

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0331.01 Julie Pelegrin

SENATE BILL 09-170

SENATE SPONSORSHIP

Romer, Bacon, Sandoval, Tapia

HOUSE SPONSORSHIP

(None),

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING NONDISCRIMINATION IN DETERMINING THE AMOUNT**
102 **PAID FOR HIGHER EDUCATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires that a person, regardless of immigration status, who attends a Colorado high school for at least 3 years and enrolls in a Colorado institute of higher education within 5 years after either graduating from a Colorado high school or earning a general education diploma in Colorado shall be charged the same tuition rate and shall be eligible for tuition assistance under the same criteria as a person who establishes domicile in Colorado.

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.

Makes conforming amendments.

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

2 **SECTION 1.** 23-7-110, Colorado Revised Statutes, is amended
3 to read:

4 **23-7-110. Tuition rates and tuition assistance for persons who**
5 **graduate from Colorado high schools or complete a Colorado general**
6 **equivalency diploma.** (1) Notwithstanding any other provision of this
7 article to the contrary AND REGARDLESS OF IMMIGRATION STATUS, a
8 ~~student who is a United States citizen~~ PERSON shall be ~~classified as an~~
9 ~~in-state student for tuition purposes~~ CHARGED THE SAME TUITION RATE
10 THAT IS CHARGED TO PERSONS WHO ESTABLISH DOMICILE IN THIS STATE
11 AND MAY RECEIVE STATE-FUNDED TUITION ASSISTANCE SUBJECT TO THE
12 SAME CRITERIA AS ARE APPLIED TO PERSONS WHO ESTABLISH DOMICILE IN
13 THIS STATE if:

14 (a) The ~~student graduated from~~ PERSON ATTENDED a public or
15 private high school in this state FOR AT LEAST THREE YEARS; and

16 (b) (I) The ~~student attended~~ PERSON ENROLLS IN A COLORADO
17 INSTITUTION OF HIGHER EDUCATION WITHIN FIVE YEARS AFTER
18 GRADUATING FROM a public or private high school in this state; ~~for at~~
19 ~~least three years immediately preceding the date the student enrolled in~~
20 ~~a Colorado institution of higher education;~~ or

21 (II) The ~~student completed~~ PERSON ENROLLS IN A COLORADO
22 INSTITUTION OF HIGHER EDUCATION WITHIN FIVE YEARS AFTER EARNING
23 a general equivalency diploma in this state. ~~and resided in this state for at~~
24 ~~least three years immediately preceding the date the student enrolled in~~
25 ~~a Colorado institution of higher education.~~

1 (2) Any information provided to satisfy the criteria specified in
2 this section shall be confidential unless disclosure is explicitly required
3 by law.

4 (3) ~~This section provides an additional option for a student~~
5 ~~seeking to be classified as an in-state student for tuition purposes.~~ This
6 section shall not be interpreted to impose additional requirements upon
7 a student seeking to be classified as an in-state student for tuition
8 purposes under any other section of this article.

9 **SECTION 2.** 23-18-102 (5) (a) (I) and (5) (a) (II) (A), Colorado
10 Revised Statutes, are amended to read:

11 **23-18-102. Definitions.** As used in this article, unless the context
12 otherwise requires:

13 (5) (a) "Eligible undergraduate student" means:

14 (I) A student who is enrolled at a state institution of higher
15 education and who is classified as an in-state student for tuition purposes
16 OR WHO, PURSUANT TO SECTION 23-7-110, MAY RECEIVE STATE-FUNDED
17 TUITION ASSISTANCE SUBJECT TO THE SAME CRITERIA AS ARE APPLIED TO
18 PERSONS WHO ESTABLISH DOMICILE IN THIS STATE; or

19 (II) A student who is enrolled at a participating private institution
20 of higher education and who:

21 (A) Is classified as an in-state student for tuition purposes OR
22 WHO, PURSUANT TO SECTION 23-7-110, MAY RECEIVE STATE-FUNDED
23 TUITION ASSISTANCE SUBJECT TO THE SAME CRITERIA AS ARE APPLIED TO
24 PERSONS WHO ESTABLISH DOMICILE IN THIS STATE;

25 **SECTION 3.** 24-76.5-103 (3) (f) and (3) (g), Colorado Revised
26 Statutes, are amended, and the said 24-76.5-103 (3) is further amended
27 BY THE ADDITION OF A NEW PARAGRAPH, to read:

1 **24-76.5-103. Verification of lawful presence - exceptions -**
2 **reporting - rules.** (3) Verification of lawful presence in the United
3 States shall not be required:

4 (f) For pregnant women; ~~or~~

5 (g) For individuals over the age of eighteen years and under the
6 age of nineteen years who continue to be eligible for medical assistance
7 programs after their eighteenth birthday; OR

8 (h) FOR PERSONS DESCRIBED IN SECTION 23-7-110, C.R.S., WHO
9 RECEIVE THE SAME TUITION RATE AS, AND QUALIFY FOR STATE-FUNDED
10 TUITION ASSISTANCE SUBJECT TO THE SAME CRITERIA AS ARE APPLIED TO,
11 PERSONS WHO ESTABLISH DOMICILE.

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