

CHAPTER 456

APPROPRIATIONS

SENATE BILL 23-118

BY SENATOR(S) Zenzinger, Bridges, Kirkmeyer, Buckner, Cutter, Marchman, Priola;
also REPRESENTATIVE(S) Bird, Sirotta, Bockenfeld, Bacon, Boesenecker, Brown, English, Garcia, Gonzales-Gutierrez, Herod, Jodeh,
Joseph, Lieder, Lindsay, Mabrey, Martinez, Michaelson Jenet, Ortiz, Ricks, Snyder, Story, Velasco, Young, McCluskie.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

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

SECTION 1. Appropriation to the department of higher education for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part VII and the affected totals, as Part VII (1) and the affected totals are amended by section 9 of chapter 170, (HB 22-1133), as follows:

Section 2. **Appropriation.**

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART VII
DEPARTMENT OF HIGHER EDUCATION**

(1) DEPARTMENT ADMINISTRATIVE OFFICE

Health, Life, and Dental	2,529,583		357,979	1,386,746 ^a	311,122 ^b	473,736(I)
Short-term Disability	24,197		3,421	13,220 ^a	3,877 ^b	3,679(I)
S.B. 04-257 Amortization Equalization Disbursement	702,217		115,734	345,027 ^a	123,491 ^b	117,965(I)
S.B. 06-235 Supplemental Amortization Equalization Disbursement	702,217		115,734	345,027 ^a	123,491 ^b	117,965(I)
Salary Survey	567,669		148,115	226,814 ^a	115,193 ^b	77,547(I)
PERA Direct Distribution	404,354			187,201 ^a	119,488 ^b	97,665(I)
Workers' Compensation	50,413			31,023 ^a	19,390 ^b	
Legal Services	151,211			50,897 ^a	100,314 ^b	
Administrative Law Judge Services	322			322 ^a		
Payment to Risk Management and Property Funds	321,508			281,825 ^a	39,683 ^b	

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Supplemental Appropriations - Higher Education

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Leased Space	424,927				112,960 ^a	311,967 ^b	
Payments to OIT	403,907		151,306		166,844^a	85,757 ^b	
	458,868		183,564		189,547 ^a		
CORE Operations	<u>257,323</u>				92,160 ^a	165,163 ^b	
		6,539,848					
		6,594,809					

^a Of these amounts, ~~\$2,019,259~~ \$2,039,893 shall be from the State Historical Fund created in Section 9 (5)(b)(II) of Article XVIII of the State Constitution and ~~\$1,220,867~~ \$1,222,876 shall be from various sources of cash funds. Of the amount from the State Historical Fund, ~~\$1,749,011~~ \$1,752,416 is estimated to be from the Museum and Preservation Operations Account created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and ~~\$284,176~~ \$287,477 is estimated to be from the Preservation Grant Program Account created in Section 44-30-1201 (5)(c)(I)(A), C.R.S. Of the amount from various sources of cash funds, \$632,328 is estimated to be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., ~~\$452,542~~ \$453,013 is estimated to be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S., and \$137,535 is estimated to be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S.

^b These amounts shall be from ~~departmental~~ STATEWIDE indirect cost recoveries.

**(2) COLORADO COMMISSION ON HIGHER EDUCATION AND
HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS**

(A) Administration

Administration ³⁴	3,670,779				202,082 ^a	3,468,697^b
			3,363,517			105,180 ^b
					(0.4 FTE)	(30.6 FTE)
			(30.6 FTE)			

^a This amount shall be from private college and university fees paid pursuant to Section 23-1-125 (5), C.R.S., and Section 23-2-104.5, C.R.S.

^b ~~Of this amount, \$2,106,057 shall be from statewide indirect cost recoveries, \$1,257,460 shall be from departmental indirect cost recoveries, and \$105,180~~ THIS AMOUNT shall be transferred from the Department of Education from the Preschool to Postsecondary Education Alignment line item in the Management and Administration section for assistance in aligning public education with postsecondary and workforce readiness standards.

(B) Division of Private

Occupational Schools	1,069,500	1,069,500 ^a	
		(10.3 FTE)	

^a This amount shall be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S.

(C) Special Purpose

Western Interstate Commission for Higher Education (WICHE)	164,000		164,000 ^a
WICHE - Optometry	385,500		385,500 ^a
Distribution to Higher Education Competitive Research Authority	2,800,000	2,800,000 ^b	
Veterinary School Capital Outlay	285,000	143,640(1) ^c	141,360 ^a
Colorado Geological Survey at the Colorado School of Mines	2,295,019	634,528	1,660,491 ^d

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Supplemental Appropriations - Higher Education

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
	(15.5 FTE)					
Institute of Cannabis Research Hosted at CSU-Pueblo ³⁵	2,800,000				2,800,000 ^e	
GEAR UP	5,000,000					5,000,000(I) (29.1 FTE)
Prosecution Fellowship Program	356,496		356,496			
Rural Teacher Recruitment, Retention, and Professional Development	1,209,357		1,209,357 (0.8 FTE)			
Open Educational Resources Initiatives	1,108,200		1,108,200 (1.0 FTE)			
Forest Restoration and Wildfire Risk Mitigation Grant Program Cash Fund at Colorado State University	8,000,000		8,000,000			

Healthy Forests and Vibrant Communities Fund at Colorado State University	2,000,000	2,000,000	
Colorado Student Leaders Institute	218,825	218,825 (1.0 FTE)	
Strategies for Educator Preparation Programs	59,132	59,132 (1.0 FTE)	
Financial Aid Assessment Tool	154,069		154,069 ^a (0.5 FTE)
Growing Great Teachers - Teacher Mentor Grants	548,477	548,477 (0.5 FTE)	
Center for Substance Use Disorder, Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center	<u>4,250,000</u>		4,250,000 ^c
	31,634,075		

^a ~~These amounts~~ OF THESE AMOUNTS, \$690,860 SHALL BE FROM STATEWIDE INDIRECT COST RECOVERIES AND \$154,069 shall be from departmental indirect cost recoveries.

^b This amount shall be from the Innovative Higher Education Research Fund created in Section 23-19.7-104 (1), C.R.S., from limited gaming revenue deposited to the Fund pursuant to Section 44-30-701 (2)(a)(IV), C.R.S., in prior years.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^c This amount shall be from student fees from non-resident students, including fees paid on behalf of non-resident students by the Western Interstate Commission on Higher Education, pursuant to Section 23-31-118 (2), C.R.S. This amount is shown for informational purposes only because the student fees are paid directly to the Veterinary School at Colorado State University.

^d This amount shall be from the Severance Tax Operational Fund created in Section 39-29-109 (2)(b)(1), C.R.S., pursuant to Section 39-29-109.3 (1)(b), C.R.S.

^e This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

**(D) Lease Purchase Payments
and Capital-related Outlays**

University of Colorado,

Lease Purchase of

Academic Facilities

at Fitzsimons

11,540,613

4,589,105

6,951,508^a

Appropriation to

the Higher Education

Federal Mineral Lease

Revenues Fund

16,631,232

16,631,232

Lease Purchase of
Academic Facilities

Pursuant to Section

23-19.9-102, C.R.S.

17,439,900

808,668^b

16,631,232^c

Annual Depreciation-Lease

Equivalent Payment

7,406,847

7,406,847

53,018,592

^a This amount shall be from the University of Colorado Health Sciences Center at Fitzsimons Trust Fund created in Section 23-20-136 (3)(a), C.R.S.

^b This amount shall be from the Higher Education Federal Mineral Lease Revenues Fund created in Section 23-19.9-102 (1)(a), C.R.S.

^c This amount shall be from the Higher Education Federal Mineral Lease Revenues Fund created in Section 23-19.9-102 (1)(a), C.R.S. The reappropriated funds are from General Fund amounts included in the Appropriation to the Higher Education Federal Mineral Lease Revenues Fund line item in this subdivision.

