

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 18-1219.01 Conrad Imel x2313

**HOUSE BILL 18-1396**

**HOUSE SPONSORSHIP**

**Buckner,**

**SENATE SPONSORSHIP**

**Moreno and Priola,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

Finance  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING CREATION OF AN ADVANCED PLACEMENT EXAM FEE**  
102 **GRANT PROGRAM IN THE DEPARTMENT OF EDUCATION, AND, IN**  
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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>.)*

Advanced placement courses are offered to high school students and reflect the information found in a college-level course. Students taking such courses have the option to take an advanced placement exam following completion of the course. Some colleges, including all state institutions in Colorado pursuant to Colorado commission on higher

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.

SENATE  
3rd Reading Unamended  
May 9, 2018

SENATE  
2nd Reading Unamended  
May 8, 2018

HOUSE  
3rd Reading Unamended  
May 1, 2018

HOUSE  
Amended 2nd Reading  
April 30, 2018

education policy, offer credit based on a student's advanced placement exam score. Students who take an advanced placement exam must pay an exam fee.

The bill creates the advanced placement exam fee grant program (grant program) in the department of education. The grant program provides funds to high schools to reduce or eliminate the advanced placement exam fee for low-income students.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** article 95.5 to  
3 title 22 as follows:

4   **ARTICLE 95.5**

5   **Advanced Placement Exam Fee Grant Program**

6           **22-95.5-101. Definitions.** AS USED IN THIS ARTICLE 95.5, UNLESS  
7 THE CONTEXT OTHERWISE REQUIRES:

8           (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
9 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

10          (2) "ELIGIBLE STUDENT" MEANS A STUDENT ENROLLED IN A HIGH  
11 SCHOOL WHO IS A LOW-INCOME INDIVIDUAL, AS DEFINED IN 20 U.S.C. SEC.  
12 6537, AND WHO IS PLANNING TO TAKE ONE OR MORE ADVANCED  
13 PLACEMENT EXAMS.

14          (3) "GRANT PROGRAM" MEANS THE ADVANCED PLACEMENT EXAM  
15 FEE GRANT PROGRAM CREATED IN SECTION 22-95.5-102.

16          (4) "HIGH SCHOOL" MEANS ANY PUBLIC SCHOOL THAT SERVES  
17 GRADES NINE THROUGH TWELVE AND HAS ONE OR MORE STUDENTS WHO  
18 PLAN TO TAKE AN ADVANCED PLACEMENT EXAM.

19          (5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
20 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE  
21 STATE CONSTITUTION.

22   **22-95.5-102. Advanced placement exam fee grant program -**

1 **creation - rules.** (1) THERE IS CREATED IN THE DEPARTMENT THE  
2 ADVANCED PLACEMENT EXAM FEE GRANT PROGRAM TO INCREASE THE  
3 NUMBER OF ELIGIBLE STUDENTS WHO TAKE ADVANCED PLACEMENT EXAMS  
4 AND RECEIVE SCORES FOR WHICH COLLEGE ACADEMIC CREDIT IS AWARDED  
5 BY PROVIDING FUNDS TO HIGH SCHOOLS TO PAY ALL OR A PORTION OF  
6 ADVANCED PLACEMENT EXAM FEES ON BEHALF OF ELIGIBLE STUDENTS.

7 (2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN  
8 ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL:

9 (a) ACCEPT AND REVIEW GRANT APPLICATIONS RECEIVED FROM  
10 HIGH SCHOOLS;

11 (b) DETERMINE THE AMOUNT, BASED ON AVAILABLE  
12 APPROPRIATIONS, THAT WILL BE AWARDED FOR EACH ADVANCED  
13 PLACEMENT EXAM THAT WILL BE ADMINISTERED TO AN ELIGIBLE STUDENT;

14 AND

15 (c) AWARD GRANTS, AT THE AMOUNT SET FOR EACH EXAM THAT  
16 WILL BE ADMINISTERED TO AN ELIGIBLE STUDENT, DETERMINED PURSUANT  
17 TO SUBSECTION (2)(b) OF THIS SECTION, TO EACH HIGH SCHOOL THAT HAS  
18 SUBMITTED AN APPLICATION.

19 (3) THE AMOUNT SET BY THE DEPARTMENT FOR EACH ADVANCED  
20 PLACEMENT EXAM PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION  
21 MUST BE THE SAME FOR EACH EXAM, REGARDLESS OF THE SUBJECT OF THE  
22 EXAM.

23 (4) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD SHALL  
24 PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, INCLUDING  
25 RULES RELATING TO:

26 (a) THE APPLICATION PROCESS, INCLUDING APPLICATION  
27 REQUIREMENTS AND DEADLINES;

- 1 (b) A PROCESS FOR VERIFYING STUDENT ELIGIBILITY; AND
- 2 (c) DEADLINES FOR THE DEPARTMENT TO AWARD GRANTS.
- 3 (5) A HIGH SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS
- 4 SECTION SHALL USE THE ENTIRE AMOUNT AWARDED TO PAY ALL OR A
- 5 PORTION OF ADVANCED PLACEMENT EXAM FEES ON BEHALF OF ELIGIBLE
- 6 STUDENTS WHO WILL TAKE AN ADVANCED PLACEMENT EXAM IN THE
- 7 AMOUNT SET FOR EACH EXAM BY THE DEPARTMENT PURSUANT TO
- 8 SUBSECTION (2)(b) OF THIS SECTION.

9 **22-95.5-103. Reporting requirements.** IN ITS ANNUAL REPORT  
10 BEFORE THE HOUSE AND SENATE COMMITTEES OF REFERENCE PURSUANT  
11 TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE INFORMATION  
12 DESCRIBING THE GRANTS AWARDED THROUGH THE GRANT PROGRAM  
13 DURING THE PRECEDING YEAR.

14 **SECTION 2.** In Colorado Revised Statutes, 22-95-102, **amend**  
15 (3)(d) as follows:

16 **22-95-102. Advanced placement incentives pilot program -**  
17 **creation - administration - teacher incentives.** (3) Regardless of the  
18 outcome of the advanced placement exams taken, for each student who  
19 completes an advanced placement class and who subsequently takes the  
20 advanced placement exam, the department shall distribute to the rural  
21 school five hundred dollars to be used for:

- 22 (d) Paying the advanced placement exam fee for each student who
- 23 takes the advanced placement exam and participates in the school lunch
- 24 program, unless the exam fee is covered by a STATE OR federal grant
- 25 program; and

26 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,  
27 \$554,869 is appropriated to the department of education. This

1 appropriation is from the general fund and is based on an assumption that  
2 the department will require an additional 0.3 FTE. To implement this act,  
3 the department may use this appropriation for the advanced placement  
4 exam fee grant program created in section 22-95.5-102 (1), C.R.S.

5 **SECTION 4. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly (August  
8 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within such period, then the act, item, section, or part will not take effect  
12 unless approved by the people at the general election to be held in  
13 November 2018 and, in such case, will take effect on the date of the  
14 official declaration of the vote thereon by the governor.