

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0922.01 Brita Darling x2241

HOUSE BILL 15-1294

HOUSE SPONSORSHIP

Lee and Keyser, Esgar, Lebsock, Carver, Lontine, Primavera, Ryden, Salazar, Sias, Tate, Thurlow, Tyler, Williams, Young

SENATE SPONSORSHIP

Todd and Hill,

House Committees
Education

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A BILL FOR AN ACT

101 **CONCERNING ALIGNMENT OF STATE LAW REGARDING IN-STATE**
102 **TUITION CLASSIFICATION WITH THE FEDERAL "VETERANS**
103 **ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014".**

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 state institutions of higher education (institutions) to classify as in-state students for tuition purposes a "covered individual" as defined in federal law pursuant to the "Veterans Access, Choice, and Accountability Act of 2014" (act). Under the act, qualifying veterans, spouses, and dependents must be granted in-state tuition, or the institution

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.

may be disqualified from participating in the post-9/11 and Montgomery GI bill programs.

To be classified as an in-state student for tuition purposes, a covered individual must reside in Colorado while attending a state institution and must be enrolled in courses with federal educational assistance benefits.

Students classified pursuant to this section are eligible to receive the college opportunity fund stipend.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-7-108.6 as
3 follows:

4 **23-7-108.6. Tuition classification for veterans pursuant to**
5 **federal law.** (1) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO
6 THE CONTRARY, BEGINNING WITH ANY COURSES ENROLLED AS OF JULY 1,
7 2015, THE GOVERNING BOARD OF EACH STATE INSTITUTION OF HIGHER
8 EDUCATION SHALL ADOPT A POLICY GRANTING IN-STATE TUITION STATUS
9 TO "COVERED INDIVIDUALS", AS DEFINED IN SECTION 702 OF THE
10 "VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014", 38
11 U.S.C. SEC. 3679, AS MAY BE AMENDED, AND AS DETERMINED BY THE
12 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

13 (2) A COVERED INDIVIDUAL MUST BE CLASSIFIED AS AN IN-STATE
14 STUDENT FOR TUITION PURPOSES IF:

15 (a) THE COVERED INDIVIDUAL RESIDES IN COLORADO WHILE
16 ENROLLED IN THE INSTITUTION, REGARDLESS OF THE LENGTH OF TIME THE
17 COVERED INDIVIDUAL RESIDED IN COLORADO PRIOR TO ENROLLING IN THE
18 INSTITUTION; AND

19 (b) THE COVERED INDIVIDUAL ENROLLS IN COURSES WITH
20 EDUCATIONAL ASSISTANCE BENEFITS PURSUANT TO CHAPTER 30 OR 33 OF
21 U.S.C. TITLE 38.

1 (3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF
2 THIS SECTION TO THE CONTRARY, A COVERED INDIVIDUAL WHO EXHAUSTS
3 HIS OR HER EDUCATIONAL ASSISTANCE BENEFITS PURSUANT TO CHAPTER
4 30 OR 33 OF U.S.C. TITLE 38 MUST CONTINUE TO BE CLASSIFIED AS AN
5 IN-STATE STUDENT FOR TUITION PURPOSES SO LONG AS THE COVERED
6 INDIVIDUAL RESIDES IN COLORADO AND REMAINS CONTINUOUSLY
7 ENROLLED IN THE SAME INSTITUTION.

8 (4) BEGINNING JULY 1, 2015, UPON CLASSIFICATION PURSUANT TO
9 THIS SECTION, THE COVERED INDIVIDUAL IS ALSO ELIGIBLE TO RECEIVE A
10 STIPEND FROM THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF
11 ARTICLE 18 OF THIS TITLE.

12 (5) A COVERED INDIVIDUAL THAT IS CLASSIFIED AS AN IN-STATE
13 STUDENT SOLELY PURSUANT TO THIS SECTION SHALL NOT BE COUNTED AS
14 A RESIDENT STUDENT FOR ANY OTHER PURPOSE OTHER THAN TUITION
15 CLASSIFICATION.

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