

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 17-174

BY SENATOR(S) Lambert, Lundberg, Moreno, Baumgardner, Cooke, Court, Crowder, Hill, Jones, Kefalas, Kerr, Martinez Humenik, Neville T., Priola, Sonnenberg, Tate, Grantham;  
also REPRESENTATIVE(S) Hamner, Young, Rankin, Covarrubias, Ginal, Herod, Hooton, Lebsock, Lontine, Mitsch Bush, Pabon, Pettersen, Rosenthal, Saine, Salazar, Valdez, Weissman, Duran.

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

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

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

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

~~(2) The commission shall not allocate more than eight hundred~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~thousand dollars under subsection (1) of this section for purposes of providing tuition assistance to members of the National Guard pursuant to section 23-5-111.4.~~

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

**23-5-111.4. Tuition for members of the National Guard - definitions.** (3) (a) For the purposes of this section, "designated institution of higher education" means the Colorado state university - Pueblo, Adams state university, Colorado Mesa university, Metropolitan state university of Denver, Fort Lewis college, Western state Colorado university, all independent area technical colleges, all local district colleges, the university of northern Colorado, the university of Colorado at Boulder, the university of Colorado at Denver, the university of Colorado at Colorado Springs, Colorado state university, the Colorado school of mines, the university of Colorado health sciences center, all community colleges governed by the state board for community colleges and occupational education, and any private institution of higher education in Colorado that qualifies for the college opportunity fund pursuant to article 18 of this ~~title~~ TITLE 23 and that offers an accredited certificate or degree program in homeland security. For a member of the Colorado National Guard enrolled in a private institution of higher education, tuition assistance is limited to the completion of the accredited certificate or degree program in homeland security and is provided at the discretion of the adjutant general of the department of military and veterans affairs. ~~The tuition benefit to members of the Colorado National Guard under this subsection (3) for an accredited certificate or degree program in homeland security shall not exceed the moneys appropriated annually to the Colorado National Guard pursuant to section 23-3.3-202.~~

(9) (a) There is ~~hereby~~ created in the state treasury the Colorado National Guard tuition fund which ~~shall be~~ IS administered by the department of military and veterans affairs and which ~~shall consist~~ CONSISTS of all ~~moneys which~~ MONEY THAT may be appropriated thereto by the general assembly or ~~which may be~~ THAT IS otherwise made available to it by the general assembly. ~~Moneys~~ MONEY "otherwise made available" ~~shall include~~ INCLUDES any repayment of tuition assistance made pursuant to subsection (6) of this section. ~~and any moneys appropriated by the general assembly for purposes of this section in accordance with section~~

~~23-3.3-202.~~ The ~~moneys~~ MONEY in the fund ~~are hereby~~ IS continuously appropriated for the payment of tuition assistance as provided in this section. Any ~~moneys~~ MONEY not expended at the end of the fiscal year ~~shall remain~~ REMAINS in the fund and shall not be transferred to or revert to the general fund of the state.

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

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Kevin J. Grantham  
PRESIDENT OF  
THE SENATE

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Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

\_\_\_\_\_  
Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO