

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

REVISED

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

LLS NO. 09-0472.01 Jane Ritter

HOUSE BILL 09-1039

HOUSE SPONSORSHIP

McNulty,

SENATE SPONSORSHIP

Kopp,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

State, Veterans & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING IN-STATE TUITION CLASSIFICATION FOR HONORABLY**
102 **DISCHARGED MILITARY VETERANS, AND MAKING AN**
103 **APPROPRIATION THEREFOR.**

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.

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.

SENATE
Am ended 2nd Reading
April 30, 2009

HOUSE
3rd Reading Unam ended
April 7, 2009

HOUSE
Am ended 2nd Reading
April 6, 2009

1 **SECTION 1. Short title.** This act shall be known and may be
2 cited as the "G.I. Promise Act".

3 **SECTION 2.** 23-7-103 (1) (c) (I) (C), Colorado Revised Statutes,
4 is amended to read:

5 **23-7-103. Presumptions and rules for determination of status.**

6 (1) Unless the contrary appears to the satisfaction of the registering
7 authority of the institution at which a student is registering, it shall be
8 presumed that:

9 (c) (I) (C) A member of the armed forces may apply for in-state
10 tuition classification for any of his or her dependents, including but not
11 limited to a spouse, upon meeting the requirements of this section. After
12 qualifying as an in-state student and while continuously enrolled as an
13 undergraduate or graduate student at an institution of higher education in
14 Colorado, ~~a dependent of~~ a member of the armed forces of the United
15 States on active duty, OR THE MEMBER'S SPOUSE OR DEPENDENT, shall not
16 lose ~~the dependent's~~ HIS OR HER ELIGIBILITY FOR in-state tuition status if
17 the member is transferred outside of Colorado OR IF THE MEMBER RETIRES
18 OR SEPARATES FROM THE MILITARY AND REMAINS IN COLORADO. A
19 person who is a dependent of a member of the armed forces of the United
20 States who was on active duty in Colorado during the person's last year
21 of high school, and who attends a public institution of higher education
22 in Colorado within twelve months after graduating from a high school in
23 Colorado, shall be eligible for in-state tuition, AND THE ELIGIBILITY SHALL
24 NOT BE AFFECTED IF THE MEMBER IS TRANSFERRED OUTSIDE OF COLORADO
25 OR IF THE MEMBER RETIRES OR SEPARATES FROM THE MILITARY AND
26 REMAINS IN COLORADO; except that such a person is not eligible for
27 in-state tuition under this provision if the person has attended an

1 institution of higher education outside of Colorado.

2 **SECTION 3.** Article 7 of title 23, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **23-7-108.5. Tuition classification of armed forces veterans.**

5 (1) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
6 CONTRARY, BEGINNING WITH THE FALL SEMESTER OF THE 2009-2010
7 ACADEMIC YEAR, THE GOVERNING BOARD OF EACH STATE INSTITUTION OF
8 HIGHER EDUCATION IN COLORADO SHALL ADOPT A POLICY THAT GRANTS
9 IN-STATE TUITION STATUS TO AN HONORABLY DISCHARGED MEMBER OF
10 THE ARMED FORCES OF THE UNITED STATES WHO ENROLLS IN SAID STATE
11 INSTITUTION OF HIGHER EDUCATION AND WHO MEETS, FOR ANY LENGTH OF
12 TIME, THE PRESUMPTIONS AND RULES FOR MAINTAINING A DOMICILE IN
13 COLORADO DESCRIBED IN SECTION 23-7-103.

14 (b) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
15 CONTRARY, BEGINNING WITH THE FALL SEMESTER OF THE 2009-2010
16 ACADEMIC YEAR, THE GOVERNING BOARD OF EACH STATE INSTITUTION OF
17 HIGHER EDUCATION IN COLORADO MAY ADOPT A POLICY THAT GRANTS
18 IN-STATE TUITION STATUS TO A DEPENDENT OF AN HONORABLY
19 DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO
20 ENROLLS IN SAID STATE INSTITUTION OF HIGHER EDUCATION IF THE SAID
21 HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES MEETS, FOR
22 ANY LENGTH OF TIME, THE PRESUMPTIONS AND RULES FOR MAINTAINING
23 A DOMICILE IN COLORADO DESCRIBED IN SECTION 23-7-103.

24 (2) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT
25 SOLELY PURSUANT TO THIS SECTION SHALL NOT BE COUNTED AS A
26 RESIDENT FOR ANY PURPOSE OTHER THAN TUITION CLASSIFICATION;
27 EXCEPT THAT, BEGINNING WITH THE FALL SEMESTER OF THE 2011-2012

1 ACADEMIC YEAR, UPON SUCH CLASSIFICATION AS AN IN-STATE STUDENT
2 PURSUANT TO THIS SECTION, THE STUDENT SHALL ALSO BE ELIGIBLE TO
3 RECEIVE A STIPEND FROM THE COLLEGE OPPORTUNITY FUND PURSUANT TO
4 PART 2 OF ARTICLE 18 OF THIS TITLE.

5 **SECTION 4. Adjustment to the 2009 long bill.** For the
6 implementation of this act, cash fund appropriations made in the annual
7 general appropriation act for the fiscal year beginning July 1, 2009, from
8 the students' share of tuition, to the department of higher education,
9 governing boards, shall be reduced as follows:

10 (1) for the trustees of adams state college thirty-eight thousand
11 three hundred seventy dollars (\$38,370);

12 (2) for the trustees of mesa state college, seventy thousand one
13 hundred eighty-four dollars (\$70,184);

14 (3) for the trustees of metropolitan state college of Denver, sixty
15 thousand nine hundred fifty-six dollars (\$60,956);

16 (4) for the trustees of western state college, eight thousand nine
17 hundred seventy-six dollars (\$8,976);

18 (5) for the trustees of fort lewis college, one hundred ninety-seven
19 thousand fifty-six dollars (\$197,056);

20 (6) for the board of governors of the Colorado state university
21 system, seven hundred twenty-one thousand nine hundred ninety-three
22 dollars (\$721,993);

23 (7) for the board of regents of the university of Colorado, seven
24 hundred twenty-six thousand ninety-seven dollars (\$726,097);

25 (8) for the trustees of the Colorado school of mines, forty-two
26 thousand twenty-four dollars (\$42,024); and,

27 (9) for the state board of community colleges and occupational

1 education state system community colleges, ten thousand eight hundred
2 fifty-six dollars (\$10,856). ==

3 **SECTION 5. Act subject to petition - effective date.** This act
4 shall take effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly that is
6 allowed for submitting a referendum petition pursuant to article V,
7 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
8 sine die is on May 6, 2009); except that, if a referendum petition is filed
9 against this act or an item, section, or part of this act within such period,
10 then the act, item, section, or part, if approved by the people, shall take
11 effect on the date of the official declaration of the vote thereon by
12 proclamation of the governor.