

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

INTRODUCED

LLS NO. 25-0932.01 Alana Rosen x2606

SENATE BILL 25-247

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Amabile

HOUSE SPONSORSHIP

Bird and Taggart, Sirota

Senate Committees

Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING TUITION WAIVERS FOR MEMBERS OF THE COLORADO**
102 **NATIONAL GUARD, AND, IN CONNECTION THEREWITH, MAKING**
103 **AN APPROPRIATION.**

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/>.)

Joint Budget Committee. The bill changes the tuition assistance program for eligible members of the Colorado National Guard (member) to a tuition waiver program (program). The bill allows a member, upon being accepted for enrollment at a designated institution of higher education (institution), to pursue studies that lead to a postgraduate

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.

degree, a bachelor's degree, an associate degree, or a certificate of completion with all tuition waived. For a member, the tuition waiver must not exceed more than 65 credit hours at a designated 2-year institution of higher education and no more than 130 credit hours at a designated 4-year institution of higher education; except that the total credit hours for a member who attends both a 2-year institution and a 4-year institution must not exceed more than 145 credit hours. The department of military and veterans affairs (department) shall administer the program.

In order to qualify for the program, a member must:

- Be accepted by an institution;
- Be in good standing with the Colorado National Guard; and
- Complete a Colorado application for state financial aid or a free application for federal student aid.

Each institution shall determine if a member enrolled with the institution remains in satisfactory academic standing in accordance with the academic policies of the institution and is making progress toward the completion of the requirements of the education program in which the member is enrolled. If the institution finds that the member is not in satisfactory academic standing in accordance with the academic policies of the institution or is not making progress toward the completion of a degree, the member must reimburse the department for the amount of the tuition waived for that academic term.

The bill makes an appropriation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-7.4-302, **amend**
3 (1), (5), (6), (7), and (9)(a); and **repeal and reenact, with amendments,**
4 (2) and (3) as follows:

5 **23-7.4-302. Tuition waiver for members of the National Guard**
6 **- rules - fund - legislative declaration - definitions - repeal.** (1) The
7 general assembly recognizes its responsibility for the establishment and
8 maintenance of a strong, well-trained, and high-spirited National Guard.
9 The encouragement of membership in the guard through the granting of
10 ~~reduced or~~ free tuition at certain institutions of postsecondary education
11 simultaneously expresses a commitment to a part of this responsibility
12 and supports existing institutions, carrying out a policy of maintaining

1 reasonable access to quality education as broadly in this state as possible.
2 The general assembly hereby finds and declares that the establishment of
3 a tuition ~~assistance~~ WAIVER program will encourage enlistments, enhance
4 the knowledge and skills of the National Guard, and retain membership
5 in the National Guard.

6 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "DESIGNATED INSTITUTION OF HIGHER EDUCATION" MEANS:

9 (I) ADAMS STATE UNIVERSITY;

10 (II) COLORADO STATE UNIVERSITY;

11 (III) COLORADO STATE UNIVERSITY - GLOBAL CAMPUS;

12 (IV) COLORADO STATE UNIVERSITY - PUEBLO;

13 (V) COLORADO MESA UNIVERSITY;

14 (VI) METROPOLITAN STATE UNIVERSITY OF DENVER;

15 (VII) FORT LEWIS COLLEGE;

16 (VIII) WESTERN COLORADO UNIVERSITY;

17 (IX) UNIVERSITY OF NORTHERN COLORADO;

18 (X) UNIVERSITY OF COLORADO AT BOULDER;

19 (XI) UNIVERSITY OF COLORADO AT DENVER;

20 (XII) UNIVERSITY OF COLORADO AT COLORADO SPRINGS;

21 (XIII) UNIVERSITY OF COLORADO HEALTH SCIENCES CENTER;

22 (XIV) COLORADO SCHOOL OF MINES;

23 (XV) COMMUNITY COLLEGES THAT ARE GOVERNED BY THE STATE

24 BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION;

25 (XVI) AN AREA TECHNICAL COLLEGE; AND

26 (XVII) A LOCAL DISTRICT COLLEGE.

