

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 09-0836.01 Michael Dohr

**HOUSE BILL 09-1313**

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Education

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**A BILL FOR AN ACT**

101     **CONCERNING EXPANDING CIVIC ENGAGEMENT OPTIONS THROUGH**  
102             **STUDENT-DIRECTED PROGRAMS AT INSTITUTIONS OF HIGHER**  
103             **EDUCATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Allows the governing board of an institution of higher education (governing board) to establish an optional student fee to fund student-directed programs to enrich student life and learning opportunities. Directs the governing board to adopt policies to permit student body members to place a proposed fee on the ballot at a regular student election. Requires approval of the fee by a majority of the votes

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
April 15, 2009

HOUSE  
Amended 2nd Reading  
April 14, 2009

cast at a regularly scheduled student-body election.

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

2           **SECTION 1.** 23-1-123 (5) (i), the introductory portion to  
3 23-1-123 (7) (b), and 23-1-123 (7) (b) (I), Colorado Revised Statutes, are  
4 amended to read:

5           **23-1-123. Commission directive - fee policies.** (5) In adopting  
6 fee policies pursuant to this section, the commission shall adopt separate  
7 policies for fees used for different purposes, including but not limited to  
8 the following fee policies:

9           (i) **Optional fees for student-directed activities.** ~~On and after~~  
10 ~~July 1, 2000, no separate optional fee or charge for an organization whose~~  
11 ~~primary purpose is to engage in political activity or issue advocacy may~~  
12 ~~be collected in conjunction with other student fees; except that, such a fee~~  
13 ~~or charge may be collected if it requires an affirmative authorization by~~  
14 ~~the student or parent to pay such a fee or charge.~~ AN INSTITUTION MAY  
15 ESTABLISH, PURSUANT TO PARAGRAPH (g) OF THIS SUBSECTION (5) AND  
16 SUBJECT TO THE POLICY ESTABLISHED PURSUANT TO SUBSECTION (3) OF  
17 THIS SECTION, AN OPTIONAL FEE TO FUND STUDENT-DIRECTED PROGRAMS  
18 TO ENRICH STUDENT LIFE AND LEARNING OPPORTUNITIES. IF AN  
19 INSTITUTION ESTABLISHES AN OPTIONAL FEE TO FUND STUDENT-DIRECTED  
20 PROGRAMS PURSUANT TO THIS PARAGRAPH (i), THE INSTITUTION MAY  
21 ADOPT POLICIES THAT PERMIT MEMBERS OF THE STUDENT BODY TO PLACE  
22 A PROPOSED OPTIONAL FEE ON THE BALLOT AT A REGULAR STUDENT  
23 ELECTION AND THAT THE OPTIONAL FEE MAY ONLY BE COLLECTED IF THE  
24 STUDENT BODY APPROVES THE OPTIONAL FEE BY A MAJORITY OF THE  
25 VOTES CAST AT A REGULARLY SCHEDULED ELECTION. EACH PROPOSED

1     OPTIONAL FEE MAY BE SUBJECT TO A SEPARATE VOTE.

2             (7) For purposes of this section:

3             (b) "Fees" means any ~~mandatory~~ campus-wide fee assessed  
4 against students by any institution of higher education the revenues from  
5 which are used for academic or nonacademic purposes, including but not  
6 limited to the following:

7             (I) Support for student programs, including but not limited to  
8 cultural or social events, off-campus housing assistance, student clubs,  
9 student organizations, STUDENT-DIRECTED ISSUE ADVOCACY, and student  
10 media;

11             **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.