

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 09-0472.01 Jane Ritter

**HOUSE BILL 09-1039**

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**HOUSE SPONSORSHIP**

**McNulty,**

**SENATE SPONSORSHIP**

**Kopp,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING IN-STATE TUITION CLASSIFICATION FOR HONORABLY**  
102     **DISCHARGED MILITARY VETERANS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Grants honorably discharged members of the armed forces, and their dependents, in-state tuition status.

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

2             **SECTION 1.** Article 7 of title 23, Colorado Revised Statutes, 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.

1 amended BY THE ADDITION OF A NEW SECTION to read:

2 **23-7-108.5. Tuition classification of armed forces veterans.**

3 (1) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE  
4 CONTRARY, AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES  
5 OF THE UNITED STATES WHO MAINTAINS HIS OR HER SOLE RESIDENCE IN  
6 COLORADO AND WHO ENROLLS IN A STATE INSTITUTION OF HIGHER  
7 EDUCATION IN THIS STATE, OR A DEPENDENT OF SAID HONORABLY  
8 DISCHARGED MEMBER OF THE ARMED FORCES WHO ENROLLS IN A STATE  
9 INSTITUTION OF HIGHER EDUCATION IN THIS STATE, MAY RECEIVE IN-STATE  
10 TUITION STATUS AT THE DISCRETION OF THE ENROLLING INSTITUTION.  
11 SAID HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES MAY  
12 RECEIVE IN-STATE TUITION STATUS REGARDLESS OF WHETHER HE OR SHE  
13 IS ELIGIBLE FOR OR IS RECEIVING TUITION ASSISTANCE PURSUANT TO  
14 SECTION 23-5-111.4.

15 (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT  
16 SOLELY PURSUANT TO THIS SECTION SHALL NOT BE COUNTED AS A  
17 RESIDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION.

18 (3) NOTWITHSTANDING ANY PROVISION OF SECTION 23-18-102 (5)  
19 TO THE CONTRARY, AN HONORABLY DISCHARGED MEMBER OF THE ARMED  
20 FORCES OF THE UNITED STATES WHO MAINTAINS HIS OR HER SOLE  
21 RESIDENCE IN COLORADO, OR HIS OR HER DEPENDENT, SHALL NOT BE  
22 ELIGIBLE TO RECEIVE A STIPEND PURSUANT TO PART 2 OF ARTICLE 18 OF  
23 THIS TITLE.

24 **SECTION 2. Act subject to petition - effective date.** This act  
25 shall take effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly that is  
27 allowed for submitting a referendum petition pursuant to article V,

1 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
2 sine die is on May 6, 2009); except that, if a referendum petition is filed  
3 against this act or an item, section, or part of this act within such period,  
4 then the act, item, section, or part, if approved by the people, shall take  
5 effect on the date of the official declaration of the vote thereon by  
6 proclamation of the governor.