27 (b) "MEMBER" MEANS AN ENLISTED MEMBER OR OFFICER OF THE

1 COLORADO NATIONAL GUARD.

2 (3) (a) SUBJECT TO ANNUAL APPROPRIATIONS, A PERSON WHO IS A
3 MEMBER OF THE COLORADO NATIONAL GUARD, UPON BEING ACCEPTED
4 FOR ENROLLMENT AT A DESIGNATED INSTITUTION OF HIGHER EDUCATION,
5 MAY PURSUE STUDIES THAT LEAD TO A POSTGRADUATE DEGREE, A
6 BACHELOR'S DEGREE, AN ASSOCIATE DEGREE, OR A CERTIFICATE OF
7 COMPLETION WITH ALL TUITION WAIVED. FOR A MEMBER, THE TUITION
8 WAIVER MUST NOT EXCEED MORE THAN SIXTY-FIVE CREDIT HOURS AT A
9 DESIGNATED TWO-YEAR INSTITUTION OF HIGHER EDUCATION AND NO
10 MORE THAN ONE HUNDRED THIRTY CREDIT HOURS AT A DESIGNATED
11 FOUR-YEAR INSTITUTION OF HIGHER EDUCATION; EXCEPT THAT THE TOTAL
12 CREDIT HOURS FOR A MEMBER WHO ATTENDS BOTH A DESIGNATED
13 TWO-YEAR AND A DESIGNATED FOUR-YEAR INSTITUTION OF HIGHER
14 EDUCATION MUST NOT EXCEED MORE THAN ONE HUNDRED FORTY-FIVE
15 CREDIT HOURS. THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
16 SHALL ADMINISTER THE TUITION WAIVER PROGRAM.

17 (b) (I) TO PREVENT HARDSHIP TO A DESIGNATED INSTITUTION OF
18 HIGHER EDUCATION, IF THERE IS A SIGNIFICANT INCREASE IN THE MEMBER
19 ENROLLMENT IN THE TUITION WAIVER PROGRAM, THE NUMBER OF
20 MEMBERS ATTENDING WITH A TUITION WAIVER MUST NOT EXCEED THE
21 GREATER OF:

22 (A) A TWENTY-FIVE PERCENT INCREASE IN MEMBER ENROLLMENT
23 IN A DESIGNATED INSTITUTION OF HIGHER EDUCATION COMPARED TO THE
24 MEMBER CALCULATION DESCRIBED IN SUBSECTION (3)(b)(II) OF THIS
25 SECTION; OR

26 (B) MORE THAN FIVE ADDITIONAL MEMBERS ENROLLED IN A
27 DESIGNATED INSTITUTION OF HIGHER EDUCATION COMPARED TO THE

1 MEMBER CALCULATION DESCRIBED IN SUBSECTION (3)(b)(II) OF THIS
2 SECTION.

3 (II) FOR EACH DESIGNATED INSTITUTION OF HIGHER EDUCATION,
4 THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS SHALL DETERMINE
5 THE BASE MEMBER ENROLLMENT DESCRIBED IN SUBSECTION (3)(b)(I)(A)
6 OR (3)(b)(I)(B) OF THIS SECTION BY CALCULATING THE AVERAGE FALL
7 SEMESTER MEMBER ENROLLMENT AT THE DESIGNATED INSTITUTION OF
8 HIGHER EDUCATION FOR THE PREVIOUS THREE FALL SEMESTERS. THE
9 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, IN CONSULTATION
10 WITH DESIGNATED INSTITUTIONS OF HIGHER EDUCATION, SHALL ADOPT
11 RULES TO DETERMINE HOW TO SELECT MEMBERS TO PARTICIPATE IN THE
12 TUITION WAIVER PROGRAM IF A SIGNIFICANT INCREASE IN MEMBER
13 ENROLLMENT IN THE TUITION WAIVER PROGRAM OCCURS PURSUANT TO
14 SUBSECTION (3)(b)(I) OF THIS SECTION.

