

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1174

Chapter 249, Laws of 2005

59th Legislature
2005 Regular Session

HIGHER EDUCATION--TUITION WAIVERS--VETERANS

EFFECTIVE DATE: 7/24/05

Passed by the House April 18, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 13, 2005
Yeas 44 Nays 0

BRAD OWEN

President of the Senate

Approved May 3, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1174** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 3, 2005 - 4:43 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1174

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives McCoy, Campbell, Morrell, Chase, Condotta, Hunt, Appleton, Hudgins, Armstrong, Hinkle, Conway, Lantz, Ormsby, Haigh and Upthegrove)

READ FIRST TIME 02/16/05.

1 AN ACT Relating to tuition waivers at institutions of higher
2 education; amending RCW 28B.15.380, 28B.15.910, and 28B.15.558; adding
3 a new section to chapter 28B.15 RCW; and repealing RCW 28B.10.265,
4 28B.15.620, 28B.15.628, and 28B.15.629.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW
7 to read as follows:

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

16 (2) Subject to the limitations in RCW 28B.15.910, the governing
17 boards of the state universities, the regional universities, The
18 Evergreen State College, and the community colleges, may waive all or
19 a portion of tuition and fees for the following persons:

1 (a) An eligible veteran or national guard member;

2 (b) A child and the spouse of an eligible veteran or national guard
3 member who became totally disabled as defined in RCW 28B.15.385 while
4 engaged in active federal military or naval service, or who is
5 determined by the federal government to be a prisoner of war or missing
6 in action;

7 (c) A child and the surviving spouse of an eligible veteran or
8 national guard member who lost his or her life while engaged in active
9 federal military or naval service. However, upon remarriage, the
10 surviving spouse of an eligible veteran or national guard member is
11 ineligible for a waiver under this section.

12 (3) The governing boards of the state universities, the regional
13 universities, The Evergreen State College, and the community colleges,
14 may waive all or a portion of tuition and fees for a military or naval
15 veteran who is a Washington domiciliary, but who did not serve on
16 foreign soil or in international waters or in another location in
17 support of those serving on foreign soil or in international waters and
18 who does not qualify as an eligible veteran or national guard member
19 under subsection (5) of this section. However, there shall be no state
20 general fund support for waivers granted under this subsection.

21 (4) Private vocational schools and private higher education
22 institutions are encouraged to provide waivers consistent with the
23 terms in subsections (2) and (3) of this section.

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

33 **Sec. 2.** RCW 28B.15.380 and 1993 sp.s. c 18 s 10 are each amended
34 to read as follows:

35 Subject to the limitations of RCW 28B.15.910, the governing boards
36 of the state universities, the regional universities, and The Evergreen

1 State College may exempt the following students from the payment of all
2 or a portion of tuition fees and services and activities fees:

3 ~~((1) All veterans as defined in RCW 41.04.005: PROVIDED, That~~
4 ~~such persons are no longer entitled to federal vocational or~~
5 ~~educational benefits conferred by virtue of their military service:~~
6 ~~AND PROVIDED FURTHER, That if any such veterans have not resided in~~
7 ~~this state for one year prior to registration, the board may exempt the~~
8 ~~student from paying up to fifty percent of the nonresident tuition fees~~
9 ~~differential. Such exemptions may be provided only to those persons~~
10 ~~otherwise covered who were enrolled in universities on or before~~
11 ~~October 1, 1977.~~

12 (2)) Children of any law enforcement officer or fire fighter who
13 lost his or her life or became totally disabled in the line of duty
14 while employed by any public law enforcement agency or full time or
15 volunteer fire department in this state: PROVIDED, That such persons
16 may receive the exemption only if they begin their course of study at
17 a state-supported college or university within ten years of their
18 graduation from high school.

19 **Sec. 3.** RCW 28B.15.910 and 2004 c 275 s 51 are each amended to
20 read as follows:

21 (1) For the purpose of providing state general fund support to
22 public institutions of higher education, except for revenue waived
23 under programs listed in subsections (3) and (4) of this section, and
24 unless otherwise expressly provided in the omnibus state appropriations
25 act, the total amount of operating fees revenue waived, exempted, or
26 reduced by a state university, a regional university, The Evergreen
27 State College, or the community colleges as a whole, shall not exceed
28 the percentage of total gross authorized operating fees revenue in this
29 subsection. As used in this section, "gross authorized operating fees
30 revenue" means the estimated gross operating fees revenue as estimated
31 under RCW 82.33.020 or as revised by the office of financial
32 management, before granting any waivers. This limitation applies to
33 all tuition waiver programs established before or after July 1, 1992.

- 34 (a) University of Washington 21 percent
- 35 (b) Washington State University 20 percent
- 36 (c) Eastern Washington University 11 percent
- 37 (d) Central Washington University 8 percent

- 1 (e) Western Washington University 10 percent
- 2 (f) The Evergreen State College 6 percent
- 3 (g) Community colleges as a whole 35 percent

4 (2) The limitations in subsection (1) of this section apply to
 5 waivers, exemptions, or reductions in operating fees contained in the
 6 following:

