

**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

HOUSE SPONSORSHIP

McNulty,

SENATE SPONSORSHIP

Kopp,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

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

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:*

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.