

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0679.01 Jerry Barry x4341

HOUSE BILL 13-1194

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A BILL FOR AN ACT

101 **CONCERNING IN-STATE STUDENT CLASSIFICATION FOR DEPENDANTS OF**
102 **MEMBERS OF THE ARMED FORCES.**

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>.)

Current law authorizes a dependant of a service member to receive in-state tuition at a Colorado public institution of higher education (Colorado college) if the service member was stationed in Colorado during the dependant's last year of high school and the dependant enrolled in a Colorado college within 12 months after graduating from a high

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.*

school in Colorado. The bill extends in-state tuition to all dependants, including spouses, of service members.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-7-103, **amend** (1)
3 (c) (I) (C); and **add** (1) (c) (I) (D) as follows:

4 **23-7-103. Presumptions and rules for determination of status.**

5 (1) Unless the contrary appears to the satisfaction of the registering
6 authority of the institution at which a student is registering, it shall be
7 presumed that:

8 (c) (I) (C) A DEPENDENT OF A member of the armed forces ~~may~~
9 ~~apply~~ IS ELIGIBLE for in-state tuition classification for any of his or her
10 dependents, including but not limited to a spouse, upon meeting the
11 requirements of this section WHEN THE MEMBER MOVES TO COLORADO ON
12 A PERMANENT CHANGE-OF-STATION BASIS, REGARDLESS OF THE LENGTH
13 OF THE MEMBER'S OR DEPENDENT'S RESIDENCY IN COLORADO. After
14 qualifying as an in-state student, and while continuously enrolled as an
15 undergraduate or graduate student at an institution of higher education in
16 Colorado, a member of the armed forces of the United States on active
17 duty, or the member's spouse or dependent, shall not lose his or her
18 eligibility for in-state tuition status if the member is transferred outside
19 of Colorado or if the member retires or separates from the military. and
20 remains in Colorado. A person who is a dependent of a member of the
21 armed forces of the United States who was on active duty in Colorado
22 during the person's last year of high school, and who attends a public
23 institution of higher education in Colorado within twelve months after
24 graduating from a high school in Colorado, shall be eligible for in-state
25 tuition, and the eligibility shall not be affected if the member is

1 transferred outside of Colorado or if the member retires or separates from
2 the military and remains in Colorado; except that such a person is not
3 eligible for in-state tuition under this provision if the person has attended
4 an institution of higher education outside of Colorado. AS USED IN THIS
5 SUB-SUBPARAGRAPH (C), "DEPENDENT" MEANS A SPOUSE OF A MEMBER OF
6 THE ARMED SERVICES WHO WAS THE MEMBER'S SPOUSE AT THE TIME THAT
7 THE MEMBER WAS STATIONED IN COLORADO AND AT THE TIME THE SPOUSE
8 IS REQUESTING IN-STATE TUITION CLASSIFICATION AND ANY CHILD UNDER
9 TWENTY-TWO YEARS OF AGE BORN TO OR LEGALLY ADOPTED BY THE
10 MEMBER OF THE ARMED FORCES WHO ENROLLS IN A PUBLIC INSTITUTION
11 OF HIGHER EDUCATION WITHIN TEN YEARS AFTER THE MEMBER WAS
12 STATIONED IN COLORADO.

13 (D) NOTHING IN THIS SUBPARAGRAPH (I) SHALL BE INTERPRETED
14 TO DENY A PERSON IN-STATE TUITION CLASSIFICATION AFTER THAT
15 PERSON IS FOUND ELIGIBLE FOR SUCH CLASSIFICATION NOR TO DENY
16 IN-STATE TUITION CLASSIFICATION TO ANY PERSON WHO IS ELIGIBLE FOR
17 SUCH CLASSIFICATION UNDER ANY OTHER PROVISION OF LAW.

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