15 (III) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
16 SHALL DETERMINE COMMUNITY COLLEGE MEMBER ENROLLMENT CAPS FOR
17 EACH COMMUNITY COLLEGE. THE DEPARTMENT OF MILITARY AND
18 VETERANS AFFAIRS SHALL PROVIDE FUNDS TO THE STATE BOARD OF
19 COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION FOR TUITION
20 WAIVERS. THE STATE BOARD OF COMMUNITY COLLEGES AND
21 OCCUPATIONAL EDUCATION SHALL DISTRIBUTE THE FUNDS TO EACH
22 COMMUNITY COLLEGE IN WHICH A MEMBER IS ENROLLED.

23 (IV) (A) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
24 MAY REQUEST ADJUSTMENTS TO THE ANNUAL APPROPRIATION BASED ON
25 CHANGES TO COLORADO NATIONAL GUARD MEMBER ENROLLMENT AND
26 CHANGES TO THE COST OF TUITION.

27 (B) IF THE DIFFERENCE BETWEEN THE CALCULATED TUITION AND

1 THE ANNUAL APPROPRIATION IS LESS THAN TWENTY-FIVE PERCENT, THE
2 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS MAY PRORATE
3 FUNDING AND DISTRIBUTE FUNDS TO EACH DESIGNATED INSTITUTION OF
4 HIGHER EDUCATION PROPORTIONATELY.

5 (C) IF THE DIFFERENCE BETWEEN THE CALCULATED TUITION AND
6 THE ANNUAL APPROPRIATION IS MORE THAN TWENTY-FIVE PERCENT, THE
7 TUITION WAIVER PROGRAM IS SUSPENDED AND THE DESIGNATED
8 INSTITUTIONS OF HIGHER EDUCATION SHALL DISTRIBUTE THE REMAINING
9 TUITION WAIVER FUNDS ON A FIRST-COME, FIRST-SERVE BASIS TO
10 MEMBERS UNTIL THE TUITION WAIVER FUNDS ARE EXHAUSTED.

11 (c) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS SHALL
12 ESTABLISH CRITERIA FOR MEMBERS WHO ATTEND POSTGRADUATE DEGREE
13 PROGRAMS.

14 (d) IN ORDER TO QUALIFY FOR THE TUITION WAIVER PROGRAM
15 AUTHORIZED BY THIS SECTION, A MEMBER MUST:

16 (I) BE ACCEPTED BY A DESIGNATED INSTITUTION OF HIGHER
17 EDUCATION;

18 (II) BE IN GOOD STANDING WITH THE COLORADO NATIONAL
19 GUARD; AND

20 (III) COMPLETE A COLORADO APPLICATION FOR STATE FINANCIAL
21 AID OR A FREE APPLICATION FOR FEDERAL STUDENT AID.

22 (5) ~~For each individual member of the Colorado National Guard~~
23 ~~who is a continuing student and who is receiving tuition assistance as~~
24 ~~provided in this section, the department of military and veterans affairs~~
25 ~~shall obtain certification from the designated institution of higher~~
26 ~~education prior to the payment to the institution attesting to the member's~~
27 ~~current satisfactory academic standing at the designated institution of~~

1 ~~higher education, as determined by military regulations promulgated~~
2 ~~pursuant to subsection (7) of this section, for each semester or quarter for~~
3 ~~which tuition assistance is requested. Tuition assistance shall not be~~
4 ~~granted without such certification.~~ EACH DESIGNATED INSTITUTION OF
5 HIGHER EDUCATION SHALL DETERMINE IF A MEMBER ENROLLED WITH THE
6 DESIGNATED INSTITUTION OF HIGHER EDUCATION REMAINS IN
7 SATISFACTORY ACADEMIC STANDING IN ACCORDANCE WITH THE
8 ACADEMIC POLICIES OF THE DESIGNATED INSTITUTION OF HIGHER
9 EDUCATION AND IS MAKING PROGRESS TOWARD THE COMPLETION OF THE
10 REQUIREMENTS OF THE EDUCATION PROGRAM IN WHICH THE MEMBER IS
11 ENROLLED. IF THE DESIGNATED INSTITUTION OF HIGHER EDUCATION FINDS
12 THAT THE MEMBER IS NOT IN SATISFACTORY ACADEMIC STANDING IN
13 ACCORDANCE WITH THE ACADEMIC POLICIES OF THE DESIGNATED
14 INSTITUTION OF HIGHER EDUCATION OR IS NOT MAKING PROGRESS TOWARD
15 THE COMPLETION OF THE REQUIREMENTS OF THE EDUCATION PROGRAM IN
16 WHICH THE MEMBER IS ENROLLED, THE MEMBER MUST REIMBURSE THE
17 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS PURSUANT TO
18 SUBSECTION (6) OF THIS SECTION.

