
SENATE BILL 6936

State of Washington 60th Legislature 2008 Regular Session

By Senators Hobbs and Shin

Read first time 02/07/08. Referred to Committee on Higher Education.

1 AN ACT Relating to funding mandatory tuition waivers for eligible
2 Washington national guard members and their families; amending RCW
3 28B.15.621; reenacting and amending RCW 28B.15.910; and adding a new
4 section to chapter 28B.15 RCW.

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

6 **Sec. 1.** RCW 28B.15.621 and 2007 c 450 s 1 are each amended to read
7 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

1 a portion of tuition and fees for an eligible veteran (~~or national~~
2 ~~guard member~~)).

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

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

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

21 (b) A child and the surviving spouse of an eligible veteran or
22 national guard member who lost his or her life while engaged in active
23 federal military or naval service; and

24 (c) Subject to available funds, an eligible Washington national
25 guard member.

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

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

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

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

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

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

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

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

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

26 (c) "Honorable service fee" means the fee imposed pursuant to
27 section 2 of this act.

28 (d) "Institution of higher education" has the same meaning as in
29 RCW 28B.10.016.

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

37 (9) Each institution of higher education shall submit a report to
38 the legislature by January 1, 2012, and every five years thereafter, on

1 its implementation of this section, including any recommendations as to
2 legislative changes or improvements to effectuate the purposes of this
3 section, including the adjustment of fees established under section 2
4 of this act.

5 **NEW SECTION.** **Sec. 2.** A new section is added to chapter 28B.15 RCW
6 to read as follows:

7 (1)(a) Beginning with the 2008-09 academic year and for each
8 academic year thereafter, there is established an honorable service fee
9 in the amount of one dollar, which shall be charged each quarter, or
10 one dollar per semester, up to a maximum of four dollars per year, to
11 all full-time and part-time, resident and nonresident, undergraduate
12 and graduate students, who are attending any institution of higher
13 education in this state.

14 (b) The fee in this subsection may not be imposed on any person
15 described in RCW 28B.15.621(4).

16 (c) The fee in this subsection is not waivable, and is not a
17 tuition fee as defined in RCW 28B.15.020.

18 (d) To the extent that fee revenues are insufficient to achieve the
19 fund waivers under RCW 28B.15.621, the legislature may appropriate
20 additional amounts for any given fiscal year to ensure that the funding
21 goals are met.

22 (2) The honorable service fee account is created in the state
23 treasury. All receipts from honorable service fees must be deposited
24 into the account. Moneys in the account may be spent only after
25 appropriation. Expenditures from the account may be used only for
26 costs of waivers for the persons specified in RCW 28B.15.621(4).

27 **Sec. 3.** RCW 28B.15.910 and 2007 c 522 s 948 and 2007 c 450 s 2 are
28 each reenacted and amended to read as follows:

29 (1) For the purpose of providing state general fund support to
30 public institutions of higher education, except for revenue waived
31 under programs listed in subsections (3) and (4) of this section, and
32 unless otherwise expressly provided in the omnibus state appropriations
33 act, the total amount of operating fees revenue waived, exempted, or
34 reduced by a state university, a regional university, The Evergreen
35 State College, or the community colleges as a whole, shall not exceed
36 the percentage of total gross authorized operating fees revenue in this

1 subsection. As used in this section, "gross authorized operating fees
2 revenue" means the estimated gross operating fees revenue as estimated
3 under RCW 82.33.020 or as revised by the office of financial
4 management, before granting any waivers. This limitation applies to
5 all tuition waiver programs established before or after July 1, 1992.

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

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

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

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

- 38 (a) RCW 28B.15.522;

- 1 (b) RCW 28B.15.540;
- 2 (c) RCW 28B.15.558; and
- 3 (d) RCW 28B.15.621 (3) and (4).

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

- 10 (a) Washington State University 1 percent
- 11 (b) Eastern Washington University 3 percent
- 12 (c) Central Washington University 3 percent

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

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