

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

**ENGROSSED**

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

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, AND MAKING AN**  
103             **APPROPRIATION THEREFOR.**

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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:*

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.*

HOUSE  
Amended 2nd Reading  
April 6, 2009

1           **SECTION 1.** Article 7 of title 23, Colorado Revised Statutes, is  
2 amended BY THE ADDITION OF A NEW SECTION to read:

3           **23-7-108.5. Tuition classification of armed forces veterans.**

4 (1) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE  
5 CONTRARY, AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES  
6 OF THE UNITED STATES WHO MAINTAINS HIS OR HER SOLE RESIDENCE IN  
7 COLORADO AND WHO ENROLLS IN A STATE INSTITUTION OF HIGHER  
8 EDUCATION IN THIS STATE, OR A DEPENDENT OF SAID HONORABLY  
9 DISCHARGED MEMBER OF THE ARMED FORCES WHO ENROLLS IN A STATE  
10 INSTITUTION OF HIGHER EDUCATION IN THIS STATE, MAY RECEIVE IN-STATE  
11 TUITION STATUS. SAID HONORABLY DISCHARGED MEMBER OF THE ARMED  
12 FORCES MAY RECEIVE IN-STATE TUITION STATUS REGARDLESS OF  
13 WHETHER HE OR SHE IS ELIGIBLE FOR OR IS RECEIVING TUITION ASSISTANCE  
14 PURSUANT TO 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 INCLUDING BUT NOT LIMITED TO ELIGIBILITY TO RECEIVE A STIPEND FROM  
19 THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF ARTICLE 18 OF  
20 THIS TITLE.

21           **SECTION 2. Adjustment to the 2009 long bill.** For the  
22 implementation of this act, appropriations made in the annual general  
23 appropriation act for the fiscal year beginning July 1, 2009, shall be  
24 adjusted as follows:

25 (1) The appropriation from the general fund to the department of  
26 higher education, college opportunity fund program, for stipends for  
27 students attending state-operated institutions of higher education, is

1 decreased by two million eight hundred fifty-nine thousand three hundred  
2 sixty dollars (\$2,859,360), based on a projected decrease in the  
3 stipend-eligible population of 1,036 student full-time equivalents as a  
4 result of the implementation of this bill.

5 (2) The appropriation from reappropriated funds to the department  
6 of higher education, governing boards, is decreased by two million eight  
7 hundred fifty-nine thousand three hundred sixty dollars (\$2,859,360),  
8 based on a projected decrease in the stipend-eligible population of 1,036  
9 student full-time equivalents as a result of the implementation of this bill.

10 **SECTION 3. Act subject to petition - effective date.** This act  
11 shall take effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly that is  
13 allowed for submitting a referendum petition pursuant to article V,  
14 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
15 sine die is on May 6, 2009); except that, if a referendum petition is filed  
16 against this act or an item, section, or part of this act within such period,  
17 then the act, item, section, or part, if approved by the people, shall take  
18 effect on the date of the official declaration of the vote thereon by  
19 proclamation of the governor.