

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 20, 2013

Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB13-1194 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 **23-7-103. Presumptions and rules for determination of status.**
6 (1) Unless the contrary appears to the satisfaction of the registering
7 authority of the institution at which a student is registering, it shall be
8 presumed that:

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

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

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

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

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