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**SENATE BILL 5231**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Bailey, Wagoner, Becker, Zeiger, Honeyford, Padden, Short, and Wilson, L.

Read first time 01/16/19. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to veteran survivor tuition waiver eligibility;  
2 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 2018 c 129 s 1 are each amended to  
5 read as follows:

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

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

20 (3) The governing boards of the state universities, the regional  
21 universities, The Evergreen State College, and the community and

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

9 (4) Subject to the conditions in subsection (5) of this section  
10 and the limitations in RCW 28B.15.910, the governing boards of the  
11 state universities, the regional universities, The Evergreen State  
12 College, and the community and technical colleges, shall waive all  
13 tuition and fees for the 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  
16 national guard member who became totally disabled as a result of  
17 serving in active federal military or naval service, or who is  
18 determined by the federal government to be a prisoner of war or  
19 missing in action; and

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

27 (i) Be between the age of seventeen and twenty-six to be eligible  
28 for the tuition waiver; or

29 (ii) Meet one of the exceptions provided in 38 U.S.C. Sec.  
30 3512(a)(1)-(8) as it exists on the effective date of this section.

31 (b) A child's marital status does not affect eligibility.

32 ~~((b))~~ (c)(i) A surviving spouse or surviving domestic partner  
33 must be a Washington domiciliary.

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

1 surviving spouse or surviving domestic partner is ineligible for the  
2 waiver of all tuition and fees.

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

6 ~~((e))~~ (d) Each recipient's continued participation is subject  
7 to the school's satisfactory progress policy.

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

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

15 ~~((f))~~ (g) Subject to amounts appropriated, recipients who  
16 receive a waiver under subsection (4) of this section shall also  
17 receive a stipend for textbooks and course materials in the amount of  
18 five hundred dollars per academic year, to be divided equally among  
19 academic terms and prorated for part-time enrollment.

20 (6) Required waivers of all tuition and fees under subsection (4)  
21 of this section shall not affect permissive waivers of tuition and  
22 fees under subsection (3) of this section.

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

26 (8) The definitions in this subsection apply throughout this  
27 section.

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

30 (b) "Eligible veteran or national guard member" means a  
31 Washington domiciliary who was an active or reserve member of the  
32 United States military or naval forces, or a national guard member  
33 called to active duty, who served in active federal service, under  
34 either Title 10 or Title 32 of the United States Code, in a war or  
35 conflict fought on foreign soil or in international waters or in  
36 support of those serving on foreign soil or in international waters,  
37 and if discharged from service, has received an honorable discharge.

38 (c) "Totally disabled" means a person who has been determined to  
39 be one hundred percent disabled by the federal department of veterans  
40 affairs.

1 (d) "Washington domiciliary" means a person whose true, fixed,  
2 and permanent house and place of habitation is the state of  
3 Washington. "Washington domiciliary" includes a person who is  
4 residing in rental housing or residing in base housing. In  
5 ascertaining whether a child or surviving spouse or surviving  
6 domestic partner is domiciled in the state of Washington, public  
7 institutions of higher education shall, to the fullest extent  
8 possible, rely upon the standards provided in RCW 28B.15.013.

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

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

- 20 (a) Total number of waivers;
- 21 (b) Total amount of tuition waived;
- 22 (c) Total amount of fees waived;
- 23 (d) Average amount of tuition and fees waived per recipient;
- 24 (e) Recipient demographic data that is disaggregated by distinct  
25 ethnic categories within racial subgroups; and
- 26 (f) Recipient income level, to the extent possible.

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