

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1029

BY REPRESENTATIVE(S) Hamrick and Carter, Bacon, Clifford, Duran, Espenoza, Froelich, Garcia, Goldstein, Jackson, Lieder, Lindsay, Lukens, Nguyen, Phillips, Rutinel, Soper, Stewart K., Titone;
also SENATOR(S) Marchman, Cutter, Danielson, Gonzales J., Jodeh, Kipp, Kolker, Wallace, Coleman.

CONCERNING ENHANCING REPRESENTATION IN HIGHER EDUCATION BY
ALTERING THE MEMBERSHIP OF CERTAIN ENTITIES INVOLVED IN
HIGHER EDUCATION POLICY DEVELOPMENT IN THE STATE.

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

SECTION 1. In Colorado Revised Statutes, 23-1-102, **amend** (3) and (4); and **add** (3.5) and (9) as follows:

23-1-102. Commission established - terms of office - definition.

(3) (a) The commission consists of the following members, appointed by the governor with the consent of the senate:

(I) One member from each congressional district in the state; **and**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(II) Three members from the state at large;

(III) ONE STUDENT MEMBER WHO, AT THE TIME OF APPOINTMENT, IS ENROLLED AS A STUDENT AT A STATE-SUPPORTED GRADUATE RESEARCH UNIVERSITY OR A STATE-SUPPORTED FOUR-YEAR INSTITUTION OF HIGHER EDUCATION; AND

(IV) ONE STUDENT MEMBER WHO, AT THE TIME OF APPOINTMENT, IS ENROLLED AS A STUDENT AT A STATE-SUPPORTED COMMUNITY COLLEGE, LOCAL DISTRICT COLLEGE, OR AREA TECHNICAL COLLEGE.

(b) The governor shall select the members of the commission on the basis of their knowledge of and interest in higher education. At least one member of the commission WHO IS NOT A STUDENT MEMBER must reside west of the continental divide. No more than a minimum majority of the members of the commission may be affiliated with the same political party at any time. TO THE EXTENT PRACTICABLE, THE COMMISSION MEMBERSHIP MUST INCLUDE PERSONS WITH DISABILITIES AND REFLECT THE RACIAL AND ETHNIC DIVERSITY OF THE STATE. A STUDENT MEMBER APPOINTED PURSUANT TO THIS SECTION IS A NONVOTING MEMBER OF THE COMMISSION.

(c) The term of each NON-STUDENT member is four years, AND THE TERM OF A STUDENT MEMBER IS TWO YEARS; except that the terms ~~shall be~~ ARE staggered so that no more than a minimum majority of members' terms expire in the same year. No member of the commission may serve more than two consecutive full ~~four-year~~ terms. A STUDENT MEMBER WHO GRADUATES FROM THE STUDENT'S STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION DURING THE STUDENT'S TERM MAY CONTINUE TO SERVE ON THE COMMISSION THROUGH THE NATURAL EXPIRATION DATE OF THE STUDENT MEMBER'S TERM.

(3.5) (a) ON OR BEFORE JULY 1, 2027, THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENTS OF STUDENT MEMBERS.

(b) IF A STUDENT MEMBER APPOINTED PURSUANT TO SUBSECTION (3)(a)(III) OF THIS SECTION WITHDRAWS FROM EITHER A STATE-SUPPORTED GRADUATE RESEARCH UNIVERSITY OR A STATE-SUPPORTED FOUR-YEAR INSTITUTION OF HIGHER EDUCATION AND DOES NOT IMMEDIATELY RE-ENROLL AS A STUDENT AT A DIFFERENT STATE-SUPPORTED GRADUATE RESEARCH UNIVERSITY OR STATE-SUPPORTED FOUR-YEAR INSTITUTION OF

