

SSB 6302 - H COMM AMD  
By Committee on Higher Education

ADOPTED AS AMENDED 3/5/04

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.10  
4 RCW to read as follows:

5 (1) A member of the Washington national guard or any other military  
6 reserve component who is a student at an institution of higher  
7 education and who is ordered for a period exceeding thirty days to  
8 either active state service, as defined in RCW 38.04.010, or to federal  
9 active military service has the following rights:

10 (a) With regard to courses in which the person is enrolled, the  
11 person may:

12 (i) Withdraw from one or more courses for which tuition and fees  
13 have been paid that are attributable to the courses. The tuition and  
14 fees must be credited to the person's account at the institution. Any  
15 refunds are subject to the requirements of the state or federal  
16 financial aid programs of origination. In such a case, the student  
17 shall not receive credit for the courses and shall not receive a  
18 failing grade, an incomplete, or other negative annotation on the  
19 student's record, and the student's grade point average shall not be  
20 altered or affected in any manner because of action under this item;

21 (ii) Be given a grade of incomplete and be allowed to complete the  
22 course upon release from active duty under the institution's standard  
23 practice for completion of incompletes; or

24 (iii) Continue and complete the course for full credit. Class  
25 sessions the student misses due to performance of state or federal  
26 active military service must be counted as excused absences and must  
27 not be used in any way to adversely impact the student's grade or  
28 standing in the class. Any student who selects this option is not,  
29 however, automatically excused from completing assignments due during  
30 the period the student is performing state or federal active military  
31 service. A letter grade or a grade of pass must only be awarded if, in

1 the opinion of the faculty member teaching the course, the student has  
2 completed sufficient work and has demonstrated sufficient progress  
3 toward meeting course requirements to justify the grade;

4 (b) To receive a refund of amounts paid for room, board, and fees  
5 attributable to the time period during which the student was serving in  
6 state or federal active military service and did not use the facilities  
7 or services for which the amounts were paid. Any refund of room,  
8 board, and fees is subject to the requirements of the state or federal  
9 financial aid programs of origination; and

10 (c) If the student chooses to withdraw, the student has the right  
11 to be readmitted and enrolled as a student at the institution, without  
12 penalty or redetermination of admission eligibility, within one year  
13 following release from the state or federal active military service.

14 (2) The protections in this section may be invoked as follows:

15 (a) The person, or an appropriate officer from the military  
16 organization in which the person will be serving, must give written  
17 notice that the person is being, or has been, ordered to qualifying  
18 service; and

19 (b) Upon written request from the institution, the person shall  
20 provide written verification of service.

21 (3) This section provides minimum protections for students.  
22 Nothing in this section prevents institutions of higher education from  
23 providing additional options or protections to students who are ordered  
24 to state or federal active military service.

25 **Sec. 2.** RCW 28B.15.600 and 2003 c 319 s 1 are each amended to read  
26 as follows:

27 (1) The governing boards of the state universities, the regional  
28 universities, and The Evergreen State College may refund or cancel in  
29 full the tuition and services and activities fees if the student  
30 withdraws from a university or college course or program prior to the  
31 sixth day of instruction of the quarter or semester for which the fees  
32 have been paid or are due. If the student withdraws on or after the  
33 sixth day of instruction, the governing boards may refund or cancel up  
34 to one-half of the fees, provided such withdrawal occurs within the  
35 first thirty calendar days following the beginning of instruction.  
36 However, if a different policy is required by federal law in order for  
37 the institution of higher education to maintain eligibility for federal  
38 funding of programs, the governing board may adopt a refund policy that

1 meets the minimum requirements of the federal law, and the policy may  
2 treat all students attending the institution in the same manner.  
3 Additionally, if federal law provides that students who receive federal  
4 financial aid must return a larger amount to the federal government  
5 than that refunded by the institution, the governing board may adopt a  
6 refund policy that uses the formula used to calculate the amount  
7 returned to the federal government, and the policy may treat all  
8 students attending the institution in the same manner.

9 (2) The governing boards of the respective universities and college  
10 may adopt rules for the refund of tuition and fees for courses or  
11 programs that begin after the start of the regular quarter or semester.

12 (3) The governing boards may extend the refund or cancellation  
13 period for students who withdraw for medical reasons ~~((or))~~, shall  
14 adopt policies that comply with section 1 of this act for students who  
15 are called into the military service of the United States, and may  
16 refund other fees pursuant to such rules as they may prescribe.

17 **Sec. 3.** RCW 28B.15.605 and 1995 c 36 s 2 are each amended to read  
18 as follows:

19 (1) The governing boards of the community colleges and technical  
20 colleges shall refund or cancel up to one hundred percent but no less  
21 than eighty percent of the tuition and services and activities fees if  
22 the student withdraws from a college course or program before the sixth  
23 day of instruction of the regular quarter for which the fees have been  
24 paid or are due. If the student withdraws on or after the sixth day of  
25 instruction, the governing boards shall refund or cancel up to fifty  
26 percent but no less than forty percent of the fees provided such  
27 withdrawal occurs within the first twenty calendar days following the  
28 beginning of instruction. However, if a different policy is required  
29 by federal law in order for the college to maintain eligibility for  
30 federal funding of programs, the governing board may adopt a refund  
31 policy that meets the minimum requirements of the federal law and the  
32 policy may treat all students attending the institution in the same  
33 manner.

34 (2) The governing boards of the respective community college or  
35 technical college shall adopt rules consistent with subsection (1) of  
36 this section for the refund of tuition and fees for the summer quarter  
37 and for courses or programs that begin after the start of the regular  
38 quarter.

