

STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

April 12, 2023

TOPIC: Legislative Update

PRESENTED BY:

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EXPLANATION:

(Report updated 4/3/2023). By the time the Board gathers in April, the Legislative Session will be twenty-six days away from Sine Die (adjournment). Throughout March, attention was on the six-member Joint Budget Committee (JBC) as they finalized decisions on higher education funding, including tuition authority, and closed out their recommendations for the state's \$38.5 billion budget that is packaged in the [2023-2024 Long Bill](#).

Despite the hefty FY-24 budget proposal, which reflects an 8.9% increase above last year's budget, the General Assembly has much less flexibility this year than they did the past two years when the state received record federal funding for various pandemic-related relief efforts. High inflation also reduced overall state spending power leaving the General Assembly with a projected \$30 million (General Fund) to spend on bills moving through the process – typically these funds are split equally between the Senate and House Chambers, meaning each Chamber will likely only have \$15 million to spend on bills that have fiscal notes beyond certain workforce, preschool, and housing bills that have funding placeholders recommended by the JBC. The Long Bill was introduced in late March in the Senate and will go through the legislative process for consideration by the entire General Assembly over the course of three weeks before it is signed into law. Our efforts will be focused on ensuring the budget items listed below remain intact.

Higher Education Figure Setting:

Below is summary of JBC funding recommendations for higher education and CCCS-related capital projects.

- **\$145.9 million total appropriation for Higher Education. This reflects an ~11% increase above last year's operating appropriation.** This is a significant increase above the Governor's recommendation of a 7% operating increase. While we had joined other higher education institutions to advocate for a 14% operating increase, we were pleased with the JBC's final recommendation.
- **Authority to raise tuition up to 5%.** The Governor had recommended a 4% cap.
- Revenue adjustments for **Amendments 50 and 77** to modify estimated distributions of limited gaming funds reflected in the FY23-24 Long Bill to align with the limited gaming distributions in August 2022, which are based on FY20-21 limited gaming revenue. CCCS's allocation for FY-24 is calculated to be \$18,791,768.

- Continuation funding of \$4,500,000 for Colorado First/Existing Industry Job Training (aka Skill Advance Colorado).

JBC Set Asides:

The JBC also set aside \$103 million (one-time General Funds) for workforce-related bills, several of which are very important to CCCS, including funding for [HB23-1246](#) that expands zero-cost credentials, [SB23-205](#) that provides universal scholarships for the high school graduating class of 2024, and [SB23-065](#) that increases [CDIP](#) funding to expand CTE programming in K12.

HB23-1246: On Wednesday, March 22nd, Chancellor Garcia and Dr. Landon Pirius testified in support of [HB23-1246](#) “Zero-Cost Credentials for Aspiring Professionals” which unanimously passed the House Education Committee unamended. The bill now heads to the House Appropriations Committee. If HB23-1246 is signed into law, an additional \$41.8 million will be appropriated to CCCS to expand the [Care Forward Colorado](#) program to additional fields including elementary and early childhood education, firefighting, law enforcement, forest management, nursing, and construction trades; and to create two new associate degree nursing programs – one at Community College of Aurora and one at Red Rocks Community College. On Monday, April 3rd, we were excited to have the First Lady, Dr. Jill Biden, visit Denver to highlight House Bill 1246 and how state officials are prioritizing investments in community colleges and workforce training programs. Chancellor Garcia, Dr. Lance Bolton – President of Pikes Peak State College, Dr. Mordecai Brownlee – President of Community College of Aurora, and three CCCS students attended the media event.

JBC Funding Recommendations for CCCS Capital Projects:

Two out of our five **capital construction** projects were recommended: NJC’s and LCC’s continuation projects were recommended for funding (PPSC, MCC, and TSC not slated for funding). All three **IT capital projects** were recommended for funding: FRCC, CCD, and CCA. And Controlled Maintenance projects for levels 1 and 2 were recommended for funding. If approved as part of the Long Bill, CCCS will receive over \$48.3 million for capital projects. The tables below show all CCCS capital projects that are currently recommended for funding by the JBC.

Notes: “CCF” means Capital Construction Fund (i.e., State General Funds) and Cash Fund (CF) reflects what a college is funding toward a project. Level 1 controlled maintenance projects make the most critical repairs to state facilities and address concerns such as life safety and loss of use. Level 2 controlled maintenance projects make repairs to state facilities and address potential program disruption.

Table 1: Capital Construction Projects Recommended for Funding by the JBC.

Institution	Project	Phase	CCF	CF	Total Cost for FY-24
NJC	Applied Technology Campus Expansion and Remodel	2 of 2	\$5,725,500	\$ 500,000	\$6,225,500
LCC	Bowman Building Renovation (Capital Renewal)	2 of 2	\$5,850,030	\$0	\$5,850,030

Table 2: Information Technology (IT) Capital Projects Recommended for Funding by the JBC.

