

NOTE: The governor signed this measure on 5/17/2016.

An Act

HOUSE BILL 16-1100

BY REPRESENTATIVE(S) Pettersen and Esgar, Court, Danielson, Duran, Garnett, Ginal, Hamner, Kagan, Kraft-Tharp, Lebsock, Lee, Lontine, McCann, Melton, Mitsch Bush, Moreno, Primavera, Priola, Rosenthal, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Winter, Young, Hullinghorst;
also SENATOR(S) Cooke, Aguilar, Carroll, Crowder, Donovan, Garcia, Guzman, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Roberts, Steadman, Todd, Ulibarri.

CONCERNING THE ABILITY OF UNACCOMPANIED HOMELESS YOUTH TO DETERMINE DOMICILE FOR PURPOSES OF IN-STATE TUITION STATUS AT INSTITUTIONS OF HIGHER EDUCATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 23-7-103.5 as follows:

23-7-103.5. Unaccompanied homeless youth - domicile - definitions. (1) AS DEFINED IN SUBSECTION (2) OF THIS SECTION, AN UNACCOMPANIED HOMELESS YOUTH IS A "QUALIFIED PERSON", AS DEFINED IN SECTION 23-7-102, FOR PURPOSES OF DETERMINING HIS OR HER OWN DOMICILE PURSUANT TO THE PROVISIONS OF SECTION 23-7-103.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "UNACCOMPANIED HOMELESS YOUTH" MEANS AN INDIVIDUAL WHO HAS NOT ATTAINED TWENTY-TWO YEARS OF AGE AND WHO HAS BEEN VERIFIED BY A PERSON DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (2) AS EITHER:

(I) AN UNACCOMPANIED YOUTH WHO IS A HOMELESS CHILD OR YOUTH, AS THOSE TERMS ARE DEFINED IN SECTION 725 OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11434a; OR

(II) AN UNACCOMPANIED YOUTH, AT RISK OF HOMELESSNESS, AND SELF-SUPPORTING. THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL INCLUDE IN ITS TUITION CLASSIFICATION POLICIES A DEFINITION OF "UNACCOMPANIED HOMELESS YOUTH, AT RISK OF HOMELESSNESS, AND SELF-SUPPORTING".

(b) THE FOLLOWING PERSONS MAY VERIFY THAT A YOUTH IS AN UNACCOMPANIED HOMELESS YOUTH AS DEFINED IN PARAGRAPH (a) OF THIS SUBSECTION (2):

(I) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON, DESIGNATED PURSUANT TO SECTION 722 (g) (1) (J) (ii) OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11432;

(II) THE DIRECTOR OF A PROGRAM FUNDED UNDER THE FEDERAL "RUNAWAY AND HOMELESS YOUTH ACT", 42 U.S.C. SEC. 5701 ET SEQ., OR A DESIGNEE OF THE DIRECTOR;

(III) THE DIRECTOR OF A PROGRAM FUNDED UNDER SUBTITLE B OF TITLE IV OF THE FEDERAL "MCKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11371 ET SEQ., RELATING TO EMERGENCY SHELTER GRANTS, OR A DESIGNEE OF THE DIRECTOR; OR

(IV) A FINANCIAL AID ADMINISTRATOR AT AN INSTITUTION.

SECTION 2. In Colorado Revised Statutes, 23-7-102, **amend** (9) as follows:

23-7-102. Definitions. As used in this article, unless the context otherwise requires:

(9) "Qualified person" means a person qualified to determine his or her own domicile. A person ~~over the age of twenty-two years, or~~ YEARS OF AGE OR OLDER, a student commencing a postbaccalaureate degree-granting program, ~~or~~ an emancipated minor, OR AN UNACCOMPANIED HOMELESS YOUTH PURSUANT TO SECTION 23-7-103.5 is so qualified.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO