degree~~  
12 ~~program in homeland security shall not exceed the moneys appropriated~~  
13 ~~annually to the Colorado National Guard pursuant to section 23-3.3-202.~~

14 (9) (a) There is ~~hereby~~ created in the state treasury the Colorado  
15 National Guard tuition fund which ~~shall be~~ IS administered by the  
16 department of military and veterans affairs and which ~~shall consist~~  
17 CONSISTS of all ~~moneys which~~ MONEY THAT may be appropriated thereto  
18 by the general assembly or ~~which may be~~ THAT IS otherwise made  
19 available to it by the general assembly. ~~Moneys~~ MONEY "otherwise made  
20 available" ~~shall include~~ INCLUDES any repayment of tuition assistance  
21 made pursuant to subsection (6) of this section. ~~and any moneys~~  
22 ~~appropriated by the general assembly for purposes of this section in~~  
23 ~~accordance with section 23-3.3-202.~~ The ~~moneys~~ MONEY in the fund are  
24 ~~hereby~~ IS continuously appropriated for the payment of tuition assistance  
25 as provided in this section. Any ~~moneys~~ MONEY not expended at the end  
26 of the fiscal year ~~shall remain~~ REMAINS in the fund and shall not be  
27 transferred to or revert to the general fund of the state.

1           **SECTION 3. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.