

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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
Education

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.

HOUSE
3rd Reading Unamended
February 8, 2011

HOUSE
Amended 2nd Reading
February 7, 2011

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 amount of funding in lieu of any funding the institution may
7 have otherwise received through fee-for-service contracts negotiated by
8 the institution with the Colorado commission on higher education
9 pursuant to section 23-5-130. The amount of the appropriation shall be
10 determined annually through the budget process COLORADO SCHOOL OF
11 MINES SHALL USE A PORTION OF ITS FEE-FOR-SERVICE FUNDING
12 NEGOTIATED PURSUANT TO SECTION 23-5-130 TO PROVIDE MERIT-BASED
13 SCHOLARSHIPS, NEED-BASED FINANCIAL AID, AND GRADUATE STUDENT
14 SUPPORT TO ASSIST STUDENTS WITH IN-STATE CLASSIFICATION TO ATTEND
15 THE INSTITUTION, AND SHALL INCREASE SAID PORTION TO ENSURE THAT,
16 NO LATER THAN THE 2020-21 FISCAL YEAR AND FOR EACH FISCAL YEAR
17 THEREAFTER, ALL SAID FUNDING SHALL BE USED FOR SAID PURPOSES,
18 EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF SUBSECTION (2) OF
19 THIS SECTION.

20 (2) (a) Except as otherwise provided in paragraph (b) of this
21 subsection (2), the Colorado school of mines shall use a portion of the
22 moneys appropriated pursuant to this section to provide merit-based
23 scholarships, need-based financial aid, and graduate fellowships to assist
24 students with in-state classification to attend the institution and shall
25 increase said portion to ensure that, no later than the 2020-21 fiscal year
26 and for each fiscal year thereafter, the moneys appropriated pursuant to
27 this section are used solely for said purposes.

1 (b) BEGINNING IN 2020-21 AND in any fiscal year THEREAFTER in
2 which the average discounted tuition rate for a student UNDERGRADUATE
3 STUDENTS with in-state classification who is enrolled at the Colorado
4 school of mines is greater than thirty percent, the institution may use any
5 amount of the appropriation FEE-FOR-SERVICE FUNDING that is not used
6 to maintain the average discounted tuition rate at thirty percent for other
7 operational purposes. As used in this paragraph (b), "average discounted
8 tuition rate" means the total of the amount of MERIT-BASED AND
9 NEED-BASED scholarships financial aid, and graduate fellowships GRANTS
10 awarded FROM INSTITUTION FUNDS to UNDERGRADUATE students WITH
11 IN-STATE CLASSIFICATION enrolled in the institution divided by the total
12 tuition revenue FROM UNDERGRADUATE STUDENTS WITH IN-STATE
13 CLASSIFICATION.

14 (3) In any fiscal year in which the Colorado school of mines
15 receives an appropriation pursuant to this section, the institution shall not
16 be eligible to receive funding pursuant to a fee-for-service contract
17 negotiated pursuant to section 23-5-130.

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

20 23-1-104. Financing the system of postsecondary education -
21 report - repeal. (2) Notwithstanding any provision of this section to the
22 contrary, beginning in the 2011-12 fiscal year and for each fiscal year
23 thereafter through the 2020-21 fiscal year, the general assembly shall
24 appropriate moneys to the governing board of the Colorado school of
25 mines in accordance with section 23-41-104.7, THROUGH
26 FEE-FOR-SERVICE CONTRACTS, AS AUTHORIZED IN SECTIONS 23-1-109.7
27 AND 23-5-130, and as stipends, as defined in section 23-18-102, as a

1 single line item to said governing board. The amount appropriated
2 pursuant to section 23-41-104.7 shall be in lieu of any amount authorized
3 through fee-for-service contracts negotiated pursuant to section
4 23-1-109.7 and 23-5-130.



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