- 7 (a) (~~(RCW 28B.10.265;~~
- 8 ~~(b))~~) RCW 28B.15.014;
- 9 (~~(c))~~) (b) RCW 28B.15.100;
- 10 (~~(d))~~) (c) RCW 28B.15.225;
- 11 (~~(e))~~) (d) RCW 28B.15.380;
- 12 (~~(f))~~) (e) RCW 28B.15.520;
- 13 (~~(g))~~) (f) RCW 28B.15.526;
- 14 (~~(h))~~) (g) RCW 28B.15.527;
- 15 (~~(i))~~) (h) RCW 28B.15.543;
- 16 (~~(j))~~) (i) RCW 28B.15.545;
- 17 (~~(k))~~) (j) RCW 28B.15.555;
- 18 (~~(l))~~) (k) RCW 28B.15.556;
- 19 (~~(m))~~) (l) RCW 28B.15.615;
- 20 (~~(n) RCW 28B.15.620;~~
- 21 ~~(o) RCW 28B.15.628;~~
- 22 ~~(p))~~) (m) RCW 28B.15.730;
- 23 (~~(q))~~) (n) RCW 28B.15.740;
- 24 (~~(r))~~) (o) RCW 28B.15.750;
- 25 (~~(s))~~) (p) RCW 28B.15.756;
- 26 (~~(t))~~) (q) RCW 28B.50.259;
- 27 (~~(u))~~) (r) RCW 28B.70.050; and
- 28 (~~(v) During the 1997-99 fiscal biennium, the western interstate~~
- 29 ~~commission for higher education undergraduate exchange program for~~
- 30 ~~students attending Eastern Washington University))~~) (s) Section 1(2) of
- 31 this act.

32 (3) The limitations in subsection (1) of this section do not apply
 33 to waivers, exemptions, or reductions in services and activities fees
 34 contained in the following:

- 35 (a) RCW 28B.15.522;
- 36 (b) RCW 28B.15.540; and
- 37 (c) RCW 28B.15.558.

1 (4) The total amount of operating fees revenue waived, exempted, or
2 reduced by institutions of higher education participating in the
3 western interstate commission for higher education western
4 undergraduate exchange program under RCW 28B.15.544 shall not exceed
5 the percentage of total gross authorized operating fees revenue in this
6 subsection.

- 7 (a) Washington State University 1 percent
- 8 (b) Eastern Washington University 3 percent
- 9 (c) Central Washington University 3 percent

10 **Sec. 4.** RCW 28B.15.558 and 2003 c 160 s 2 are each amended to read
11 as follows:

12 (1) The governing boards of the state universities, the regional
13 universities, The Evergreen State College, and the community colleges
14 may waive all or a portion of the tuition and services and activities
15 fees for state employees as defined under subsection (2) of this
16 section(~~(, veterans of the Korean conflict, and members of the~~
17 ~~Washington national guard)~~). The enrollment of these persons is
18 pursuant to the following conditions:

19 (a) Such persons shall register for and be enrolled in courses on
20 a space available basis and no new course sections shall be created as
21 a result of the registration;

22 (b) Enrollment information on persons registered pursuant to this
23 section shall be maintained separately from other enrollment
24 information and shall not be included in official enrollment reports,
25 nor shall such persons be considered in any enrollment statistics that
26 would affect budgetary determinations; and

27 (c) Persons registering on a space available basis shall be charged
28 a registration fee of not less than five dollars.

29 (2) For the purposes of this section, "state employees" means
30 persons employed half-time or more in one or more of the following
31 employee classifications:

32 (a) Permanent employees in classified service under chapter 41.06
33 RCW;

34 (b) Permanent employees governed by chapter 41.56 RCW pursuant to
35 the exercise of the option under RCW 41.56.201;

36 (c) Permanent classified employees and exempt paraprofessional
37 employees of technical colleges; and

1 (d) Faculty, counselors, librarians, and exempt professional and
2 administrative employees at institutions of higher education as defined
3 in RCW 28B.10.016.

4 ~~(3) ((For the purposes of this section, "veterans of the Korean~~
5 ~~conflict" means persons who served on active duty in the armed forces~~
6 ~~of the United States during any portion of the period beginning June~~
7 ~~27, 1950, and ending January 31, 1955.~~

8 ~~(4))~~) In awarding waivers, an institution of higher education may
9 award waivers to eligible persons employed by the institution before
10 considering waivers for eligible persons who are not employed by the
11 institution.

12 ~~((5))~~) (4) If an institution of higher education exercises the
13 authority granted under this section, it shall include all eligible
14 state employees(~~(, veterans of the Korean conflict, and members of the~~
15 ~~Washington national guard)) in the pool of persons eligible to~~
16 participate in the program.

17 ~~((6))~~) (5) In establishing eligibility to receive waivers,
18 institutions of higher education may not discriminate between full-time
19 employees and employees who are employed half-time or more.

20 NEW SECTION. Sec. 5. The following acts or parts of acts are each
21 repealed:

22 (1) RCW 28B.10.265 (Waiver from fees--Children of certain citizens
23 missing in action or prisoners of war) and 1993 sp.s. c 18 s 1, 1992 c
24 231 s 2, 1985 c 390 s 1, 1973 c 63 s 2, & 1972 ex.s. c 17 s 2;

25 (2) RCW 28B.15.620 (Exemption from tuition and fees increase at
26 institutions of higher education--Vietnam veterans) and 1999 c 82 s 1,
27 1995 c 349 s 1, 1994 c 208 s 1, 1993 sp.s. c 18 s 24, 1992 c 231 s 22,
28 1989 c 306 s 4, 1983 c 307 s 1, 1979 ex.s. c 83 s 1, 1977 ex.s. c 322
29 s 9, 1972 ex.s. c 149 s 3, & 1971 ex.s. c 279 s 22;

30 (3) RCW 28B.15.628 (Waiver of tuition and fees increases at
31 institutions of higher education--Persian Gulf veterans) and 1999 c 82
32 s 2, 1996 c 169 s 1, 1994 c 208 s 2, 1993 sp.s. c 18 s 25, 1992 c 231
33 s 23, & 1991 c 228 s 14; and

34 (4) RCW 28B.15.629 (Tuition waivers at technical colleges--Vietnam
35 veterans--Persian Gulf veterans) and 1999 c 82 s 3.

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