

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0380.01 Michael Dohr

HOUSE BILL 11-1074

HOUSE SPONSORSHIP

Gerou, Tyler, Becker, Kerr J., Schafer S., Summers

SENATE SPONSORSHIP

Jahn, Heath, Hodge, Hudak, Spence

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING COLORADO SCHOOL OF MINES FUNDING OF FINANCIAL
102 AID.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill changes how the Colorado school of mines calculates the average discounted tuition rate.

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.

1 **SECTION 1.** 23-41-104.7, Colorado Revised Statutes, is
2 amended to read:

3 **23-41-104.7. Funding.** (1) Beginning in the 2011-12 fiscal year
4 and for each fiscal year thereafter through the 2020-21 fiscal year, the
5 general assembly shall annually appropriate to the Colorado school of
6 mines ~~an~~ THE amount of funding ~~in lieu of any~~ TO BE USED PURSUANT TO
7 SUBSECTION (2) OF THIS SECTION, WHICH AMOUNT SHALL BE SUBTRACTED
8 FROM THE funding the institution may have otherwise received through
9 fee-for-service contracts negotiated by the institution with the Colorado
10 commission on higher education pursuant to section 23-5-130. The
11 amount of the appropriation shall be determined annually through the
12 budget process.

13 (2) (a) Except as otherwise provided in paragraph (b) of this
14 subsection (2), the Colorado school of mines shall use ~~a portion of the~~
15 moneys appropriated pursuant to this section to provide merit-based
16 scholarships, need-based financial aid, and graduate fellowships to assist
17 students with in-state classification to attend the institution. ~~and shall~~
18 ~~increase said portion to ensure that, no later than the 2020-21 fiscal year~~
19 ~~and for each fiscal year thereafter, the moneys appropriated pursuant to~~
20 ~~this section are used solely for said purposes~~ BY THE 2020-21 FISCAL
21 YEAR, ALL MONEYS THAT THE COLORADO SCHOOL OF MINES WOULD HAVE
22 OTHERWISE RECEIVED THROUGH FEE-FOR-SERVICE CONTRACTS
23 NEGOTIATED BY THE INSTITUTION WITH THE COLORADO COMMISSION ON
24 HIGHER EDUCATION PURSUANT TO SECTION 23-5-130 SHALL BE
25 APPROPRIATED TO THE INSTITUTION AND BE USED SOLELY FOR THE
26 PURPOSES DESCRIBED IN THIS PARAGRAPH (a).

27 (b) In any fiscal year in which the average discounted tuition rate

1 for a student with in-state classification who is enrolled at the Colorado
2 school of mines is greater than thirty percent, the institution may use any
3 amount of the appropriation that is not used to maintain the average
4 discounted tuition rate at thirty percent for other operational purposes. As
5 used in this paragraph (b), "average discounted tuition rate" means the
6 total of the amount of MERIT-BASED AND NEED-BASED scholarships,
7 ~~financial-aid~~ GRANTS, and graduate fellowships awarded FROM
8 INSTITUTION MONEYS OR COLORADO SCHOOL OF MINES FOUNDATION
9 MONEYS to students WITH IN-STATE CLASSIFICATION enrolled in the
10 institution divided by the total tuition revenue FROM STUDENTS WITH
11 IN-STATE CLASSIFICATION.

12 (3) In any fiscal year in which the Colorado school of mines
13 receives an appropriation pursuant to this section, THAT AMOUNT SHALL
14 BE SUBTRACTED FROM THE AMOUNT the institution ~~shall not be eligible to~~
15 ~~receive funding~~ RECEIVES pursuant to a fee-for-service contract
16 negotiated pursuant to section 23-5-130.

17 **SECTION 2.** 23-1-104 (2), Colorado Revised Statutes, is
18 amended to read:

19 **23-1-104. Financing the system of postsecondary education -**
20 **report - repeal.** (2) Notwithstanding any provision of this section to the
21 contrary, beginning in the 2011-12 fiscal year and for each fiscal year
22 thereafter through the 2020-21 fiscal year, the general assembly shall
23 appropriate moneys to the governing board of the Colorado school of
24 mines in accordance with section 23-41-104.7, and as stipends, as defined
25 in section 23-18-102, as a single line item to said governing board. The
26 amount appropriated pursuant to section 23-41-104.7 shall be ~~in lieu of~~
27 ~~any~~ SUBTRACTED FROM THE amount authorized through fee-for-service

1 contracts negotiated pursuant to section 23-1-109.7 and 23-5-130.

2 **SECTION 3. Act subject to petition - effective date.** This act
3 shall take effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part shall not take effect
9 unless approved by the people at the general election to be held in
10 November 2012 and shall take effect on the date of the official
11 declaration of the vote thereon by the governor.