(E) Tuition/Enrollment

Contingency ³⁶	75,000,000	75,000,000 ^a
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^a This amount shall be from tuition revenue from the governing boards, in addition to what is appropriated to the governing boards. This spending authority may be transferred to the governing boards.

(F) Indirect Cost

Assessments ³⁷	7,855,261	424,628 ^a	7,321,029 ^b	109,604(I)
	3,795,585		3,261,353 ^b	

^a Of this amount, \$249,696 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., \$109,635 shall be from statewide indirect cost recoveries from CollegeInvest and CollegeAssist, and \$65,297 shall be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S.

^b This amount shall be from indirect cost recoveries from amounts appropriated for fee-for-service contracts with state governing boards and grants to area technical colleges and local district colleges in this department. ~~Indirect cost assessments shall be deducted from fee-for-service contract and grant payments before such funds are disbursed to recipient institutions.~~

~~172,248,207~~
168,188,531

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID						
(A) Need Based Grants	204,932,006		23,803,408	179,968,585 ^a		1,160,013 ^b
			24,499,567			463,854 ^b
(B) Work Study³⁸	23,129,178		23,129,178			
(C) Special Purpose						
Veterans/Law Enforcement/ POW Tuition Assistance	1,143,700		1,143,700			
Native American Students/Fort Lewis College	25,563,965		25,563,965			
Colorado Opportunity Scholarship Initiative Fund	7,000,000		7,000,000			
Tuition Assistance for Career and Technical Education Certificate Programs	450,000		450,000			

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, ~~\$679,672~~ \$87,252 shall be from departmental indirect cost recoveries and ~~\$480,341~~ \$376,602 shall be from statewide indirect cost recoveries.

Fourth-year Innovation Pilot Program	368,792	368,792
	<u>34,526,457</u>	(0.7 FTE)

262,587,641

(4) COLLEGE OPPORTUNITY FUND PROGRAM

(A) Stipends

Stipends for an estimated 115,688 eligible full-time equivalent students at \$3,120 per 30 credit hours	360,947,808		
Stipends for an estimated 1,061 eligible full-time equivalent students attending participating private institutions at \$1,560 per 30 credit hours	<u>1,655,048</u>		
	362,602,856	5,767,444	356,835,412

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(B) Fee-for-service Contracts with State Institutions³⁴						
Fee-for-service Contracts with State Institutions Pursuant to Section 23-18-303.5, C.R.S.	464,287,879 460,385,402					
Fee-for-service Contracts with State Institutions for Specialty Education Programs ³³	160,728,834					
Limited Purpose Fee-for-Service Contracts with State Institutions	<u>5,682,806</u> 630,699,519 626,797,042	138,475,977 134,573,500	492,223,542 ^a			
	993,302,375 989,399,898					

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

(5) GOVERNING BOARDS^{34, 39}

(A) Trustees of Adams

State University³⁹	48,171,751	27,162,280 ^a	21,009,471^b
	48,122,875		20,960,595 ^b
	(353.8 FTE)		

^a Of this amount, \$22,637,194 shall be from the students' share of tuition, \$4,519,580(I) shall be from mandatory fees, and \$5,506(I) represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$2,660,736 for student stipend payments and ~~\$18,348,735~~ \$18,299,859 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

(B) Trustees of Colorado

Mesa University³⁹	117,986,596	77,543,062 ^a	40,443,534^b
	117,774,049		40,230,987 ^b
	(784.6 FTE)		

^a Of this amount, \$72,433,545 shall be from the students' share of tuition, \$4,450,170(I), shall be from mandatory fees, and 659,347(I) represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$18,308,472 for student stipend payments, ~~\$21,835,062~~ \$21,622,515 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$300,000 for limited purpose fee-for-service contracts.

