

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0019.01 Brita Darling x2241

HOUSE BILL 14-1124

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A BILL FOR AN ACT

101 **CONCERNING IN-STATE TUITION CLASSIFICATION FOR AMERICAN**
102 **INDIANS FROM TRIBES WITH HISTORICAL TIES TO COLORADO.**

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 requires a state-supported institution of higher education to classify as an in-state student for tuition purposes a student who is a member of a federally recognized American Indian tribe with historical ties to Colorado, as designated by the Colorado commission on Indian Affairs. A student classified as an in-state student pursuant to this tuition

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.

classification may be counted as a resident for any purpose and is eligible for state financial aid and the college opportunity fund stipend. The bill exempts Fort Lewis College from its provisions.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-7-112 as
3 follows:

4 **23-7-112. Tuition classification for members of American**
5 **Indian tribes with historical ties to Colorado - legislative declaration.**

6 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (a) OFTEN DUE TO CIRCUMSTANCES BEYOND THEIR CONTROL,
8 MANY AMERICAN INDIAN TRIBES AND MEMBERS OF AMERICAN INDIAN
9 TRIBES HAVE BEEN FORCED TO RELOCATE ACROSS STATE LINES, FAR FROM
10 THEIR HISTORICAL HOME PLACES. AS A CONSEQUENCE, AMERICAN INDIAN
11 HIGH SCHOOL STUDENTS OFTEN ONLY RECEIVE IN-STATE TUITION
12 ELIGIBILITY IN THEIR STATE OF CURRENT RESIDENCE, RATHER THAN THE
13 STATE THAT THEIR TRIBES TRADITIONALLY CALLED THEIR ANCESTRAL
14 HOME.

15 (b) IN 2011, LESS THAN FORTY-TWO PERCENT OF AMERICAN
16 INDIAN HIGH SCHOOL STUDENTS CHOSE TO ATTEND COLLEGE, WELL BELOW
17 THE NATIONAL AVERAGE OF FIFTY-SEVEN PERCENT OF ALL STUDENTS;

18 (c) AMERICAN INDIAN HIGH SCHOOL STUDENTS ARE ALSO MUCH
19 LESS LIKELY THAN THEIR PEERS TO ATTEND AN OUT-OF-STATE COLLEGE;

20 (d) THE FAMILIES OF AMERICAN INDIAN HIGH SCHOOL STUDENTS
21 HAVE POVERTY RATES MORE THAN TEN PERCENTAGE POINTS HIGHER THAN
22 THE NATIONAL AVERAGE, WITH TWENTY-SEVEN PERCENT OF AMERICAN
23 INDIAN HOUSEHOLDS LIVING BELOW THE FEDERAL POVERTY LEVEL; AND

24 (e) THEREFORE, IT IS IN THE BEST INTERESTS OF THE STATE AND OF

1 AFFECTED AMERICAN INDIAN STUDENTS FOR COLORADO TO EXTEND
2 IN-STATE TUITION CLASSIFICATION TO ANY AMERICAN INDIAN STUDENT
3 WHO IS A REGISTERED MEMBER OF A FEDERALLY RECOGNIZED AMERICAN
4 INDIAN TRIBE WITH HISTORICAL TIES TO COLORADO.

5 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO
6 THE CONTRARY, BEGINNING WITH THE 2014-15 ACADEMIC YEAR, A
7 STUDENT WHO WOULD NOT OTHERWISE BE CLASSIFIED AS AN IN-STATE
8 STUDENT PURSUANT TO THIS ARTICLE SHALL BE CLASSIFIED AS AN
9 IN-STATE STUDENT AT THE INSTITUTIONS OF THIS STATE IF THE STUDENT
10 IS A REGISTERED MEMBER OF A FEDERALLY RECOGNIZED AMERICAN
11 INDIAN TRIBE WITH HISTORICAL TIES TO COLORADO, AS DESIGNATED BY
12 THE COLORADO COMMISSION ON INDIAN AFFAIRS, ESTABLISHED PURSUANT
13 TO ARTICLE 44 OF TITLE 24, C.R.S., IN CONSULTATION AND PARTNERSHIP
14 WITH THE OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION AT
15 HISTORY COLORADO, OR ITS SUCCESSOR OFFICE.

16 (3) A STUDENT WHO IS CLASSIFIED AS AN IN-STATE STUDENT
17 PURSUANT TO THIS SECTION:

18 (a) MAY BE COUNTED AS A RESIDENT STUDENT FOR ANY PURPOSE;
19 AND

20 (b) IS ELIGIBLE FOR STATE-FUNDED FINANCIAL AID, INCLUDING A
21 COLLEGE OPPORTUNITY FUND STIPEND PURSUANT TO THE PROVISIONS OF
22 PART 2 OF ARTICLE 18 OF THIS TITLE, AND MAY BE ELIGIBLE FOR
23 INSTITUTIONAL OR PRIVATE FINANCIAL AID.

24 (4) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO FORT
25 LEWIS COLLEGE DUE TO ITS HISTORIC COMMITMENT TO NATIVE AMERICAN
26 EDUCATION. FURTHERMORE, NOTHING IN THIS SECTION MODIFIES OR
27 AFFECTS THE INDIAN PUPIL TUITION WAIVER PURSUANT TO SECTION

1 23-52-105 (1) (b) (I).

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.