

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 30, 2026
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB26-078 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 3, strike lines 5 through 14 and substitute:

2 "(3.5) (a) FOR INSTITUTIONS OF HIGHER EDUCATION THAT SUBMIT
3 POTENTIAL LEGISLATIVE FISCAL IMPACTS TO THE STAFF OF THE
4 LEGISLATIVE COUNCIL THROUGH THE DEPARTMENT OF HIGHER
5 EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION SHALL GRANT THE
6 SUBMITTING INSTITUTION OF HIGHER EDUCATION ACCESS TO THE OFFICIAL
7 RESPONSES OF THE DEPARTMENT OF HIGHER EDUCATION AND EACH
8 SUBMITTING INSTITUTION OF HIGHER EDUCATION AT THE TIME THAT THE
9 FISCAL IMPACT INFORMATION IS SUBMITTED TO THE STAFF OF THE
10 LEGISLATIVE COUNCIL FOR CONSIDERATION."

11 Page 5, after line 26 insert:

12 "SECTION 4. In Colorado Revised Statutes, 23-1-101.1, **add**
13 (1.5) as follows:

14 **23-1-101.1. Definitions.**

15 As used in this article 1, unless the context otherwise requires:

16 (1.5) "DATA ADVISORY GROUP" MEANS THE DATA ADVISORY
17 GROUP CREATED IN SECTION 23-1-144."

18 Renumber succeeding sections accordingly.

19 Page 6, lines 21 and 22, strike "FACILITATED BY THE DEPARTMENT".

20 Page 6, after line 23 insert:

21 "SECTION 6. In Colorado Revised Statutes, 23-1-103, **amend**

1 (1) introductory portion and (1)(b) as follows:
2 **23-1-103. Advisory committee to the Colorado commission on**
3 **higher education.**

4 (1) There is hereby established an advisory committee to the
5 commission for the purpose of suggesting solutions for the problems and
6 needs of higher education and maintaining liaison with the general
7 assembly and the governing boards for state-supported institutions of
8 higher education. The advisory committee ~~shall consist~~ CONSISTS of not
9 less than thirteen members, to be designated as follows:

10 (b) ~~One member shall be selected and designated by~~ The
11 commission SHALL SELECT AND DESIGNATE:

12 (I) ONE MEMBER to represent the faculty in the state; ~~and one~~
13 ~~member shall be selected and designated by the commission to represent~~
14 ~~the students in the state. On and after August 5, 2009, the commission~~
15 ~~shall select and designate~~

16 (II) One member who, at the time of designation, is a parent of a
17 student who is enrolled in a state-supported institution of higher
18 education in Colorado to represent the parents of students; AND

19 (III) ON AND AFTER JULY 1, 2026, ONE MEMBER WHO IS A CURRENT
20 MEMBER OF THE DATA ADVISORY GROUP AND WHO WORKS AT A PUBLIC
21 INSTITUTION OF HIGHER EDUCATION."

22 Renumber succeeding sections accordingly.

23 Page 8, after line 26 insert:

24 "SECTION 8. In Colorado Revised Statutes, add 23-1-144 as
25 follows:

26 **23-1-144. Department and commission directives - creation of**
27 **data advisory group - development of data policies - definitions.**

28 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
29 REQUIRES:

30 (a) "INSTITUTION OF HIGHER EDUCATION" MEANS:

31 (I) A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
32 SECTION 23-18-102 (10);

33 (II) A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION
34 23-71-102 (1)(a);

35 (III) AN AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION
36 23-60-103 (1); AND

37 (IV) A PARTICIPATING PRIVATE INSTITUTION OF HIGHER
38 EDUCATION, AS DEFINED IN SECTION 23-18-102 (7).

39 (b) (I) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" MEANS
40 DATA, IN ANY FORMAT, PROVIDED BY AN INSTITUTION OF HIGHER

1 EDUCATION TO THE DEPARTMENT OR ANOTHER STATE AGENCY.

2 (II) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" DOES NOT
3 INCLUDE NEW DATA POINTS CREATED THROUGH THE COMBINATION OF
4 INSTITUTIONAL AND STUDENT DATA WITH OTHER STATE ADMINISTRATIVE
5 DATA OR PUBLICLY AVAILABLE INFORMATION.

6 (2) (a) THIS SUBSECTION (2) CODIFIES THE DATA ADVISORY GROUP
7 THAT EXISTS AS OF THE EFFECTIVE DATE OF THIS SECTION AND THAT IS
8 FACILITATED BY THE DEPARTMENT. THE DATA ADVISORY GROUP SHALL
9 CONTINUE TO OPERATE TO SERVE IN AN ADVISORY CAPACITY TO THE
10 DEPARTMENT AND THE COMMISSION REGARDING DATA COLLECTION,
11 REPORTING, ACCESS, AND USE OF STATEWIDE INSTITUTIONAL AND
12 STUDENT DATA.

