

SENATE BILL REPORT

SHB 2543

As Reported by Senate Committee On:
Higher Education & Workforce Development, February 28, 2020

Title: An act relating to ensuring eligible veterans and their dependents qualify for in-state residency.

Brief Description: Ensuring eligible veterans and their dependents qualify for in-state residency.

Sponsors: House Committee on College & Workforce Development (originally sponsored by Representatives Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Davis, Volz and Ormsby).

Brief History: Passed House: 2/13/20, 98-0.

Committee Activity: Higher Education & Workforce Development: 2/20/20, 2/28/20 [DPA-WM].

Brief Summary of Amended Bill

- Provides in-state residency to students on certain leave from active duty from the uniformed services who have veteran education benefits.
- Provides in-state residency to the spouse or child of an individual, who has separated with at least ten years of service honorably, if they enroll within three years of the service member's date of separation.
- Expands in-state residency to students who are eligible for, rather than entitled to, transferred Post-9/11 GI Bill benefits.
- Expands in-state residency to eligible students accepted into an institution before the individual in the uniformed services is reassigned out of state.
- Expands in-state residency to students that have separated from the uniformed services who were discharged due to their sexual orientation or gender identity.

SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Lias.

Staff: Kellee Gunn (786-7429)

Background: A financially independent student wishing to establish residency for higher education purposes must have established a Washington domicile for one year before the first day of registration for a purpose other than educational. In some instances, residency is granted to certain students without necessarily meeting the domicile requirements, such as active duty military or National Guard members and their spouses and dependents. These exceptions include students who:

- have separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, are eligible for veteran education benefits, and enter a higher education institution in Washington within three years of their date of separation from the uniformed services;
- are entitled to veteran education benefits based on their relationship as a spouse, former spouse, or dependent to an individual who has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, and enter a higher education institution in Washington within three years of the service member's date of separation from the uniformed services; and
- are entitled to Post-9/11 GI Bill benefits transferable to them by a spouse, former spouse, or child who is on active duty in the uniformed services.

Summary of Amended Bill: Eligibility for in-state residency is expanded to the following categories of individuals:

- students on terminal, separation, or transition leave pending separation, or release from active duty, from the uniformed services with any period of honorable service after at least 90 days of active duty service and are eligible for veteran education benefits;
- students who are the spouse or child of an individual who has separated from the uniformed services with at least ten years of honorable service and at least 90 days of active duty service, and who enter an institution of higher education in Washington within three years of the service member's date of separation;
- students who are eligible for, not just entitled to, Post-9/11 GI Bill benefits based on the student's relationship as a spouse, former spouse, or child to an individual who is on active duty in the uniformed services;
- students who are spouses of active duty military or the National Guard stationed in Washington if the student is accepted to a higher education institution before the military or National Guard member is reassigned out of state, as long as the student enrolls for the term the student was admitted. Residency at the time of acceptance is also granted to spouses or dependents of active duty military residing in Washington but stationed in an Oregon border county, if the military member is reassigned out of the Oregon border county after acceptance; and
- students that have separated from the uniformed services who were discharged due to their sexual orientation or gender identity.

EFFECT OF HIGHER EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE AMENDMENT(S):

- Expands eligibility for in-state residency to students who are spouses of active duty military or the National Guard stationed in Washington qualify for in-state tuition if the student is accepted to a higher education institution before the military or National Guard member is reassigned out of state, as long as the student enrolls for the term the student was admitted. Residency at the time of acceptance is also granted to spouses or dependents of active duty military residing in Washington but stationed in an Oregon border county, if the military member is reassigned out of the Oregon border county after acceptance.
- Expands eligibility for in-state residency to students that have separated from the uniformed services who were discharged due to their sexual orientation or gender identity.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Our state has made a major commitment for veterans to qualify for in-state tuition. People do not change residency while they are in the service. The retirement process from the military can take months. This bill allows those individuals who are retiring to get in-state tuition during the processing of their retirement paperwork. This is a cleanup bill to close a loop to allow for these students to get eligibility for residency. This will also help the institutions' residency officers.

Persons Testifying: PRO: Representative Dave Paul, Prime Sponsor; Matthew Sutherland, Professional Student Association of WSU; Scott Copeland, SBCTC.

Persons Signed In To Testify But Not Testifying: No one.