

# HOUSE BILL REPORT

## SHB 1644

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**As Passed House:**  
March 5, 2015

**Title:** An act relating to veteran survivor tuition waiver eligibility.

**Brief Description:** Concerning veteran survivor tuition waiver eligibility.

**Sponsors:** House Committee on Higher Education (originally sponsored by Representatives Gregory, Zeiger, Pollet, Kilduff, Tharinger, Goodman, Riccelli and Jinkins).

**Brief History:**

**Committee Activity:**

Higher Education: 2/6/15, 2/13/15 [DPS].

**Floor Activity:**

Passed House: 3/5/15, 98-0.

**Brief Summary of Substitute Bill**

- Allows children of eligible veterans or National Guard members to receive tuition and fee waivers before age 18 and after age 26 in certain circumstances.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist, Gregory, Hargrove, Holy, Reykdal, Stambaugh, Tarleton and Van Werven.

**Staff:** Megan Mulvihill (786-7304).

**Background:**

State Tuition Waivers for Dependents.

State law requires and also authorizes public institutions of higher education to grant various tuition and fee waivers. Some waivers are state-supported and institutions receive state funding to make up revenue from waived tuition and fees. Others are discretionary, and

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institutions do not receive state funding. The institutions are limited in their tuition and fee waiver authority in that the total amount of tuition and fee revenue waived, exempted, or reduced may not exceed a percentage of their estimated gross operating fee revenue.

A required waiver is for children and surviving spouses of certain veterans and National Guard members. Those children, between the ages of 17 and 26 who reside in Washington, whose parent is a veteran or National Guard member who, as a result of active duty service, became totally disabled, died in the line of duty, went missing in action, or became a prisoner of war, are eligible for a waiver.

#### Federal Dependents' Educational Assistance.

The federal Dependents' Educational Assistance program provides education benefits to eligible dependents of those veterans who are permanently and totally disabled due to a service-related condition, who died while on active duty or as a result of a service-related condition, or who were declared missing in action or became a prisoner of war. The general rule is that children of these veterans must be between the ages of 18 and 26 to receive these benefits. However, exceptions exist that make it possible to begin receiving benefits before age 18 and continue receiving benefits after age 26. These exceptions are as follows:

1. The child may receive education assistance benefits before their eighteenth birthday if the United States Secretary of Veteran Affairs (Secretary) determines that the child's best interests will be served, the child has a mental or physical handicap that would benefit from special restorative training or a specialized course in vocational training, or the child begins a preparatory course.
2. If the veteran's service-connected disability or death occurs after the child's eighteenth birthday, but before their twenty-sixth birthday, the eligibility period will end eight years from the date elected by the child to be the beginning date of entitlement if:
  - it is approved by the Secretary;
  - the child elects the starting date no later than 60 days beginning on the date they were noticed of the opportunity; and
  - the beginning date is the date when the veteran was notified that their service-connected disability was permanent in nature, or the beginning date is between the veteran's service-connected death and the date the Secretary determined the death was service-connected.
3. If the child fails to elect a beginning date of entitlement, the date will be when the Secretary determines that the veteran has a service-connected total disability permanent in nature or that the death was service-related.
4. If the child serves on duty with the Armed Forces after their eighteenth birthday, but before their twenty-sixth, then their period of entitlement will end eight years after the child's discharge or release from duty, but under no circumstances will it extend beyond the person's thirty-first birthday.
5. If the child becomes eligible after their eighteenth birthday, but before their twenty-sixth birthday, the period of entitlement will end eight years after the child becomes eligible, but will not extend beyond the child's thirty-first birthday. If the child is enrolled in an institution of higher education and their period of entitlement ends before their quarter, semester, or course is completed, the period of eligibility will be extended to allow the child to finish that quarter, semester, or course.

**Summary of Substitute Bill:**

Children of certain veterans or National Guard members may receive tuition and fee waivers at public institutions of higher education before age 18 and after age 26, consistent with the exceptions for receiving federal Dependents Educational Assistance.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill aligns the state tuition waivers with federal requirements for those who live in Washington. Over the past summer, veteran coordinators identified the mismatch between the state and federal law. Eligible veterans receive a \$1,100 stipend from the federal government with the state tuition waiver. If a student ages out of the eligibility period, they would still receive their stipend, but would no longer receive the state tuition waiver. There are maybe only 1,000 or 2,000 people who qualify. Any effort that helps build a bridge and encourage a strong transition for veterans into civilian life is appreciated and supported.

(Opposed) None.

**Persons Testifying:** Representative Gregory, prime sponsor; Cody Eccles, Council of Presidents; and Antonia Sanchez, Central Washington University.

**Persons Signed In To Testify But Not Testifying:** None.