19 (6) Any member who leaves the Colorado National Guard in
20 violation of the member's agreement under subsection (2) of this section
21 during an academic term for which the member is receiving tuition
22 assistance is required to repay to the department of military and veterans
23 affairs the amount of tuition ~~assistance~~ WAIVER granted for that academic
24 term and any and all collection fees incurred by the department of military
25 and veterans affairs. The repayment of tuition assistance ~~shall~~ MUST be
26 credited to the Colorado National Guard tuition fund created in
27 subsection (9) of this section.

1 (7) The department of military and veterans affairs shall
2 ~~promulgate military regulations for the administration of tuition~~
3 ~~assistance as provided in this section including, but not limited to, the~~
4 ~~following:~~ ADOPT RULES TO CERTIFY MEMBER ELIGIBILITY AT THE
5 REQUEST OF A DESIGNATED INSTITUTION OF HIGHER EDUCATION, TO
6 COMMUNICATE MEMBER ELIGIBILITY TO THE DESIGNATED INSTITUTION OF
7 HIGHER EDUCATION, AND TO ADMINISTER THE TUITION WAIVER PROGRAM
8 PURSUANT TO THIS SECTION.

9 ~~(a) Criteria for the eligibility of a member of the National Guard~~
10 ~~for tuition assistance. In establishing this criteria, the department of~~
11 ~~military and veterans affairs shall include, but not be limited to,~~
12 ~~consideration of the following:~~

13 ~~(I) The member's past service and record, if any, in the National~~
14 ~~Guard;~~

15 ~~(II) An evaluation of the member's commitment to future service~~
16 ~~in the National Guard;~~

17 ~~(III) The member's military record, if any, including the member's~~
18 ~~achievements and whether the member has been honorably discharged;~~

19 ~~(IV) The benefit to the National Guard by having such an~~
20 ~~individual as a member;~~

21 ~~(V) Financial need, merit, or talent;~~

22 ~~(b) Procedures to be followed by designated institutions of higher~~
23 ~~education in reporting the member's academic standing and in providing~~
24 ~~timely billing to the department of military and veterans affairs;~~

25 ~~(c) A definition of satisfactory academic standing, including, but~~
26 ~~not limited to, consideration of the member's cumulative grade point~~
27 ~~average, credit hours completed, and progress toward a degree.~~

1 (9)(a) ~~There is created in the state treasury~~ The Colorado National
2 Guard tuition fund ~~which~~ IS CREATED IN THE STATE TREASURY AND is
3 administered by the department of military and veterans affairs. ~~and~~
4 ~~which consists of all~~ THE TUITION FUND CONSISTS OF money that ~~may be~~
5 IS appropriated ~~thereto~~ by the general assembly or that is otherwise ~~made~~
6 available to it by the general assembly. Money "otherwise made
7 available" includes any repayment of tuition ~~assistance~~ WAIVERS made
8 pursuant to subsection (6) of this section. The money in the fund is
9 continuously appropriated for the payment of tuition ~~assistance~~ WAIVERS
10 as ~~provided~~ DESCRIBED in this section. Any money not expended at the
11 end of the fiscal year remains in the fund and ~~shall not be~~ IS NOT
12 transferred to or ~~revert~~ REVERTED to the general fund of the state.

13 **SECTION 2. Appropriation.** For the 2025-26 state fiscal year,
14 \$562,787 is appropriated to the department of military and veterans
15 affairs for use by the executive director's office. This appropriation is
16 from the general fund. To implement this act, the division may use this
17 appropriation for the Colorado National Guard tuition waiver.

18 **SECTION 3. Safety clause.** The general assembly finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety or for appropriations for
21 the support and maintenance of the departments of the state and state
22 institutions.