

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

ENGROSSED

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

LLS NO. 21-0668.01 Alana Rosen x2606

HOUSE BILL 21-1173

HOUSE SPONSORSHIP

Mullica,

SENATE SPONSORSHIP

Pettersen,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITING HIGHER EDUCATION INSTITUTIONS FROM**
102 **CONSIDERING LEGACY PREFERENCES IN THE ADMISSIONS**
103 **PROCESS.**

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 does not prevent a higher education institution (institution) from considering legacy preferences and familial relationships to alumni of the institution as eligible criteria for admissions standards. The bill prohibits a governing board of a state-supported higher education institution (governing board) from considering legacy

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

HOUSE
2nd Reading Unamended
April 7, 2021

preferences and familial relationships to alumni of the institution in the admissions process. The bill allows a governing board to ask questions regarding familial relationships to alumni of the institution in order to collect data.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) In Colorado, there are significant racial and socioeconomic
5 disparities among students who enroll in higher education institutions.
6 Roughly 63% of White students in Colorado and 67% of middle- to
7 high-income students enroll in a bachelor's degree program directly from
8 high school. Conversely, only 42% of Latino students and 47% of
9 low-income students enroll in a bachelor's degree program directly from
10 high school.

11 (b) Many students who choose not to attend a higher education
12 institution are prepared to attend;

13 (c) One reason for the significant disparities in college enrollment
14 is inequitable admissions practices;

15 (d) Currently, many of the four-year higher education institutions
16 in Colorado question whether a prospective student has familial
17 relationships to alumni of the institution in the application process.
18 Applications include questions that ask the names of family members and
19 how they are connected to the institution. Some institutions provide "fee
20 waivers" for students with familial connections.

21 (e) Providing preferential treatment to students with familial
22 relationships to alumni of the institution is discriminatory in nature and
23 hurts students who are undocumented, first-generation, immigrants, or

1 underrepresented minorities and who do not have the same relationships
2 to Colorado higher education institutions.

3 (2) The general assembly finds, therefore, that considering legacy
4 preferences in the higher education admissions process should not be a
5 consideration as to whether a student should be admitted to a school and
6 has no place in the admissions process.

7 **SECTION 2.** In Colorado Revised Statutes, 23-1-101.1, **amend**
8 the introductory portion; and **add** (4) as follows:

9 **23-1-101.1. Definitions.** As used in this ~~article~~ ARTICLE 1, unless
10 the context otherwise requires:

11 (4) "LEGACY PREFERENCE" MEANS A PREFERENCE GIVEN BY A
12 HIGHER EDUCATION INSTITUTION TO CERTAIN APPLICANTS ON THE BASIS
13 OF THEIR FAMILIAL RELATIONSHIP TO ALUMNI OF THAT INSTITUTION.

14 **SECTION 3.** In Colorado Revised Statutes, 23-1-113, **add**
15 (1)(b)(III) as follows:

16 **23-1-113. Commission directive - admission standards for**
17 **baccalaureate and graduate institutions of higher education - policy**
18 **- report - definitions.** (1) (b) (III) NOTWITHSTANDING ANY LAW TO THE
19 CONTRARY, THE GOVERNING BOARD OF A STATE-SUPPORTED INSTITUTION
20 OF HIGHER EDUCATION SHALL NOT CONSIDER A LEGACY PREFERENCE, AS
21 DEFINED IN SECTION 23-1-101.1, AS ELIGIBLE CRITERIA FOR ADMISSION
22 STANDARDS. THE GOVERNING BOARD MAY ASK QUESTIONS REGARDING
23 FAMILIAL RELATIONSHIPS TO ALUMNI OF THE INSTITUTION IN ORDER TO
24 COLLECT DATA.

25 **SECTION 4. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2022 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.