(C) Trustees of

Metropolitan State

University of Denver³⁹	217,219,554	134,421,899 ^a	82,797,655^b
	216,911,283		82,489,384 ^b
	(1,186.4 FTE)		

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
^a Of this amount, \$107,790,989 shall be from the students' share of tuition and \$26,630,910(I) shall be from mandatory fees.						
^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$36,288,720 for student stipend payments, \$46,208,935 \$45,900,664 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$300,000 for limited purpose fee-for-service contracts.						
(D) Trustees of Western						
Colorado University ³⁹	42,606,637			24,286,239 ^a	18,320,398 ^b	
	42,560,251				18,274,012 ^b	
	(300.2 FTE)					
^a Of this amount, \$18,119,098 shall be from the student's share of tuition and \$6,167,141(I) shall be from mandatory fees.						
^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$4,156,152 for student stipend payments, \$13,964,246 \$13,917,860 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$200,000 for limited purpose fee-for-service contracts.						
(E) Board of Governors						
of the Colorado State						
University System ^{39,39a,39b}	789,511,104	175,000		585,624,545 ^a	203,711,559 ^b	
	788,888,963				203,089,418 ^b	
	(4,902.6 FTE)					
^a Of this amount, \$504,153,663 shall be from the students' share of tuition, \$80,570,882(I) shall be from mandatory fees, and \$900,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.						

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$51,913,992 for student stipend payments, ~~\$70,039,230~~ \$69,417,089 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., \$80,407,269 for fee-for-service contracts for specialty education programs, and \$1,351,068 for limited purpose fee-for-service contracts.

(F) Trustees of Fort Lewis College ³⁹	69,238,620	52,127,213 ^a	17,111,407^b
	69,176,663		17,049,450 ^b
	(448.4 FTE)		

^a Of this amount, \$46,325,775 shall be from the students' share of tuition and \$5,801,438(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$3,485,040 for student stipend payments and ~~\$13,626,367~~ \$13,564,410 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

(G) Regents of the University of Colorado ^{33, 40}	1,586,082,825	1,307,287,261 ^a	278,795,564^b
	1,584,809,812		277,522,551 ^b
	(10,036.2 FTE)		

^a Of this amount, \$1,222,479,222 shall be from the students' share of tuition, \$66,601,614(I) shall be from mandatory fees, \$15,206,425 shall be from the Tobacco Litigation Settlement Moneys Health Education Fund created in Section 24-75-1104.5 (1.7)(c), C.R.S., and \$3,000,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$90,381,408 for student stipend payments, ~~\$105,052,813~~ \$103,779,800 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., \$80,321,565 for fee-for-service contracts for specialty education programs, and \$3,039,778 for limited purpose fee-for-service contracts.

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(H) Trustees of the Colorado School of Mines⁴¹						
233,193,276				202,983,780(I) ^a	30,209,496^b	
233,058,976					30,075,196 ^b	
(1,014.8 FTE)						

^a Of this amount, \$186,319,694 shall be from the students' share of tuition and \$16,664,086 shall be from mandatory fees. The cash funds appropriations from tuition and fees are shown for informational purposes only because pursuant to Section 23-41-104.6 (5)(c)(I)(A), C.R.S., the Board of Trustees may establish the resident and nonresident tuition rates for the Colorado School of Mines.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$8,900,112 for student stipend payments and ~~\$21,309,384~~ \$21,175,084 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

(I) University of Northern Colorado³⁹						
146,941,865				89,957,137 ^a	56,984,728^b	
146,768,036					56,810,899 ^b	
(1,216.1 FTE)						

^a Of this amount, \$73,858,137 shall be from the students' share of tuition and \$16,099,000(I) shall be from mandatory fees.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$16,968,120 for student stipend payments and ~~\$40,016,608~~ \$39,842,779 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S.

