

The bill requires that students who do not have documentation of lawful immigration or nationality status, and apply for classification as an unsubsidized in-state student, must file an affidavit with the institution of higher education stating that he or she has applied for lawful status, or will file an application as soon as he or she is eligible to do so.

A student who is classified as an unsubsidized in-state student for tuition purposes is not eligible to receive stipends from the College Opportunity Fund or to receive state-funded, need-based financial aid. Such students shall not be counted as residents or deemed to have established domicile based on the tuition classification.

State Revenue

Increase in Higher Education Tuition Revenue. This bill will increase state tuition revenue based on the assumption that more students will attend state institutions of higher education than would without SB11-126. There is limited data on the number of students who will be directly affected by the bill and changing assumptions will affect the fiscal analysis. It should be noted that tuition increases could be somewhat offset by tuition reductions for any affected student who is currently paying nonresident tuition. Allowing such students to pay the resident rate will reduce tuition by the difference between nonresident and resident tuition (on average, \$13,325 per student at 4-year research universities; and, \$10,525 per student at 4-year colleges).

Currently, U.S. citizens who graduate from a high school in Colorado following 3 years of attendance are eligible for the in-state tuition rate. Approximately 737 students without documentation of lawful residence will be eligible for the new tuition classification as a result of this bill; however, not all of these students will attend an institution of higher education. This fiscal note assumes that a minimum of 50 students will take advantage of the new benefit. Table 1 presents ranges of new tuition revenue based on an average resident tuition rate of \$2,888 at community colleges and \$5,737 at 4-year universities per semester.

Students	New Tuition Revenue Community Colleges	New Tuition Revenue 4-Year Universities
50	\$144,400	\$286,850
100	\$288,800	\$573,700
200	\$577,600	\$1,147,400
400	\$1,155,200	\$2,294,800

This analysis is based on the data and assumptions listed below.

- ▶ The large majority of students in Colorado without documentation of lawful status are Hispanic and this analysis is based primarily on this population.

- ▶ Approximately 70 percent of undocumented immigrants live at or below the poverty level, and thus will not attend state institutions of higher education at the nonresident tuition rate.
- ▶ 63 percent of Colorado high school graduates enroll at institutions of higher education. In 2009-10, of the approximately 35,500 students who graduated from high school following 3 continuous years of enrollment, 13,000 students did not attend an institution of higher education.
- ▶ 17 percent of the graduates who did not attend higher education are Hispanic but less than 33 percent are themselves undocumented immigrants. Therefore, of the 13,000 graduates who did not attend higher education, an estimated 2,233 are Hispanic, but only 737 are undocumented.

State Expenditures

Increase in Higher Education Expenses. Any new revenue generated by more students attending state institutions of higher education will be spent by the schools for the instructional costs associated with providing a higher education to new students.

Departments Contacted

Education

Higher Education