Institution	Project	Phase	CCF	CF	Total Cost for FY-24
FRCC	Network and IT Security Upgrade	1 of 1	\$3,420,000	\$380,000	\$3,800,000
CCD	Classroom and Conference Room Technology	3 of 3	\$1,627,899	\$103,908	\$1,731,807
CCA	Improving Server Room	1 of 1	\$814,740	\$71,093	\$885,833

Table 3: Level 1 Controlled Maintenance Projects Recommended for Funding.

Institution	Project	Amount
ACC	Upgrade Temperature Controls- Main and Annex Buildings	\$1,942,026
CCA	Upgrade Fire Alarm System- Four Buildings	\$11651,490
CCCS	Replace Chiller- Lowry, Building 758	\$974,560
FRCC	Rehabilitate Elevators- Westminster Campus	\$1,305,000
MCC	Upgrade Campus-wide Safety and Security	\$1,988,239
OC	Repair and Replace Roofs- Kiva and Wheeler Buildings	\$748,468
PPSC	Replace sewer vent pipes and upgrade restrooms- Downtown Studio Campus, North Building	\$1,487,200
RRCC	Replace East Wing Roof- Lakewood Campus	\$1,897,913

TSC	Install Boiler System and Upgrade Associated Building Automation System- Berg	\$900,526
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Table 4: Level 2 Controlled Maintenance Projects Recommended for Funding.

Institution	Project	Amount
ACC	Replace Roof and Repair Exterior Walls- North and Church St Buildings	\$402,691
CCA	Roof Replacement- Classroom Building	\$830,159
CCCS	Install new boilers, chiller, AUHs and Upgrade the Controls- Lowry, Building 999	\$1,442,001
CCCS	Replace Roof- Lowry, Building 959	\$986,233
CNCC	Replace Roof- Hefley Building, Rangely Campus	\$1,152,188
CNCC	Replace Chilled System Pumps, Repair Cooling Tower, and VFDs- Rangely Campus	\$602,032
FRCC	Upgrade HVAC Controls and Replace RTU's- Larimer Campus	\$1,905,000
FRCC	Upgrade/Replace Lighting Control System- Westminster Campus	\$288,000
LCC	Replace Parking Lots, Roads, and Lighting	\$1,821,985
LCC	Repair Roof and Ceiling- Indoor Arena and Stalls	\$660,033
NJC	Replacement of HVAC Chiller, Install Elevator- Walker Hall	\$1,358,115
PCC	HVAC System Upgrade, Controls, and Repair Ducts- Fremont Campus	\$945,270
PCC	Replace Roof- San Juan Campus	\$975,950
PPSC	Replace/Update Building automation System, Chiller, and Pumps- Centennial Campus	\$1,823,250
RRCC	Replace/Upgrade Emergency Generator- Lakewood Campus	\$894,340

Update on CCCS-initiated bill:

- [HB23-1261 No Requirement For Selective Service Higher Education](#) was introduced on 3/26/23. The bill idea was initiated by CCCS to remove an outdated and unnecessary selective service question on college applications. The bill is being led by the Department of Higher Education (CDHE) since the issue impacts all public higher ed institutions. Bill Sponsors are Representatives Barbara McLachlan and Matthew Martinez.

The bill strikes 23-5-118, thereby removing the requirement that an applicant register for selective service to enroll in an institution. Current law requires a person who is applying for enrollment or reenrollment, who is at least 17 years and 9 months of age but younger than 26 years of age, to provide the IHE with a statement of registration compliance for the United States selective service system.

Bills (in CCCS's tracker) that have passed that will impact CCCS:

- [HB23-1007 Higher Education Crisis And Suicide Prevention](#) passed on 3/2/23. CCCS was Neutral on the bill and colleges do not have concerns. The bill mandates public institutions to print crisis contact information on the backs of student ID cards.
- [HB23-1037 Department Of Corrections Earned Time For College Program Completion](#) passed on 3/20. CCCS was Monitoring this bill and provided recommendations for bill amendments that were accepted. The bill reduces an inmate's sentence (nonviolent offenders; while incarcerated or on parole) for completion of an accredited degree or credentials: Two years for a doctoral degree, 18 months for a master's degree, one year for an associate or bachelor's degree, and six months for a certificate that requires at least 30 credit hours. The bill also requires the General Assembly to appropriate funding, resulting from reduced sentencing to institutions that offer programs in a correctional facility.
- [HB23-1093 Higher Education Staff Sabbaticals](#) passed on 3/21. CCCS was Monitoring this bill and will plan to update system policies to include staff. The bill expands eligibility for sabbatical leave policy beyond faculty to higher education staff, including those in an administrative position.
- [SB23-051 Conforming Workforce Development Statutes](#) passed on 3/2/23. CCCS was Supportive of this bill. The bill codifies the Office of Future of Work and amends statute to allow USDOL to recognize Colorado's State Apprenticeship Agency, which we anticipate will benefit the colleges by speeding up the process for review and approval of apprenticeship programs.
- [SB23-096 In-State Tuition Classification Institution Of Higher Education](#) passed on 3/21. CCCS Monitored this bill for awareness purposes. The legislation was initiated by University of Colorado to increase the percentage of scholars an institution can have from eight percent to fifteen percent of the total number of in-state students in an academic year. The bill also requires the governing board of each state-supported institution to grant in-state tuition status to certified peace corps volunteers.

