

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0774.01 Jerry Barry x4341

SENATE BILL 19-095

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE REVIEW OF THE FUNDING FORMULA FOR**
102 **INSTITUTIONS OF HIGHER EDUCATION.**

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://leg.colorado.gov>.)

The bill requires the Colorado commission on higher education (commission) to conduct a review of the funding formula for institutions of higher education every 5 years and to submit a report on recommended changes to specified committees of the general assembly on or before November 1 of the year in which the review was conducted. It also specifies certain steps that the commission shall take in conducting the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
March 18, 2019

SENATE
3rd Reading Unamended
February 13, 2019

SENATE
2nd Reading Unamended
February 12, 2019

review.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-18-306, **amend**
3 (4); **repeal** (5); and **add** (5.5) as follows:

4 **23-18-306. Duties and powers of the commission - department**
5 **- role and mission factors and performance metrics - consultation**
6 **with interested parties - facilitator - reports - definition - repeal.**

7 (4) (a) Because the implementation of this part 3 may have unanticipated
8 results, on July 1, 2016, and each July 1 thereafter through July 1, 2020,
9 the commission shall submit a written report to the joint budget
10 committee and to the education committees of the house of
11 representatives and the senate, OR ANY SUCCESSOR COMMITTEES,
12 concerning the status of the implementation of this part 3 and may
13 recommend changes to the provisions of this part 3.

14 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2021.

15 ~~(5) The general assembly finds and declares that it is vital that~~
16 ~~Colorado's higher education system is accessible and affordable for all~~
17 ~~Coloradans. The institutions' tuition policies are an important component~~
18 ~~of ensuring both the affordability and sustainability of Colorado's higher~~
19 ~~education system. With the expiration of tuition policies implemented~~
20 ~~pursuant to recent legislation, it is imperative that the commission and the~~
21 ~~governing boards of state institutions of higher education, as well as other~~
22 ~~interested parties, work cooperatively to structure an ongoing tuition~~
23 ~~policy for the state. Therefore, by November 1, 2015, the commission~~
24 ~~shall submit to the joint budget committee and to the education~~
25 ~~committees of the house of representatives and the senate tuition policies~~

1 that ensure both accessible and affordable higher education for Colorado's
2 residents. The tuition policies must also reflect the level of state funding
3 for institutions and the need of each institution to enhance the quality of
4 educational programs and offerings and strengthen the financial position
5 of the institution. The commission shall develop the tuition policy
6 recommendations in consultation with the governing boards of the
7 institutions and other interested parties using an inclusive and transparent
8 process.

9 (5.5) (a) COMMENCING IN 2019 AND EVERY FIVE YEARS
10 THEREAFTER, THE COMMISSION SHALL REVIEW THE FUNDING FORMULA
11 ESTABLISHED PURSUANT TO THIS SECTION AND, BY NOVEMBER 1, 2019,
12 AND NOVEMBER 1 EVERY FIVE YEARS THEREAFTER, SUBMIT A REPORT TO
13 THE GOVERNOR, THE JOINT BUDGET COMMITTEE OF THE GENERAL
14 ASSEMBLY, AND THE EDUCATION COMMITTEES OF THE SENATE AND THE
15 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
16 CONTAINING CHANGES TO THE FUNDING FORMULA AND ANY
17 RECOMMENDATIONS FOR LEGISLATIVE CHANGES.

18 (b) IN CONDUCTING THE REVIEW REQUIRED BY SUBSECTION
19 (5.5)(a) OF THIS SECTION, THE COMMISSION AND THE DEPARTMENT SHALL:

20 (I) CONVENE ONE OR MORE MEETINGS WITH INTERESTED PARTIES
21 TO DISCUSS THE EXISTING FUNDING MODEL AND TO LEARN OF ISSUES
22 RAISED BY THE INTERESTED PARTIES;

23 (II) CONDUCT AN ANALYSIS OF THE ISSUES IDENTIFIED BY
24 INTERESTED PARTIES AND POSSIBLE SOLUTIONS;

25 (III) ENGAGE DIRECTLY WITH THE INSTITUTIONS TO STRIVE FOR
26 CONSENSUS AMONG THE INSTITUTIONS ON ANY PROPOSED CHANGES; AND

27 (IV) IF APPLICABLE, DEVELOP A SET OF CHANGES TO RECOMMEND

1 TO THE GOVERNOR AND COMMITTEES OF THE GENERAL ASSEMBLY.

2 (c) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
3 (11)(a)(I), THE REPORTING REQUIREMENT PURSUANT TO THIS SUBSECTION
4 (5.5) CONTINUES INDEFINITELY.

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