

**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 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. Act subject to petition - effective date.** This act  
22 shall take effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly that is  
24 allowed for submitting a referendum petition pursuant to article V,  
25 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
26 sine die is on May 6, 2009); except that, if a referendum petition is filed  
27 against this act or an item, section, or part of this act within such period,

1 then the act, item, section, or part, if approved by the people, shall take  
2 effect on the date of the official declaration of the vote thereon by  
3 proclamation of the governor.