**(J) State Board for
Community Colleges
and Occupational
Education State System
Community Colleges³⁹**

544,684,643	302,421,128 ^a	242,263,515^b
543,663,486		241,242,358 ^b
(5,752.2 FTE)		

^a Of this amount, \$273,669,582 shall be from the students' share of tuition, \$16,376,821(I) shall be from mandatory fees, \$11,474,566(I) represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S., and \$900,159 shall be from the SPARC Program Fund created in Section 24-46.3-505 (1), C.R.S.

^b This amount shall be from General Fund appropriated to the College Opportunity Fund Program in this department, including \$127,885,056 for student stipend payments, ~~\$113,886,499~~, \$112,865,342 for fee-for-service contracts pursuant to Section 23-18-303.5, C.R.S., and \$491,960 for limited purpose fee-for-service contracts.

~~3,795,636,871~~
3,791,734,394

**(6) LOCAL DISTRICT COLLEGE GRANTS
PURSUANT TO SECTION 23-71-301, C.R.S.³⁴**

Colorado Mountain College	11,519,100 11,454,695	10,766,151 10,701,746	752,949(I) ^a
Aims Community College	13,660,017 <u>13,584,483</u>	12,787,311 12,711,777	872,706(I) ^a
		25,179,117 25,039,178	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a These amounts represent estimates of limited gaming tax revenues that will be distributed pursuant to Section 44-30-702 (3)(c)(I), C.R.S.

(7) DIVISION OF OCCUPATIONAL EDUCATION

(A) Administrative Costs	962,309				962,309 ^a
	(9.0 FTE)				

^a This amount shall be from statewide indirect cost recoveries.

**(B) Distribution of
State Assistance for
Career and Technical
Education pursuant to
Section 23-8-102. C.R.S.**

28,244,361				28,244,361 ^a
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^a This amount shall be transferred from the Department of Education from the Transfer to the Department of Higher Education for Distribution of State Assistance for Career and Technical Education line item appropriation in the Assistance to Public Schools section.

**(C) Area Technical
Colleges³⁴**

18,392,334	18,392,334
18,325,074	18,325,074

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Collections and Curatorial Services	1,211,746 (16.5 FTE)				1,211,746 ^a		
Facilities Management	1,830,385 (10.0 FTE)				1,830,385 ^a		
Historical Site Maintenance and Operations	727,844 (5.0 FTE)				727,844 ^a		
Lease Purchase of Colorado History Museum	<u>3,525,209</u>		3,525,209				
	9,404,369						

^a Of these amounts, \$5,312,818 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., \$300,000 shall be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S., and \$150,000 shall be from the Enterprise Services Cash Fund created in Section 24-80-209 (2), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

(B) History Colorado Museums⁴²

History Colorado Center	983,793 (7.0 FTE)				580,804 ^a	325,000 ^b	77,989(I)
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Community Museums	2,828,402 (19.0 FTE)	1,064,376	1,761,023 ^c	3,003(I)
Statewide Programming	4,140,931 (34.5 FTE)		4,140,931 ^d	
	<u>7,953,126</u>			

^a Of this amount, \$545,580 shall be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., and \$35,224 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

^b This amount shall be from indirect cost recoveries from the State Historical Fund program.

^c Of this amount, \$932,596 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and \$828,427 shall be from the Community Museums Cash Fund created in Section 24-80-209 (3), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

^d Of this amount, \$2,588,664 shall be from the Enterprise Services Fund created in Section 24-80-209 (2), C.R.S., and \$1,552,267 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S.

**(C) Office of
Archeology and
Historic Preservation⁴²**

1,729,077 (23.0 FTE)	843,388 ^a	97,283 ^b	788,406(I)
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^a Of this amount, \$783,388 shall be from the Museum and Preservation Operations Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(B), C.R.S., and \$60,000 shall be from the Enterprise Services Cash Fund created in Section 24-80-209 (2), C.R.S. Amounts in the Museum and Preservation Operations Account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

Section 44-30-1201 (5)(c), C.R.S.

^b This amount shall be transferred from the Governor - Lieutenant Governor - State Planning and Budgeting from the Economic Development Programs section.

