

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 311

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2107A, IDAHO CODE, TO
2 ALLOW THE LEGISLATURE TO PROVIDE FUNDING FOR UPPER DIVISIONS IN COMMU-
3 NITY COLLEGE DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING
4 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-2107A, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-2107A. ESTABLISHMENT AND OPERATION OF THIRD AND FOURTH YEAR COL-
10 LEGE CURRICULUM IN COMMUNITY COLLEGE DISTRICTS. (1) The board of trustees
11 of a community college district of an urban area, upon filing with the state
12 board of education a notice of intent to exercise the powers herein granted,
13 shall thereafter be authorized and empowered to organize and operate an up-
14 per division consisting of the third and fourth years of college curricu-
15 lum with powers to grant baccalaureate degrees in liberal arts and sciences,
16 business and education. Upper division courses and programs are subject to
17 approval pursuant to section 33-107(8), Idaho Code. The operation of the
18 community college and the upper division shall be kept separate; however,
19 the joint use of facilities is authorized provided a proper cost allocation
20 is made.

21 (2) The buildings and equipment for the use of ~~said~~ upper divisions
22 may be purchased, leased, constructed, maintained, and administered from
23 funds obtained by the board of trustees' levy. Such levy shall not exceed
24 two hundredths percent (.02%) of the market value for assessment purposes on
25 all taxable property within the taxing district. Said board under section
26 33-2113, Idaho Code, may obtain capital funds through issuance of general
27 obligation bonds for such equipment and buildings, with the total tax levy
28 for operation and bonds of the upper division not to exceed the levy limit
29 authorized in this section. Such tax shall be certified and levied as pro-
30 vided for other taxes of the district. The legislature may appropriate funds
31 for the cost of operations of upper divisions. All other costs of operation
32 of ~~said~~ upper divisions shall be provided by tuition and fees paid by the
33 student. Gifts and grants may be accepted by the board of trustees for this
34 or other purposes.

35 (3) A student who has been a resident of the community college district
36 pursuant to section 33-2110B, Idaho Code, for not less than one (1) year at
37 time of admission to the upper division, or who has completed the first two
38 (2) years in the college, shall be given preference for admission to the up-
39 per division.

1 SECTION 2. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2023.