

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING IN-STATE TUITION CLASSIFICATION FOR MEMBERS OF AMERICAN INDIAN TRIBES WITH HISTORICAL TIES TO COLORADO.

Prime Sponsors: Senator Fenberg  
Reps. Garnett and Benavidez

JBC Analyst: Amanda Bickel  
Phone: 303-866-4960  
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**Appropriation Items of Note**

**Appropriation Not Required, No Amendment in Packet**

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/16/21.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
<b>XXX</b>	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Education Committee Report (02/18/21) includes amendments to the bill. Legislative Council Staff and Joint Budget Committee staff agree that these do not change the bill's fiscal impact.

The fiscal impact is updated based on statutory changes adopted during the 2020 legislative session. Based on provisions added in H.B. 20-1366, changes to the number of students who qualify for the College Opportunity Fund (COF) program stipend do not change the total state funding that must be provided to institutions of higher education. Therefore, the bill does not require a General Fund appropriation for additional COF stipends. Legislative Council Staff concurs with this update.

As described in the Legislative Council Staff Fiscal Note, the bill is projected to reduce tuition revenue to institutions of higher education by an estimated \$3.1 million, because tuition paid by residents is lower than tuition paid by nonresidents at all institutions. If this bill is adopted, any changes to resident and nonresident tuition revenue will be incorporated in FY 2021-22 supplemental budget adjustments that true-up tuition revenue estimates.

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
None.	

**Current Appropriations Clause in Bill**

The bill neither requires nor contains an appropriation clause for FY 2021-22.

**Points to Consider**

*Related Budget Information*

The higher education funding allocation model adopted in H.B. 20-1366 shifts state support over time among the state higher education governing boards based on factors that include resident student FTE enrollment, resident student credential completion, and enrollment of resident student underrepresented minorities, among others. Institutions that enroll additional Native American students as resident students pursuant to the provisions of this bill could over time receive a larger share of state funding if this change contributes to their student population growing more quickly than that of other institutions.

The introduced Long Bill includes an average of \$6,546 General Fund in College Opportunity Fund stipends and fee-for-service contracts per resident student FTE projected to be enrolled at one of the ten state governing boards in FY 2021-22. Funding ranges from \$4,857 to \$12,600 per resident student FTE depending upon the governing board.