

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

REVISED

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

LLS NO. 23-0939.02 Jane Ritter x4342

HOUSE BILL 23-1261

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A BILL FOR AN ACT

101 **CONCERNING REMOVING THE REQUIREMENT FOR A STUDENT TO**
102 **REGISTER FOR THE UNITED STATES SELECTIVE SERVICE SYSTEM**
103 **TO ENROLL IN A STATE-SUPPORTED INSTITUTION OF HIGHER**
104 **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>.)

Current law requires a person who is applying for enrollment or reenrollment to a state-supported institution of higher education (institution) and who is at least 17 years and 9 months of age but younger

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

SENATE
2nd Reading Unamended
April 28, 2023

HOUSE
3rd Reading Unamended
April 17, 2023

HOUSE
Amended 2nd Reading
April 13, 2023

than 26 years of age (applicant) to provide the institution with a statement of registration compliance for the United States selective service system (selective service). The bill removes the requirement that an applicant register for selective service to enroll in an institution.

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

SECTION 1. In Colorado Revised Statutes, **amend** 23-5-118 as follows:

23-5-118. Selective service registration information. EACH STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE ELIGIBLE MALES WITH INFORMATION ABOUT THE SELECTIVE SERVICE PRIOR TO COURSE REGISTRATION.

~~(1) No male person who is at least seventeen years and nine months of age but younger than twenty-six years of age shall be eligible to enroll at any state-supported institution of higher education until such person has filed with such institution a statement of registration compliance. In such statement of registration compliance, the person shall certify, under oath, either that he is registered with the selective service system pursuant to the provisions of section 3 of the "Military Selective Service Act", 50 U.S.C. App. sec. 453, as amended, or that, for any reason specified in 50 U.S.C. App. sec. 453, he is not required to be registered. If the person does not possess a current Colorado driver's license or Colorado state identification card, which was issued on or after September 4, 2001, the state-supported institution of higher education at which the person enrolls shall verify the person's sworn statement of registration compliance. The state-supported institution of higher education may require the person to provide appropriate documentation in order to verify the person's sworn statement of registration compliance.~~

1 ~~The person shall be given the opportunity to provide the appropriate~~
2 ~~documentation proving registration compliance to an agent of the~~
3 ~~state-supported institution of higher education prior to any disciplinary~~
4 ~~action being taken.~~

5 ~~(2) The governing board of each state-supported institution of~~
6 ~~higher education shall prescribe the form for such statement of~~
7 ~~registration compliance. Such statement shall be included in applications~~
8 ~~for admission to the institution for new and transfer students. Such~~
9 ~~institution shall require any male person who is at least seventeen years~~
10 ~~and nine months of age but younger than twenty-six years of age and who~~
11 ~~is currently attending such institution or has been admitted to such~~
12 ~~institution but has not given a statement of registration compliance as~~
13 ~~required by subsection (1) of this section to file a statement of registration~~
14 ~~compliance when he seeks to enroll for a new academic term.~~

15 ~~(3) If a state-supported institution of higher education receives a~~
16 ~~statement from any person, as required by subsection (1) of this section,~~
17 ~~certifying that he has registered with the selective service system pursuant~~
18 ~~to the provisions of section 3 of the "Military Selective Service Act", 50~~
19 ~~U.S.C. App. sec. 453, as amended, or that he is exempt from registration~~
20 ~~for any reason specified in 50 U.S.C. App. sec. 453, other than that he is~~
21 ~~under seventeen years and nine months of age, such institution shall not~~
22 ~~require the person to file any further statements. If such institution~~
23 ~~receives a statement certifying that such person is not required to register~~
24 ~~pursuant to the provisions of 50 U.S.C. App. sec. 453, because he is under~~
25 ~~seventeen years and nine months of age, such institution shall require the~~
26 ~~person to file a new statement of registration compliance each time he~~
27 ~~seeks to enroll for a new academic term until the institution receives a~~

1 statement certifying that the person has registered with the selective
2 service system or is exempt from registration for any reason specified in
3 50 U.S.C. App. sec. 453, other than that he is under seventeen years and
4 nine months of age.

5 (4) If any person knowingly gives false information in such
6 statement of registration compliance as required pursuant to the
7 provisions of this section, such person commits perjury in the second
8 degree, as defined in section 18-8-503, C.R.S.

9 (5) If a student knowingly gives false information under the
10 provisions of this section, the student shall be suspended from the
11 state-supported institution of higher education at which the student is
12 enrolled. If a person knowingly gives false information under the
13 provisions of this section and the person is not enrolled as a student at a
14 state-supported institution of higher education, the person shall be
15 prohibited from enrolling as a student at a state-supported institution of
16 higher education. State-supported institutions of higher education shall be
17 required to provide the person a hearing before an appropriate agent of
18 the state-supported institution of higher education to determine if the
19 person has knowingly given false information under the provisions of this
20 section. A student or prospective student who provides false information
21 under the provisions of this section shall not be eligible to enroll or
22 reenroll until the student provides appropriate documentation proving that
23 he is properly registered with the selective service system.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.