(D) State Historical Fund Program

Administration	1,767,493			1,767,493 ^a		
	(17.0 FTE)					
Statewide						
Preservation Grants	8,690,000			8,690,000(I) ^a		
Gaming Cities						
Distributions	5,500,000			5,500,000(I) ^b		
Indirect Cost Assessment for History Colorado						
Administration	<u>325,000</u>			325,000 ^a		
	16,282,493					

^a These amounts shall be from the Preservation Grant Program Account of the State Historical Fund, created in Section 44-30-1201 (5)(c)(I)(A), C.R.S. Amounts in this account are from limited gaming revenues deposited in the State Historical Fund pursuant to Section 9 (5)(b)(II) of Article XVIII of the State Constitution and allocated pursuant to Section 44-30-1201 (5)(c), C.R.S. Pursuant to Section 44-30-1201 (5)(c)(I)(A), C.R.S., money in the Preservation Grant Program Account is subject to annual appropriation for the selection, monitoring, and administration of grants. Any money not appropriated for these administrative purposes is continuously appropriated for preservation grants.

^b This amount shall be from Limited Gaming Revenues deposited in the State Historical Fund created in Section 9 (5)(b)(II) of Article XVIII of the State Constitution and reflects an estimate of the 20 percent share of State Historical Fund revenues to be used for the preservation and restoration of the cities of Central, Black Hawk, and Cripple Creek pursuant to Section 9 (5)(b)(III) of Article XVIII of the State Constitution.

(E) Cumbres and Toltec Railroad Commission^{42a}	5,847,800	1,365,000	4,482,800(I) ^a
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^a Of this amount, \$4,462,800 shall be from the State of New Mexico and \$20,000 shall be from Cumbres and Toltec Scenic Railroad Commission cash funds.

41,216,865

TOTALS PART VII

(HIGHER EDUCATION)	\$5,391,815,805	\$317,432,333	\$1,029,027,539 ^a	\$2,938,645,039^b	\$1,080,861,074	\$25,849,820 ^c
	<u>\$5,379,798,937</u>	<u>\$317,414,591</u>		<u>\$2,938,667,742^b</u>	<u>\$1,068,839,245</u>	

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, \$462,782,850 contains an (I) notation.

^c This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

33 Department of Health Care Policy and Financing, Grand Totals; Department of Higher Education, College Opportunity Fund Program, Fee-for-service Contracts with State Institutions, Fee-for-service Contracts with State Institutions for Specialty Education Programs; and Governing Boards, Regents of the University of Colorado -- The Department of Higher Education shall transfer \$800,000 to the Department of Health Care Policy and Financing for administrative costs and family medicine residency placements associated with care provided by the faculty of the health sciences center campus at the University of Colorado that are eligible for payment pursuant to Section 25.5-4-401, C.R.S. If the federal Centers for Medicare and Medicaid services

continues to allow the Department of Health Care Policy and Financing to make supplemental payments to the University of Colorado School of Medicine, the Department of Higher Education shall transfer the amount approved, up to \$78,885,357, to the Department of Health Care Policy and Financing pursuant to Section 23-18-304(1)(c), C.R.S. If permission is discontinued, or is granted for a lesser amount, the Department of Higher Education shall transfer any portion of the \$78,885,357 that is not transferred to the Department of Health Care Policy and Financing to the Regents of the University of Colorado.

