

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

**INTRODUCED**

LLS NO. 25-1000.02 Jacob Baus x2173

**SENATE BILL 25-233**

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**SENATE SPONSORSHIP**

**Amabile and Bridges, Kirkmeyer**

**HOUSE SPONSORSHIP**

**Sirota and Taggart, Bird**

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**Senate Committees**  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE REPEAL OF THE COLORADO SCHOOL OF MINES**  
102      **PERFORMANCE CONTRACT.**

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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/>.)*

**Joint Budget Committee.** Under current law, the Colorado school of mines (school) has a performance contract with the department of higher education that specifies the measurable performance goals that the school must achieve during the contract's term and authorizes the school's board of trustees to establish resident and nonresident tuition rates. The bill repeals this performance contract and makes conforming

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.

amendments.

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

**SECTION 1.** In Colorado Revised Statutes, 23-1-104, **repeal** (2) as follows:

**23-1-104. Financing the system of postsecondary education - report.** (2) ~~Notwithstanding any provision of this section to the contrary, beginning in the 2011-12 fiscal year and for each fiscal year thereafter through the 2020-21 fiscal year, the general assembly shall appropriate moneys to the governing board of the Colorado school of mines in accordance with section 23-41-104.7, through fee-for-service contracts, as authorized in sections 23-1-109.7 and 23-18-303, and as stipends, as defined in section 23-18-102, as a single line item to said governing board.~~

**SECTION 2.** In Colorado Revised Statutes, 23-1-108, **amend** (1.5)(f)(I)(A) as follows:

**23-1-108. Duties and powers of the commission with regard to systemwide planning - reporting - definitions.** (1.5) (f) (I) (A) The commission, in collaboration with the public institutions of higher education, shall ensure that the master plan is implemented through the public institutions of higher education, including through funding allocated pursuant to part 3 of article 18 of this title 23. ~~and section 23-41-104.6.~~ The department shall submit a budget request pursuant to section 23-18-306 that supports master plan goals.

**SECTION 3.** In Colorado Revised Statutes, 23-1-113.2, **repeal** (3) as follows:

**23-1-113.2. Department directive - admission standards for**

1     **students holding international baccalaureate diplomas - legislative**  
2     **declaration.** (3) ~~The provisions of this section shall not apply to the~~  
3     ~~Colorado school of mines while the institution is operating under a~~  
4     ~~performance contract negotiated pursuant to section 23-41-104.6.~~

5             **SECTION 4.** In Colorado Revised Statutes, **amend** 23-41-107 as  
6     follows:

7             **23-41-107. Tuition.** ~~The Colorado school of mines is open for~~  
8     ~~instruction to all bona fide residents of this state, without regard to sex or~~  
9     ~~color, upon the payment of such reasonable tuition fees as may be~~  
10    ~~prescribed by the board of trustees pursuant to section 23-41-104.6. With~~  
11    ~~the consent of such board, students from other states, territories, or~~  
12    ~~countries may receive education thereat upon such terms and at such rates~~  
13    ~~of tuition as such board may determine.~~ THE BOARD OF TRUSTEES SHALL  
14    SET TUITION IN ACCORDANCE WITH THE LEVEL OF CASH FUND  
15    APPROPRIATIONS SET BY THE GENERAL ASSEMBLY. THE BOARD OF  
16    TRUSTEES MAY DISCRIMINATE IN REGARD TO TUITION BETWEEN STUDENTS  
17    FROM THIS STATE AND STUDENTS FROM OTHER STATES.

18            **SECTION 5.** In Colorado Revised Statutes, 24-1-114, **amend**  
19    (5)(b) as follows:

20            **24-1-114. Department of higher education - creation.**  
21    (5) (b) With respect to the Colorado commission on higher education and  
22    the universities, colleges, and boards specified in subsection (4) of this  
23    section, the executive director has only those powers, duties, and  
24    functions prescribed in article 1 of title 23; except that the executive  
25    director of the Colorado commission on higher education is authorized to  
26    negotiate, implement, and monitor contracts, as described in sections  
27    23-18-201 (2), 23-18-303.5, AND 23-18-304, ~~and 23-41-104.6,~~ with

1 universities, colleges, and boards, in consultation with the Colorado  
2 commission on higher education.

3 **SECTION 6.** In Colorado Revised Statutes, **repeal** 23-41-104.6  
4 and 23-41-104.7.

5 **SECTION 7. Safety clause.** The general assembly finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety or for appropriations for  
8 the support and maintenance of the departments of the state and state  
9 institutions.