13 (b) THE DATA ADVISORY GROUP CONSISTS OF REPRESENTATIVES
14 FROM INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT, AS
15 FOLLOWS:

16 (I) (A) ONE REPRESENTATIVE FROM EACH GOVERNING BOARD OF
17 A STATE INSTITUTION OF HIGHER EDUCATION;

18 (B) GOVERNING BOARDS THAT HAVE A SYSTEM COMPRISED OF
19 MORE THAN ONE CAMPUS MAY HAVE ADDITIONAL REPRESENTATIVES FOR
20 EACH CAMPUS AND SYSTEM OFFICE;

21 (II) AT LEAST ONE REPRESENTATIVE FROM THE LOCAL DISTRICT
22 COLLEGES;

23 (III) AT LEAST ONE REPRESENTATIVE FROM THE AREA TECHNICAL
24 COLLEGES;

25 (IV) ONE REPRESENTATIVE FROM EACH PARTICIPATING PRIVATE
26 INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102
27 (7); AND

28 (V) AT LEAST ONE REPRESENTATIVE FROM THE DEPARTMENT.

29 (c) PARTICIPATION FROM EACH INSTITUTION OF HIGHER
30 EDUCATION IN THE DATA ADVISORY GROUP IS VOLUNTARY.

31 (d) THE DATA ADVISORY GROUP IS ADVISORY ONLY AND DOES NOT
32 HAVE DECISION-MAKING OR BINDING AUTHORITY OVER THE DEPARTMENT
33 OR THE COMMISSION.

34 (3) (a) THE DUTIES AND RESPONSIBILITIES OF THE DATA ADVISORY
35 GROUP INCLUDE ADVISING ON:

36 (I) THE DEVELOPMENT AND MAINTENANCE OF POLICIES AND
37 PROCEDURES FOR THE COLLECTION, STORAGE, AND USE OF STATEWIDE
38 INSTITUTIONAL AND STUDENT DATA;

39 (II) THE IMPLEMENTATION OF NEW DATA COLLECTION AND
40 REPORTING REQUIREMENTS RESULTING FROM LEGISLATION;

41 (III) THE SHARING OF STATEWIDE INSTITUTIONAL AND STUDENT
42 DATA;

43 (IV) LEGISLATION THAT AFFECTS INSTITUTIONAL DATA

1 COLLECTION AND REPORTING; AND
2 (V) THE DEVELOPMENT OF GUIDELINES FOR DATA AGGREGATION
3 AND SUPPRESSION WITHIN DATA PRIVACY LAWS AND INDUSTRY BEST
4 PRACTICES REGARDING PERSONALLY IDENTIFYING INFORMATION.
5 (4) (a) THE COMMISSION SHALL CONSULT WITH THE DATA
6 ADVISORY GROUP TO ESTABLISH POLICIES THAT:
7 (I) INCLUDE PROCEDURES FOR THE DATA ADVISORY GROUP TO
8 DEVELOP AND SUBMIT RECOMMENDATIONS;
9 (II) ARTICULATE HOW THE DATA ADVISORY GROUP WILL HAVE THE
10 DATA, REPORTING, AND INFORMATION NECESSARY TO PERFORM THEIR
11 ADVISORY ROLE;
12 (III) INCLUDE A PROCESS FOR SHARING AGGREGATED STATEWIDE
13 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;
14 (IV) INCLUDE A PROCESS FOR SHARING DE-IDENTIFIED STATEWIDE
15 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;
16 (V) INCLUDE PROCEDURES THAT ENSURE SUFFICIENT TIME TO
17 REVIEW DRAFT REPORTING AND SUPPORTING DATA THAT IS DERIVED FROM
18 STATEWIDE INSTITUTIONAL AND STUDENT DATA AND THAT IS RELATED TO
19 FUNDING OR RESOURCE ALLOCATION, LEGISLATIVE REPORTS, OR
20 STRATEGIC PLANNING; AND
21 (VI) ENSURE THAT ALL DATA AND REPORTING SHARED BETWEEN
22 THE DEPARTMENT, THE DATA ADVISORY GROUP, AND THE COMMISSION:
23 (A) SEEKS TO MAXIMIZE DATA TRANSPARENCY BETWEEN ENTITIES;
24 (B) SEEKS TO MINIMIZE THE TIME LAPSED BETWEEN DATA
25 SUBMISSIONS AND AVAILABILITY OF DATA AND REPORTING;
26 (C) INCLUDES DATA FROM ALL PARTICIPATING INSTITUTIONS;
27 (D) PROVIDES DETAIL BY INSTITUTION AND GOVERNING BOARD;
28 AND
29 (E) IS SUFFICIENT TO ALLOW FOR VALIDATION BY INSTITUTIONAL
30 STAFF.
31 (b) THE COMMISSION RETAINS FINAL AUTHORITY OVER DATA
32 POLICY AND MAY PROVIDE REASONING OF FINAL DECISIONS TO THE DATA
33 ADVISORY GROUP.
34 (c) TO ACCOMPLISH ITS DUTIES, THE DATA ADVISORY GROUP SHALL
35 MEET AT LEAST QUARTERLY."

36 Renumber succeeding sections accordingly.

37 Page 10, after line 17 insert:

38 **"SECTION 10. Effective date.** (1) Except as otherwise provided
39 in this section, this act takes effect upon passage.

40 (2) Section 5 of this act takes effect only if House Bill 26-1029

- 1 does not become law, in which case section 4 takes effect upon passage.
2 (3) Section 6 of this act takes effect only if House Bill 26-1029
3 becomes law, in which case section 5 takes effect upon passage or on the
4 effective date of House Bill 26-1029, whichever is later."
- 5 Renumber succeeding section accordingly.
- 6 Strike "PART 70 OF THIS ARTICLE 23," and substitute "ARTICLE 70 OF TITLE
23," on: **Page 4**, line 14; and **Page 5**, line 13.

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