

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-0654.03 Julie Pelegrin x2700

HOUSE BILL 15-1224

HOUSE SPONSORSHIP

Mitsch Bush, Hamner, Rankin

SENATE SPONSORSHIP

Hill and Todd,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ACCOUNTING FOR STATE MONEYS RECEIVED BY PUBLIC**
102 **POSTSECONDARY INSTITUTIONS THAT DO NOT PARTICIPATE IN**
103 **THE COLLEGE OPPORTUNITY FUND PROGRAM.**

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/bills summaries>.)

Under current law, Colorado mountain college may operate up to 5 baccalaureate degree programs, subject to approval of the Colorado commission on higher education. The bill clarifies that Colorado mountain college may use state-appropriated moneys to operate the approved baccalaureate degree programs.

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
2nd Reading Unamended
March 16, 2015

The bill clarifies that the general assembly will annually determine the amounts of the direct grants paid to Colorado mountain college, Aims community college, and the area vocational schools. The state board for community colleges and occupational education will no longer determine how to allocate the annual appropriation of moneys for the local district junior colleges and area vocational schools.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-71-133, **add** (3)
3 as follows:

4 **23-71-133. Colorado mountain college - approval of**
5 **baccalaureate degrees - attorney general to advise.** (3) IN
6 ACCORDANCE WITH THE BUDGET ADOPTED BY THE BOARD OF TRUSTEES
7 FOR COLORADO MOUNTAIN COLLEGE PURSUANT TO SECTION 23-71-123
8 (1), COLORADO MOUNTAIN COLLEGE MAY USE ANY STATE-APPROPRIATED
9 MONEYS THE COLLEGE RECEIVES, IN ADDITION TO ANY OTHER REVENUES
10 OF THE COLLEGE, TO OPERATE ANY BACCALAUREATE DEGREE PROGRAM
11 THAT THE COLORADO COMMISSION ON HIGHER EDUCATION APPROVES
12 PURSUANT TO THIS SECTION.

13 **SECTION 2.** In Colorado Revised Statutes, 23-18-304, **amend**
14 (3) (a) and (3) (b) as follows:

15 **23-18-304. Funding for specialty education programs - area**
16 **vocational schools - local district junior colleges.** (3) (a) Except as
17 provided in paragraph (b) of this subsection (3), for the 2015-16 state
18 fiscal year and each fiscal year thereafter, the AMOUNT OF THE direct
19 ~~grants~~ GRANT made to ~~eligible junior college districts pursuant to~~
20 COLORADO MOUNTAIN COLLEGE AND THE AMOUNT OF THE DIRECT GRANT
21 MADE TO AIMS COMMUNITY COLLEGE, AS PROVIDED IN part 3 of article 71
22 of this title, for a state fiscal year must be equal to the amount of the

1 ~~grants~~ DIRECT GRANT made TO EACH INSTITUTION in the preceding state
2 fiscal year, increased or decreased by a percentage equal to the percentage
3 change in the total state appropriation for the applicable state fiscal year
4 from the total state appropriation for the preceding state fiscal year.

5 (b) After considering the status of the performance contracts with
6 ~~the local district junior colleges~~ COLORADO MOUNTAIN COLLEGE AND
7 WITH AIMS COMMUNITY COLLEGE pursuant to section 23-5-129, the
8 commission may recommend as part of its budget request that THE direct
9 ~~grants to local district junior colleges~~ GRANT TO EITHER OR BOTH
10 INSTITUTIONS increase by a percentage that is greater than the percentage
11 change in the total state appropriation for the preceding state fiscal year
12 or decrease by a percentage that is less than the percentage change in the
13 total state appropriation for the applicable fiscal year from the total state
14 appropriation for the preceding state fiscal year.

15 **SECTION 3.** In Colorado Revised Statutes, 23-71-301, **amend**
16 (1) as follows:

17 **23-71-301. Direct grants to junior college districts -**
18 **occupational courses.** (1) ~~(a) Any junior college district operating or~~
19 ~~organized and operating as such during the entire school year in which a~~
20 ~~grant is made shall be entitled to~~ COLORADO MOUNTAIN COLLEGE AND
21 AIMS COMMUNITY COLLEGE SHALL EACH ANNUALLY RECEIVE a direct
22 grant, from funds appropriated for this purpose, in an amount specified
23 annually by the general assembly pursuant to section 23-18-304.
24 ~~Procedures for the certification by junior college districts to the state~~
25 ~~board for community colleges and occupational education, referred to in~~
26 ~~this part 3 as the "board", of the numbers of students and the quarter or~~
27 ~~semester hours for which students are registered shall be prescribed by~~

1 regulation of the board. No moneys shall be distributed under this section
2 for any students other than those enrolled in postsecondary courses for
3 credit in degree and certificate programs.

4 (b) ~~The board shall establish procedures for the distribution of~~
5 ~~direct grants that encourage each district college to maintain an~~
6 ~~appropriate balance of vocational enrollments within its service area.~~

7 **SECTION 4.** In Colorado Revised Statutes, 23-71-302, **amend**
8 (1); and **repeal** (2) as follows:

9 **23-71-302. Distribution of grants.** (1) ~~The payment dates and~~
10 ~~allocation of grants paid on such dates shall be as determined by the~~
11 ~~board, with prior notice to the state treasurer. The board shall ANNUALLY~~
12 ~~certify to the state treasurer the amounts~~ AMOUNT OF THE DIRECT GRANTS
13 ~~to be paid to eligible junior college districts~~ COLORADO MOUNTAIN
14 COLLEGE, AIMS COMMUNITY COLLEGE, and THE area vocational schools,
15 ~~as direct grants from sums appropriated by the general assembly for such~~
16 ~~purpose, and, upon such certification, the board shall make distribution~~
17 ~~of such amounts to the respective junior college districts or area~~
18 ~~vocational schools. Such amounts may be used~~ SPECIFIED BY THE
19 GENERAL ASSEMBLY AND APPROPRIATED PURSUANT TO SECTION
20 23-18-304 FOR THE APPLICABLE FISCAL YEAR. EACH INSTITUTION OR AREA
21 VOCATIONAL SCHOOL MAY USE THE DIRECT GRANTS for current operating
22 costs ~~of the junior college or area vocational school~~ or for capital
23 construction.

24 (2) ~~Should the appropriations for implementation of this section~~
25 ~~and section 23-71-301 be less than the total amount required for~~
26 ~~distribution, the board shall prorate the amount to be paid to each district~~
27 ~~in the same proportion as the appropriation bears to the amount approved~~

1 ~~eligible for distribution. Should the appropriations for implementation of~~
2 ~~this section and section 23-71-301 exceed the amount required, any~~
3 ~~unexpended balances shall revert to the general fund.~~

4 **SECTION 5. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.