

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 15, 2013  
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB13-033 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 5, after line 8 insert:

- 2           **"SECTION 3. No appropriation - legislative declaration. (1)**  
3           The general assembly finds, determines and declares that:  
4           (a) Pursuant to article 18 of title 23, Colorado Revised Statutes,  
5           for FY 2012-13, the general assembly appropriated \$502.6 million from  
6           the general fund for college opportunity fund student stipends and fee-for  
7           service contracts;  
8           (b) The fiscal impact of offering in-state tuition rates to additional  
9           students is uncertain, because there is limited data on the number of  
10          additional students who will be affected by this change and which  
11          institutions they will attend;  
12          (c) Initial estimates that up 500 additional students may attend  
13          higher education institutions represent an increase of less than 0.4 percent  
14          in the estimated 141,905 in-state students receiving college opportunity  
15          fund student stipends in FY 2012-13;  
16          (d) Historically, when the total number of students receiving  
17          college opportunity fund stipends has exceeded the estimates reflected in  
18          the long bill, the general assembly has responded by increasing funding  
19          for student stipends but decreasing funding for higher education fee-for-  
20          service contracts, with a net result of no fiscal impact to the institution or  
21          the general fund; and  
22          (e) In light of the uncertain fiscal impact of offering in-state  
23          tuition rates to students without lawful immigration status, it is the intent

1 of the general assembly that any resulting increase in college opportunity  
2 fund student stipends will be offset through the regular supplemental  
3 appropriations process.

4 (f) Furthermore, pursuant to section 23-5-130.5, Colorado Revised  
5 Statutes, for the state fiscal years 2011-12 through 2015-16, each higher  
6 education governing board, for the institutions it controls, annually sets  
7 the amount of tuition to be paid by students; and

8 (g) Therefore, amounts shown in the annual general appropriation  
9 act for fiscal year 2013-14 for higher education student tuition and fees  
10 will be shown solely for informational purposes, will not represent a  
11 limitation on institutional spending, and need not be adjusted to reflect  
12 changes in projected revenue pursuant to this bill.

13 (2) Therefore, the general assembly has determined that this act  
14 can be implemented within existing appropriations, and therefore no  
15 separate appropriation of state moneys is necessary to carry out the  
16 purposes of this act."

17 Renumber succeeding section accordingly.

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