Bills Monitored by CCCS:

At the time of this writing on April 3rd, the General Assembly has introduced 540 bills and CCCS is monitoring 52 bills. The table below lists bills that CCCS is tracking.

#	Bill (w/ link to bill page on GA website)	Status
Passed		
1	HB23-1001 Expanding Assistance For Educator Programs	Passed
2	HB23-1006 Employer Notice Of Income Tax Credits	Passed
3	HB23-1007 Higher Education Crisis And Suicide Prevention	Passed
4	HB23-1037 Department Of Corrections Earned Time For College Program Completion	Passed
5	HB23-1064 Interstate Teacher Mobility Compact	Passed
6	HB23-1093 Higher Education Staff Sabbaticals	Passed
7	SB23-048 Non-tenured Track Faculty	Passed
8	SB23-051 Conforming Workforce Development Statutes	Passed
9	SB23-084 Full-time Employment For Higher Education Faculty	Passed
10	SB23-096 In-State Tuition Classification Institution Of Higher Education	Passed
11	SB23-118 Department of Higher Education Supplemental	Passed
12	SB23-135 Capital Construction Supplemental	Passed
13	SB23-141 General Fund Transfers For Capital Construction	Passed
14	SB23-142 Information Technology Project Appropriation Process	Passed
Postponed Indefinitely		
15	HB23-1063 Reduction Of State Income Tax Rate	Lost
16	HB23-1083 Qualified Higher Education Expenses Aviation Training	Lost
17	HB23-1092 Limiting Use Of State Money	Lost
18	HB23-1114 First-generation-serving Higher Education Institutions	Lost
19	HB23-1144 Public Employees' Retirement Association Defined Benefit Plan Payments To Ex-spouse	Lost
20	SB23-171 Large Entertainment Facility Substance-free Seating Requirement	Lost
Under Construction		
21	HB23-1057 Amenities For All Genders In Public Buildings	UC
22	HB23-1074 Study Workforce Transitions To Other Industries	UC
23	HB23-1078 Unemployment Compensation Dependent Allowance	UC
24	HB23-1124 Funding For Services For Colorado Employment First Participants	UC
25	HB23-1165 County Authority To Prohibit Firearms Discharge	UC
26	HB23-1212 Promotion Of Apprenticeships	UC
27	HB23-1246 Support In-demand Career Workforce	UC
28	HB23-1259 Open Meetings Law Executive Session Violations	UC
29	HB23-1261 No Requirement For Selective Service Higher Education	UC
30	HB23-1262 Colorado Re-engaged Initiative Modifications	UC
31	SB23-003 Colorado Adult High School Program	UC
32	SB23-005 Forestry and Wildlife Mitigation Workforce	UC
33	SB23-006 Creation Of The Rural Opportunity Office	UC

34	SB23-007 Adult Education	UC
35	SB23-031 Improve Health-care Access For Older Coloradans	UC
36	SB23-053 Restrict Governmental Nondisclosure Agreements	UC
37	SB23-058 Job Application Fairness Act	UC
38	SB23-065 Career Development Success Program	UC
39	SB23-086 Student Leaders Institute	UC
40	SB23-087 Teacher Degree Apprenticeship Program	UC
41	SB23-096 In-State Tuition Classification Institution Of Higher Education	UC
42	SB23-105 Ensure Equal Pay For Equal Work	UC
43	SB23-111 Public Employees' Workplace Protection	UC
44	SB23-146 Colorado Apprenticeship Directory Information	UC
45	SB23-149 Higher Education Student Financial Aid For Youth Mentors	UC
46	SB23-169 Increasing Minimum Age To Purchase Firearms	UC
47	SB23-170 Extreme Risk Protection Order Petitioners	UC
48	SB23-172 Protecting Opportunities And Workers' Rights Act	UC
49	SB23-202 Wearing Of Native American Traditional Regalia	UC
50	SB23-205 Universal High School Scholarship Program	UC
51	SB23-214 2023-24 Long Bill	UC
52	SB23-250 Transfer From Severance Tax Operations Cash Fund	UC

RECOMMENDATION:

No Board action required.

ATTACHMENT(S):

None