

CHAPTER 169

EDUCATION - POSTSECONDARY

HOUSE BILL 16-1100

BY REPRESENTATIVE(S) Pettersen and Esgar, Court, Danielson, Duran, Garnett, Ginal, Hamner, Kagan, Kraft-Tharp, Lebsack, 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.

AN ACT**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.

(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

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

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.

Approved: May 17, 2016