

CERTIFICATION OF ENROLLMENT

SENATE BILL 5720

61st Legislature
2009 Regular Session

Passed by the Senate April 20, 2009
YEAS 47 NAYS 0

President of the Senate

Passed by the House April 1, 2009
YEAS 97 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5720** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5720

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senators Hewitt, Hobbs, Brandland, and Shin

Read first time 01/29/09. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to tuition waivers for stepchildren of veterans and
2 national guard members; and reenacting and amending RCW 28B.15.621.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.15.621 and 2008 c 188 s 1 and 2008 c 6 s 501 are
5 each reenacted and amended to read as follows:

6 (1) The legislature finds that active military and naval veterans,
7 reserve military and naval veterans, and national guard members called
8 to active duty have served their country and have risked their lives to
9 defend the lives of all Americans and the freedoms that define and
10 distinguish our nation. The legislature intends to honor active
11 military and naval veterans, reserve military and naval veterans, and
12 national guard members who have served on active military or naval duty
13 for the public service they have provided to this country.

14 (2) Subject to the limitations in RCW 28B.15.910, the governing
15 boards of the state universities, the regional universities, The
16 Evergreen State College, and the community colleges, may waive all or
17 a portion of tuition and fees for an eligible veteran or national guard
18 member.

19 (3) The governing boards of the state universities, the regional

1 universities, The Evergreen State College, and the community colleges,
2 may waive all or a portion of tuition and fees for a military or naval
3 veteran who is a Washington domiciliary, but who did not serve on
4 foreign soil or in international waters or in another location in
5 support of those serving on foreign soil or in international waters and
6 who does not qualify as an eligible veteran or national guard member
7 under subsection (8) of this section. However, there shall be no state
8 general fund support for waivers granted under this subsection.

9 (4) Subject to the conditions in subsection (5) of this section and
10 the limitations in RCW 28B.15.910, the governing boards of the state
11 universities, the regional universities, The Evergreen State College,
12 and the community colleges, shall waive all tuition and fees for the
13 following persons:

14 (a) A child and the spouse or the domestic partner or surviving
15 spouse or surviving domestic partner of an eligible veteran or national
16 guard member who became totally disabled(~~(, as defined in RCW~~
17 ~~28B.15.385,)~~) as a result of serving in active federal military or
18 naval service, or who is determined by the federal government to be a
19 prisoner of war or missing in action; and

20 (b) A child and the surviving spouse or surviving domestic partner
21 of an eligible veteran or national guard member who lost his or her
22 life as a result of serving in active federal military or naval
23 service.

24 (5) The conditions in this subsection (5) apply to waivers under
25 subsection (4) of this section.

26 (a) A child must be a Washington domiciliary between the age of
27 seventeen and twenty-six to be eligible for the tuition waiver. A
28 child's marital status does not affect eligibility.

29 (b)(i) A surviving spouse or surviving domestic partner must be a
30 Washington domiciliary.

31 (ii) Except as provided in (b)(iii) of this subsection, a surviving
32 spouse or surviving domestic partner has ten years from the date of the
33 death, total disability, or federal determination of prisoner of war or
34 missing in action status of the eligible veteran or national guard
35 member to receive benefits under the waiver. Upon remarriage or
36 registration in a subsequent domestic partnership, the surviving spouse
37 or surviving domestic partner is ineligible for the waiver of all
38 tuition and fees.

1 (iii) If a death results from total disability, the surviving
2 spouse has ten years from the date of death in which to receive
3 benefits under the waiver.

4 (c) Each recipient's continued participation is subject to the
5 school's satisfactory progress policy.

6 (d) Tuition waivers for graduate students are not required for
7 those who qualify under subsection (4) of this section but are
8 encouraged.

9 (e) Recipients who receive a waiver under subsection (4) of this
10 section may attend full-time or part-time. Total credits earned using
11 the waiver may not exceed two hundred quarter credits, or the
12 equivalent of semester credits.

13 (6) Required waivers of all tuition and fees under subsection (4)
14 of this section shall not affect permissive waivers of tuition and fees
15 under subsection (3) of this section.

16 (7) Private vocational schools and private higher education
17 institutions are encouraged to provide waivers consistent with the
18 terms in subsections (2) through (5) of this section.

19 (8) The definitions in this subsection apply throughout this
20 section.

21 (a) "Child" means a biological child, adopted child, or stepchild.

22 (b) "Eligible veteran or national guard member" means a Washington
23 domiciliary who was an active or reserve member of the United States
24 military or naval forces, or a national guard member called to active
25 duty, who served in active federal service, under either Title 10 or
26 Title 32 of the United States Code, in a war or conflict fought on
27 foreign soil or in international waters or in another location in
28 support of those serving on foreign soil or in international waters,
29 and if discharged from service, has received an honorable discharge.

30 ~~((b))~~ (c) "Totally disabled" means a person who has been
31 determined to be one hundred percent disabled by the federal department
32 of veterans affairs.

33 ~~((e))~~ (d) "Washington domiciliary" means a person whose true,
34 fixed, and permanent house and place of habitation is the state of
35 Washington. "Washington domiciliary" includes a person who is residing
36 in rental housing or residing in base housing. In ascertaining whether
37 a child or surviving spouse or surviving domestic partner is domiciled

1 in the state of Washington, public institutions of higher education
2 shall, to the fullest extent possible, rely upon the standards provided
3 in RCW 28B.15.013.

4 (9) As used in subsection (4) of this section, "fees" includes all
5 assessments for costs incurred as a condition to a student's full
6 participation in coursework and related activities at an institution of
7 higher education.

8 (10) The governing boards of the state universities, the regional
9 universities, The Evergreen State College, and the community colleges
10 shall report to the higher education committees of the legislature by
11 November 15, 2010, and every two years thereafter, regarding the status
12 of implementation of the waivers under subsection (4) of this section.
13 The reports shall include the following data and information:

- 14 (a) Total number of waivers;
15 (b) Total amount of tuition waived;
16 (c) Total amount of fees waived;
17 (d) Average amount of tuition and fees waived per recipient;
18 (e) Recipient demographic data that is disaggregated by distinct
19 ethnic categories within racial subgroups; and
20 (f) Recipient income level, to the extent possible.

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