- 34 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Administration; College Opportunity Fund Program, Fee-for-service Contracts with State Institutions; Governing Boards; Local District College Grants Pursuant to Section 23-71-301, C.R.S.; and Division of Occupational Education, Area Technical Colleges -- Of the total funding allocated to the Higher Education institutions for FY 2022-23, \$50,000,000 allocated to institutions is based on institutions' share of first generation, underrepresented minority, and Pell-eligible students in FY 2019-20 and their improvement in retaining underrepresented minority students in FY 2019-20 compared to prior years. It is the General Assembly's intent that this funding be used to prioritize retention of first generation, underrepresented minority, and low income students in FY 2022-23 and future years consistent with the goals of Colorado's Higher Education Master Plan, including the development, enhancement, and expansion of programs to recruit and retain such students as well as steps to reduce the cost of higher education through tuition rate freezes, reductions, and need-based scholarships for Colorado resident students.
- 35 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Special Purpose, Institute of Cannabis Research Hosted at CSU - Pueblo -- Of the appropriation in this line item, \$500,000 remains available until the close of the 2023-24 fiscal year.
- 36 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Tuition/Enrollment Contingency -- The Colorado Commission on Higher Education may transfer spending authority from this line item to the Governing Boards if tuition revenue increases beyond appropriated levels. The spending authority for this line item is in addition to the funds appropriated directly to the Governing Boards. It is the General Assembly's intent that the Colorado Commission on Higher Education transfer spending authority from this line item to allow institutions to receive and expend tuition revenue beyond appropriated levels that results from higher than expected enrollment and not to support tuition increases that exceed the assumptions outlined in the footnotes for each governing board.
- 37 Department of Higher Education, Colorado Commission on Higher Education and Higher Education Special Purpose Programs, Indirect Cost Assessments -- ~~It is the General Assembly's intent that the Department of Higher Education adjust its accounting procedures for indirect cost collections from institutions of higher education so that reappropriated funds in this line item for indirect cost assessments are deducted from fee-for-service contract and~~

~~grant amounts that are otherwise payable to institutions of higher education. The intent of this change is to eliminate~~ THIS LINE ITEM INCORPORATES A REDUCTION IN INDIRECT COST COLLECTIONS FROM THE HIGHER EDUCATION GOVERNING BOARDS. THIS CHANGE REDUCES a double-count of revenue under which the Department disburses funds to the institutions and then counts indirect cost assessments received from the institutions as revenue to the State's TABOR district. This change is expected to enable the State to retain an additional ~~\$7,321,029~~ \$4,059,676 in General Fund revenue under the State's Referendum C cap.

- 38 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study - Two percent of the Work Study appropriation remains available for expenditure until the close of the 2023-24 state fiscal year.
- 39 Department of Higher Education, Governing Boards, Trustees of Adams State University, Trustees of Colorado Mesa University, Trustees of Metropolitan State University of Denver, Trustees of Western Colorado University, Board of Governors of the Colorado State University System, Trustees of Fort Lewis College, University of Northern Colorado, and State Board for Community Colleges and Occupational Education State System Community Colleges -- The amounts in these line items are calculated based on the assumption that no undergraduate student with in-state classification will pay more tuition in FY 2022-23 than two percent over what a student would have paid in FY 2021-22 for the same credit hours and course of ~~study-~~ STUDY, EXCEPT AS DESCRIBED BELOW. These amounts are also calculated based on the assumption that each governing board will increase tuition rates for graduate and nonresident students based on its assessment of market conditions. THE AMOUNT FOR COLORADO MESA UNIVERSITY IS CALCULATED BASED ON THE ASSUMPTION THAT AN UNDERGRADUATE STUDENT WITH IN-STATE CLASSIFICATION WHO IS TAKING A CAREER AND TECHNICAL EDUCATION COURSE IN A FIELD OTHER THAN AVIATION WILL PAY BETWEEN SEVENTEEN PERCENT AND FORTY-FOUR PERCENT LESS THAN WHAT A STUDENT WOULD HAVE PAID IN FY 2021-22 FOR THE SAME CREDIT HOURS AND COURSE OF STUDY, WHILE ANY OTHER UNDERGRADUATE STUDENT WITH IN-STATE CLASSIFICATION WILL PAY NO MORE THAN THREE PERCENT OVER WHAT A STUDENT WOULD HAVE PAID IN FY 2021-22 FOR THE SAME CREDIT HOURS AND COURSE OF STUDY. The General Assembly intends to adjust the amounts in these line items through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.
- 39a Department of Higher Education, Governing Boards, Board of Governors of the Colorado State University System -- It is the General Assembly's intent that \$75,000 General Fund in this line item be spent for the Beef Sticks for Backpacks Program.
- 39b Department of Higher Education, Governing Boards, Board of Governors of the Colorado State University System -- It is the General Assembly's intent that \$100,000 General Fund in this line item be spent for the AgNext Climate Change Program.

