

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5002

Chapter 450, Laws of 2007

60th Legislature
2007 Regular Session

TUITION WAIVERS--VETERANS' FAMILIES

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 16, 2007
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 5, 2007
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 14, 2007, 3:08 p.m.

CHRISTINE GREGOIRE

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 **SUBSTITUTE SENATE BILL 5002** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 15, 2007

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5002

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Hewitt, Pflug, Honeyford, Swecker, Morton, Stevens, Parlette, Delvin, McCaslin, Schoesler and Sheldon)

READ FIRST TIME 01/23/07.

1 AN ACT Relating to tuition waivers for veterans' families; and
2 amending RCW 28B.15.621, 28B.15.910, and 28B.15.385.

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

4 **Sec. 1.** RCW 28B.15.621 and 2005 c 249 s 1 are each amended to read
5 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 (~~the following persons:~~
18 ~~(a)~~) an eligible veteran or national guard member(~~(~~

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

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

11 (3) The governing boards of the state universities, the regional
12 universities, The Evergreen State College, and the community colleges,
13 may waive all or a portion of tuition and fees for a military or naval
14 veteran who is a Washington domiciliary, but who did not serve on
15 foreign soil or in international waters or in another location in
16 support of those serving on foreign soil or in international waters and
17 who does not qualify as an eligible veteran or national guard member
18 under subsection ~~((+5+))~~ (8) of this section. However, there shall be
19 no state general fund support for waivers granted under this
20 subsection.

21 (4) Subject to the conditions in subsection (5) of this section,
22 the governing boards of the state universities, the regional
23 universities, The Evergreen State College, and the community colleges,
24 shall waive all tuition and fees for the following persons:

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

30 (b) A child and the surviving spouse of an eligible veteran or
31 national guard member who lost his or her life while engaged in active
32 federal military or naval service.

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

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

1 (b) A surviving spouse must be a Washington domiciliary. A
2 surviving spouse has ten years from the date of the death, total
3 disability as defined in RCW 28B.15.385, or federal determination of
4 prisoner of war or missing in action status of the eligible veteran or
5 national guard member to receive the benefit. Upon remarriage, the
6 surviving spouse is ineligible for the waiver of all tuition and fees.

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

9 (6) Required waivers of all tuition and fees under subsection (4)
10 of this section shall not affect permissive waivers of tuition and fees
11 under subsection (3) of this section.

12 (7) Private vocational schools and private higher education
13 institutions are encouraged to provide waivers consistent with the
14 terms in subsections (2) (~~and (3)~~) through (5) of this section.

15 (~~(5) As used in~~) (8) The definitions in this subsection apply
16 throughout this section.

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

25 (b) "Washington domiciliary" means a person whose true, fixed, and
26 permanent house and place of habitation is the state of Washington.
27 "Washington domiciliary" includes a person who is residing in rental
28 housing or residing in base housing. In ascertaining whether a child
29 or surviving spouse is domiciled in the state of Washington, public
30 institutions of higher education shall, to the fullest extent possible,
31 rely upon the standards provided in RCW 28B.15.013.

32 **Sec. 2.** RCW 28B.15.910 and 2006 c 229 s 2 are each amended to read
33 as follows:

34 (1) For the purpose of providing state general fund support to
35 public institutions of higher education, except for revenue waived
36 under programs listed in subsections (3) and (4) of this section, and
37 unless otherwise expressly provided in the omnibus state appropriations

1 act, the total amount of operating fees revenue waived, exempted, or
2 reduced by a state university, a regional university, The Evergreen
3 State College, or the community colleges as a whole, shall not exceed
4 the percentage of total gross authorized operating fees revenue in this
5 subsection. As used in this section, "gross authorized operating fees
6 revenue" means the estimated gross operating fees revenue as estimated
7 under RCW 82.33.020 or as revised by the office of financial
8 management, before granting any waivers. This limitation applies to
9 all tuition waiver programs established before or after July 1, 1992.

- | | | |
|----|-----------------------------------|------------|
| 10 | (a) University of Washington | 21 percent |
| 11 | (b) Washington State University | 20 percent |
| 12 | (c) Eastern Washington University | 11 percent |
| 13 | (d) Central Washington University | 8 percent |
| 14 | (e) Western Washington University | 10 percent |
| 15 | (f) The Evergreen State College | 6 percent |
| 16 | (g) Community colleges as a whole | 35 percent |

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

- 20 (a) RCW 28B.15.014;
- 21 (b) RCW 28B.15.100;
- 22 (c) RCW 28B.15.225;
- 23 (d) RCW 28B.15.380;
- 24 (e) RCW 28B.15.520;
- 25 (f) RCW 28B.15.526;
- 26 (g) RCW 28B.15.527;
- 27 (h) RCW 28B.15.543;
- 28 (i) RCW 28B.15.545;
- 29 (j) RCW 28B.15.555;
- 30 (k) RCW 28B.15.556;
- 31 (l) RCW 28B.15.615;
- 32 (m) RCW 28B.15.621(2);
- 33 (n) RCW 28B.15.730;
- 34 (o) RCW 28B.15.740;
- 35 (p) RCW 28B.15.750;
- 36 (q) RCW 28B.15.756;
- 37 (r) RCW 28B.50.259; and
- 38 (s) RCW 28B.70.050.

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

4 (a) RCW 28B.15.522;

5 (b) RCW 28B.15.540; (~~and~~))

6 (c) RCW 28B.15.558; and

7 (d) RCW 28B.15.621 (3) and (4).

8 (4) The total amount of operating fees revenue waived, exempted, or
9 reduced by institutions of higher education participating in the
10 western interstate commission for higher education western
11 undergraduate exchange program under RCW 28B.15.544 shall not exceed
12 the percentage of total gross authorized operating fees revenue in this
13 subsection.

14 (a) Washington State University 1 percent

15 (b) Eastern Washington University 3 percent

16 (c) Central Washington University 3 percent

17 (5) The institutions of higher education will participate in
18 outreach activities to increase the number of veterans who receive
19 tuition waivers. Colleges and universities shall revise the
20 application for admissions so that all applicants shall have the
21 opportunity to advise the institution that they are veterans who need
22 assistance. If a person indicates on the application for admissions
23 that the person is a veteran who is in need of assistance, then the
24 institution of higher education shall ask the person whether they have
25 any funds disbursed in accordance with the Montgomery GI Bill available
26 to them. Each institution shall encourage veterans to utilize funds
27 available to them in accordance with the Montgomery GI Bill prior to
28 providing the veteran a tuition waiver.

29 **Sec. 3.** RCW 28B.15.385 and 1973 1st ex.s. c 191 s 5 are each
30 amended to read as follows:

31 For the purposes of RCW 28B.15.380, (~~(28B.15.385,)~~) 28B.15.520, and
32 (~~(28B.40.361)~~) 28B.15.621, the phrase "totally disabled" (~~(as used in~~
33 ~~RCW 28B.15.380, 28B.15.520 and 28B.40.361 shall)~~) means a person who
34 has become totally and permanently disabled for life by bodily injury
35 or disease, and is thereby prevented from performing any occupation or

1 gainful pursuit.

Passed by the Senate April 16, 2007.

Passed by the House April 5, 2007.

Approved by the Governor May 14, 2007.

Filed in Office of Secretary of State May 15, 2007.