

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0543.01 Conrad Imel x2313

SENATE BILL 26-034

SENATE SPONSORSHIP

Kolker and Marchman,

HOUSE SPONSORSHIP

Hamrick and Bacon,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING PARTICIPATION BY MEMBERS OF THE**
102 **AURARIA BOARD OF DIRECTORS ADVISORY COMMITTEES.**

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>.)

Under current law, the members of the Auraria board of directors who are the representatives of the student advisory committee and faculty advisory committee are nonvoting members. The bill makes those members voting members of the board. Concerning the representative of the student advisory committee, the bill repeals the requirement that the student be a full-time student and reduces the Colorado residency

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.

requirement from 3 years prior to the member's election to one year prior to the member's election.

The bill expands the faculty advisory committee from 6 to 9 members. One of the additional members is elected from each constituent institution of the Auraria higher education center.

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

SECTION 1. Short title. The short title of this act is the "Auraria Student and Faculty Board Voting Rights Act of 2026".

SECTION 2. Legislative declaration - legislative intent.

(1) The general assembly finds and declares that:

(a) Student and faculty representation in postsecondary institutions' institutional governance promotes accountability, transparency, and responsiveness to the educational needs of the student body;

(b) The Auraria higher education center has 3 separately governed institutions whose students and faculty are materially affected by decisions of the Auraria board of directors, known as the Auraria board;

(c) Granting the elected student and faculty members of the Auraria board full voting rights strengthens shared governance by ensuring that directly elected student and faculty representatives participate substantively in decisions that affect students; and

(d) It is in the public interest to provide the elected student and faculty members of the Auraria board with voting rights equal to that of other board members.

(2) The general assembly further declares that this act does not alter any statutory eligibility requirement for the elected faculty member of the Auraria board, including residency requirements, except as expressly provided in the act.

1 (3) It is the intent of the general assembly that:

2 (a) The Auraria board and each of the governing boards of the
3 constituent institutions of the Auraria higher education center will update
4 their policies, bylaws, and rules, including rules of procedure, as
5 applicable and as necessary to comply with the amendments to Auraria
6 board members' authority made in this act; and

7 (b) A student or faculty member serving on the Auraria board on
8 the effective date of this act assumes the voting rights granted to that
9 member in this act without needing to be reelected to the Auraria board.

10 **SECTION 3.** In Colorado Revised Statutes, 23-70-102, **amend**
11 (1) introductory portion, (1)(c)(I), (1)(c)(III), and (1)(d)(I), and (2) as
12 follows:

13 **23-70-102. Auraria board - membership - terms - oath or**
14 **affirmation - voting.**

15 (1) ~~Effective July 1, 1989,~~ There is created a ~~new~~ board of
16 directors of the Auraria higher education center, which consists of ~~nine~~
17 ELEVEN voting members. ~~and two ex officio nonvoting members.~~ The
18 members of the Auraria board ~~shall be~~ ARE chosen ~~in the following~~
19 ~~manner~~ AS FOLLOWS:

20 (c) (I) An advisory committee of six members who are ~~full-time~~
21 students ~~shall be~~ IS elected, two from each of the student bodies of each
22 of the three institutions governed by the Auraria board. ~~and it~~ THE
23 ADVISORY COMMITTEE shall elect one of its members to fill one office on
24 the Auraria board to serve for ~~one term~~ A ONE-YEAR TERM beginning
25 EACH July 1. ~~The elected student office is advisory, without the right to~~
26 ~~vote.~~ The elected student member of the board must have resided in the
27 state of Colorado ~~not~~ NO less than ~~three years~~ ONE YEAR prior to the

1 member's election. A vacancy in the office of the elected student member
2 ~~shall~~ MUST be filled by reelection for the unexpired term.

3 (III) In the event of death, resignation, or inability or refusal to act
4 of ~~any such~~ AN elected member of the student advisory committee, the
5 student governing body of the institution with the vacancy shall appoint
6 a full-time student from that institution to fill the vacancy for the
7 remainder of the term.

8 (d) (I) An advisory committee of ~~six~~ NINE members who are
9 full-time faculty members ~~shall be~~ IS elected, ~~two~~ THREE from each of the
10 faculties of each of the three institutions governed by the Auraria board.
11 ~~and it~~ THE ADVISORY COMMITTEE shall elect one of its members to fill the
12 remaining office on the Auraria board to serve for A one-year ~~terms~~ TERM
13 beginning each July 1. The committee shall select ~~such~~ a member from
14 the same institution only once in the same three-year period. ~~The elected~~
15 ~~faculty office is advisory, without the right to vote.~~ The elected faculty
16 member of the board must have resided in the state of Colorado ~~not~~ NO
17 less than three years prior to the member's election. A vacancy in the
18 office of the elected faculty member ~~shall~~ MUST be filled by reelection for
19 the unexpired term.

20 (2) (a) Each member of the Auraria board shall take an oath or
21 affirmation in accordance with section 24-12-101.

22 (b) MEMBERS OF THE AURARIA BOARD ARE FIDUCIARIES OF THE
23 CENTER, AND A MEMBER SHALL RECUSE THEMSELF FROM A VOTE OR
24 EXECUTIVE SESSION WHEN THEY HAVE A CONFLICT OF INTEREST. THE
25 AURARIA BOARD MAY ADOPT, THROUGH ITS BYLAWS AND POLICIES, A
26 COMPREHENSIVE FRAMEWORK DEFINING CONFLICTS OF INTEREST
27 APPLICABLE TO BOARD MEMBERS. THE BYLAWS AND POLICIES MAY

1 ESTABLISH PROCEDURES FOR IDENTIFYING POTENTIAL CONFLICTS, REQUIRE
2 DISCLOSURE OF RELEVANT INTERESTS, AND DESIGNATE A FINAL
3 DECISION-MAKING AUTHORITY TO DETERMINE WHEN RECUSAL IS
4 REQUIRED. THE AURARIA BOARD SHALL ENSURE THAT THE BYLAWS AND
5 POLICIES PROVIDE CONSISTENT, FAIR, AND TRANSPARENT STANDARDS FOR
6 RECUSAL DETERMINATIONS.

7 **SECTION 4. Effective date.** This act takes effect October 1,
8 2026.

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