- 40 Department of Higher Education, Governing Boards, Regents of the University of Colorado -- The amount in this line item is calculated based on the following assumptions. In accordance with the resident tuition guarantee at the University of Colorado Boulder, each undergraduate resident student with in-state classification who entered in FY 2019-20, FY 2020-21, or FY 2021-22 is assumed to have no increase in tuition through FY 2022-23, FY 2023-24, and FY 2024-25, respectively, for the same credit hours and course of study. A new undergraduate student at the University of Colorado Boulder with in-state classification is assumed to pay no more than 4.3 percent over what a student would have paid in FY 2021-22 for the same credit hours and course of study, except as provided below for students in Natural Sciences and Environmental Design programs, and to pay the same tuition rate through FY 2025-26 so long as the student is continuously enrolled and making academic progress. A new undergraduate student enrolled in Natural Sciences at the University of Colorado Boulder campus is assumed to be assessed tuition at the same rate as a new student enrolled in Engineering, and a new undergraduate student enrolled in Environmental Design at the University of Boulder campus is assumed to be assessed tuition at the same rate as a new student enrolled in Media, Communication, and Information. The amount in this line item is also calculated based on the assumption that no undergraduate student with in-state classification enrolled at the University of Colorado Denver or the University of Colorado Colorado Springs will pay more in tuition in FY 2022-23 than two percent over what a student would have paid in FY 2021-22 for the same credit hours and course of study; except that mandatory student fees of up to a total of \$420 for 30 credit hours at the University of Colorado Denver and \$240 for 30 credit hours at the University of Colorado Colorado Springs may be incorporated into resident tuition rates, with no resulting effective combined tuition and mandatory fee increase to any student, and any incorporated fees shall never be reestablished as a student fee. This amount is also calculated based on the assumption that each governing board will increase tuition rates for graduate and nonresident students based on its assessment of market conditions. The General Assembly intends to adjust the amount in this line item through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.
- 41 Department of Higher Education, Governing Boards, Trustees of the Colorado School of Mines -- The cash funds appropriation from tuition in this line item is for informational purposes only. Pursuant to the provisions of Section 23-41-104.6 (5)(c), C.R.S., the Board of Trustees has authority to establish resident and non-resident tuition rates for the Colorado School of Mines. The General Assembly intends to adjust the amount in this line item through supplemental action during FY 2022-23 based on updated enrollment estimates and tuition rate information.
- 42 Department of Higher Education, History Colorado, Central Administration; History Colorado Museums; and Office of Archaeology and Historic Preservation -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., History Colorado may transfer up to 10.0 percent of the total amount appropriated in these sections between the sections and among the line items within the sections.
- 42a Department of Higher Education, History Colorado, Cumbres and Toltec Railroad Commission -- The amount in this line item is calculated based on the following assumptions: (1) This line item includes \$240,000 General Fund for annual Commission operating expenses and other routine ongoing costs including controlled maintenance; (2) the balance of the General Fund appropriation, totaling \$1,125,000, is for capital projects including locomotive

boiler repair, passenger car upgrades, and track, bridge, and tunnel upgrades; and (3) the General Fund amount above the \$240,000 ongoing operating support is based on an analysis of the Railroad's capital outlay needs over a three year period and is not assumed to continue after FY 2024-25. The amount in this line item for capital projects remains available for expenditure until the close of the 2024-25 state fiscal year.

Ch. 456

Supplemental Appropriations - Higher Education

2783

SECTION 2. 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: February 28, 2023