

# HOUSE BILL REPORT

## HB 1688

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**As Passed House:**  
March 4, 2019

**Title:** An act relating to resident student status as applied to veterans.

**Brief Description:** Concerning resident student status as applied to veterans.

**Sponsors:** Representatives Morgan, Sutherland, Leavitt, Gildon, Kilduff, Ryu and Doglio; by request of Department of Veterans Affairs.

**Brief History:**

**Committee Activity:**

College & Workforce Development: 2/6/19, 2/8/19 [DP];

Appropriations: 2/25/19, 2/26/19 [DP].

**Floor Activity:**

Passed House: 3/4/19, 97-0.

**Brief Summary of Bill**

- Requires a student who is entitled to federal Vocational Rehabilitation and Employment Services benefits to receive in-state tuition at public higher education institutions.

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### HOUSE COMMITTEE ON COLLEGE & WORKFORCE DEVELOPMENT

**Majority Report:** Do pass. Signed by 16 members: Representatives Hansen, Chair; Entenman, Vice Chair; Leavitt, Vice Chair; Van Werven, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Graham, Assistant Ranking Minority Member; Bergquist, Kraft, Paul, Pollet, Ramos, Rude, Sells, Slatter, Sutherland and Young.

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

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 33 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member;

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Caldier, Chandler, Cody, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Jinkins, Kraft, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Stanford, Steele, Sullivan, Sutherland, Tarleton, Tharinger, Volz and Ybarra.

**Staff:** Zane Potter (786-7349).

### **Background:**

#### The Veterans Access, Choice, and Accountability Act.

The Veterans Access, Choice, and Accountability Act (Choice Act) was enacted in 2014. Under the Choice Act, public institutions of higher education are required to provide in-state tuition to eligible veterans and dependents in order for the institution to remain eligible to receive payments under the Montgomery GI Bill, Post-9/11 GI Bill, and other veteran education benefits (veteran education benefits). In 2015 the Legislature updated the definition of resident student for in-state tuition purposes to maintain statewide eligibility. The updated language allows a student to qualify as a resident student for in-state tuition purposes if he or she meets any of the following criteria:

- has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, is eligible for veteran education benefits, and he or she enters an institution of higher education in Washington within three years of their date of separation from the uniformed services;
- is entitled to veteran education benefits based on his or her relationship as a spouse, former spouse, or child 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 who enters an institution of higher education in Washington within three years of the service member's date of separation from the uniformed services; or
- is entitled to the Marine Gunnery Sergeant John David Fry Scholarship based on his or her relationship with a deceased member of the uniformed services who completed at least 90 days of active duty service and died in the line of duty.

In 2016 Congress added individuals using transferred Post-9/11 GI Bill benefits while the transferor is on active duty to the Choice Act. Again in 2018, Congress amended the Choice Act to require that all individuals using federal veterans vocational rehabilitation benefits under the Vocational Rehabilitation and Employment (VR&E) Program be charged in-state tuition.

#### Vocational Rehabilitation and Employment Program.

The VR&E Program provides disabled veterans with vocational counseling and rehabilitation planning for employment purposes. This can include everything from skills assessment, resume development and case management services, to on-the-job training, apprenticeships, and postsecondary education.

According to the Washington State Department of Veterans Affairs, in fiscal year 2017 there were 23,400 individuals in Washington using federal veterans educational benefits.

### **Summary of Bill:**

Students who are entitled to federal VR&E benefits are added to the list of students eligible for residency for in-state tuition purposes. In addition, references to federal veterans educational benefits are updated and a reference to individuals covered under the Choice Act is added to the residency statute.

**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 (College & Workforce Development):**

(In support) Sometimes the difference between in-state and out-of-state tuition is the difference between getting a degree or not. This is about disabled veterans who have made a great sacrifice for their country. This is the right thing to do. The state benefits from the knowledge, experience, and diversity veterans bring to the state's higher education campuses. Many veterans do not return to their home state after being discharged. Imagine how much harder it is for a veteran to pay out-of-state tuition. The Legislature passed bills in previous years to align with the federal government requirements under the Choice Act, and that is what this bill does.

(Opposed) None.

**Staff Summary of Public Testimony (Appropriations):**

(In support) The federal government has changed the Choice Act with regards to vocational and rehabilitation students, which puts the state out of compliance. Unless this bill is passed, Washington's participation in the entire program is at risk, including other GI benefits that affect many more students. The Legislature should pass the bill.

(Opposed) None.

**Persons Testifying (College & Workforce Development):** Representative Morgan, prime sponsor.

**Persons Testifying (Appropriations):** Marc Webster, Washington Student Achievement Council.

**Persons Signed In To Testify But Not Testifying (College & Workforce Development):** None.

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