1 (3) The governing boards of community colleges and technical  
2 colleges (~~((may adopt rules to comply with RCW 28B.15.623 and))~~) may  
3 extend the refund or cancellation period for students who withdraw for  
4 medical reasons (~~((or))~~) and shall adopt policies that comply with  
5 section 1 of this act for students who are called into the military  
6 service of the United States.

7 **Sec. 4.** RCW 28B.15.625 and 1991 c 164 s 10 are each amended to  
8 read as follows:

9 Private vocational schools and private higher education  
10 institutions are encouraged to provide students (~~((deployed either to~~  
11 ~~the Persian Gulf combat zone, as designated by the president of the~~  
12 ~~United States through executive order, or in another location in~~  
13 ~~support of the Persian Gulf combat zone, with the choice of tuition~~  
14 ~~refunds or one free term, as provided under RCW 28B.10.017 and~~  
15 ~~28B.15.623 for))~~) who are members of the Washington national guard or  
16 any other military reserve component and who are ordered for a period  
17 exceeding thirty days into active state service or federal active  
18 military service the same rights and opportunities provided under  
19 section 1 of this act by public higher education institutions.

20 NEW SECTION. **Sec. 5.** A new section is added to chapter 61.24 RCW  
21 to read as follows:

22 All of the rights, duties, and privileges conveyed under the  
23 federal servicemembers civil relief act, P.L. 108-189, are applicable  
24 to deeds of trust under Washington law.

25 **Sec. 6.** RCW 84.56.020 and 1996 c 153 s 1 are each amended to read  
26 as follows:

27 (1) The county treasurer shall be the receiver and collector of all  
28 taxes extended upon the tax rolls of the county, whether levied for  
29 state, county, school, bridge, road, municipal or other purposes, and  
30 also of all fines, forfeitures or penalties received by any person or  
31 officer for the use of his or her county. All taxes upon real and  
32 personal property made payable by the provisions of this title shall be  
33 due and payable to the treasurer on or before the thirtieth day of  
34 April and, except as provided in this section, shall be delinquent  
35 after that date.

1 (2) Each tax statement shall include a notice that checks for  
2 payment of taxes may be made payable to "Treasurer of . . . . .  
3 County" or other appropriate office, but tax statements shall not  
4 include any suggestion that checks may be made payable to the name of  
5 the individual holding the office of treasurer nor any other  
6 individual.

7 (3) When the total amount of tax or special assessments on personal  
8 property or on any lot, block or tract of real property payable by one  
9 person is fifty dollars or more, and if one-half of such tax be paid on  
10 or before the thirtieth day of April, the remainder of such tax shall  
11 be due and payable on or before the thirty-first day of October  
12 following and shall be delinquent after that date.

13 (4) When the total amount of tax or special assessments on any lot,  
14 block or tract of real property or on any mobile home payable by one  
15 person is fifty dollars or more, and if one-half of such tax be paid  
16 after the thirtieth day of April but before the thirty-first day of  
17 October, together with the applicable interest and penalty on the full  
18 amount of tax payable for that year, the remainder of such tax shall be  
19 due and payable on or before the thirty-first day of October following  
20 and shall be delinquent after that date.

21 (5) Delinquent taxes under this section are subject to interest at  
22 the rate of twelve percent per annum computed on a monthly basis on the  
23 full year amount of tax unpaid from the date of delinquency until paid.  
24 Interest shall be calculated at the rate in effect at the time of  
25 payment of the tax, regardless of when the taxes were first delinquent.  
26 In addition, delinquent taxes under this section are subject to  
27 penalties as follows:

28 (a) A penalty of three percent of the full year amount of tax  
29 unpaid shall be assessed on the tax delinquent on June 1st of the year  
30 in which the tax is due.

31 (b) An additional penalty of eight percent shall be assessed on the  
32 amount of tax delinquent on December 1st of the year in which the tax  
33 is due.

34 (6) Subsection (5) of this section notwithstanding, no interest or  
35 penalties may be assessed for the period April 30, ((1996)) 2003,  
36 through ((December 31, 1996)) April 30, 2005, on delinquent taxes  
37 imposed ((in 1995)) for collection in ((1996)) 2003 or 2004 which are  
38 imposed on the personal residences owned by military personnel who

1 participated in the situation known as "~~(Joint Endeavor)~~ Operation  
2 Enduring Freedom."

3 (7) For purposes of this chapter, "interest" means both interest  
4 and penalties.

5 (8) All collections of interest on delinquent taxes shall be  
6 credited to the county current expense fund; but the cost of  
7 foreclosure and sale of real property, and the fees and costs of  
8 distraint and sale of personal property, for delinquent taxes, shall,  
9 when collected, be credited to the operation and maintenance fund of  
10 the county treasurer prosecuting the foreclosure or distraint or sale;  
11 and shall be used by the county treasurer as a revolving fund to defray  
12 the cost of further foreclosure, distraint and sale for delinquent  
13 taxes without regard to budget limitations.

14 NEW SECTION. Sec. 7. This act is necessary for the immediate  
15 preservation of the public peace, health, or safety, or support of the  
16 state government and its existing public institutions, and takes effect  
17 immediately."

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**ADOPTED 3/5/04**

18 On page 1, line 1 of the title, after "service;" strike the  
19 remainder of the title and insert "amending RCW 28B.15.600, 28B.15.605,  
20 28B.15.625, and 84.56.020; adding a new section to chapter 28B.10 RCW;  
21 adding a new section to chapter 61.24 RCW; and declaring an emergency."

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