HIGHER EDUCATION, THEN A VACANCY IS CREATED. IF A STUDENT MEMBER APPOINTED PURSUANT TO SUBSECTION (3)(a)(IV) OF THIS SECTION WITHDRAWS FROM A STATE-SUPPORTED COMMUNITY COLLEGE, LOCAL DISTRICT COLLEGE, OR AREA TECHNICAL COLLEGE AND DOES NOT IMMEDIATELY RE-ENROLL AS A STUDENT AT A DIFFERENT STATE-SUPPORTED COMMUNITY COLLEGE, LOCAL DISTRICT COLLEGE, OR AREA TECHNICAL COLLEGE, THEN A VACANCY IS CREATED. THE GOVERNOR SHALL FILL A VACANCY CREATED PURSUANT TO THIS SUBSECTION (3.5)(b) BY APPOINTING A NEW STUDENT MEMBER FOR THE REMAINDER OF THE UNEXPIRED TERM.

(4) (a) At the time of appointment, ~~no~~ A member of the commission ~~shall~~ MUST NOT have been an officer, employee, or member of a governing board or an officer or employee of ~~any~~ A state-supported institution of higher education in the state for a period of one year prior to ~~his or her~~ THE MEMBER'S appointment. During ~~his or her~~ A MEMBER OF THE COMMISSION'S term of office, ~~no~~ THE member ~~of the commission shall~~ MUST NOT be a member of the general assembly or an officer, employee, or member of a governing board or an officer or employee of a state-supported institution of higher education.

(b) THE REQUIREMENTS IN SUBSECTION (4)(a) OF THIS SECTION REGARDING CONNECTIONS WITH A GOVERNING BOARD OR STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION DO NOT APPLY TO A STUDENT MEMBER.

(9) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "STUDENT MEMBER" MEANS A MEMBER OF THE COMMISSION APPOINTED PURSUANT TO SUBSECTION (3)(a)(III), (3)(a)(IV), OR (3.5) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 23-1-103, **amend** (1) introductory portion and (1)(b) as follows:

23-1-103. Advisory committee to the Colorado commission on higher education.

(1) There is ~~hereby~~ established an advisory committee to the commission for the purpose of suggesting solutions for the problems and needs of higher education and maintaining liaison with the general assembly and the governing boards for state-supported institutions of higher education. The advisory committee ~~shall consist~~ CONSISTS of not less than

~~thirteen~~ TWELVE members, to be designated as follows:

~~(b) One member shall be selected and designated by the commission to represent the faculty in the state and one member shall be selected and designated by the commission to represent the students in the state. On and after August 5, 2009;~~ THE COMMISSION SHALL SELECT AND DESIGNATE ONE MEMBER TO REPRESENT THE FACULTY IN THE STATE. The commission shall select and designate one member who, at the time of designation, is a parent of a student who is enrolled in a state-supported institution of higher education in Colorado to represent the parents of students.

SECTION 3. In Colorado Revised Statutes, 23-1-105.5, **amend** (1)(a) as follows:

23-1-105.5. Duties and powers of the commission with respect to student fees - report on tuition and fees.

(1) (a) The commission shall adopt policies concerning the collection and use of student fees by the governing boards of the state institutions of higher education, as defined in section 23-5-119.5. The policies may address, but need not be limited to, the purposes for student fees; categories of student fees; the distinctions between tuition revenue and student fee revenue; accounting for student fee revenue; student fee fund balances; the minimum level of student involvement in the processes for establishing, reviewing, changing the amount of, and discontinuing student fees; and student fees that apply to a student concurrently enrolled pursuant to article 35 of title 22. In preparing the policies, the commission shall seek input from the governing boards, the state institutions of higher education, ~~and the student representative to the advisory committee created pursuant to section 23-1-103~~ and representatives of the student governments at the state institutions of higher education.

SECTION 4. Act subject to petition - effective date. (1) Except as otherwise provided in this section, this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the

general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 2 of this act takes effect only if Senate Bill 26-078 does not become law, in which case section 2 takes effect on the applicable effective date of this act.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO