

# HOUSE BILL REPORT

## SHB 2543

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### As Passed Legislature

**Title:** An act relating to ensuring eligible veterans and their dependents qualify for in-state residency.

**Brief Description:** Ensuring eligible veterans and their dependents qualify for in-state residency.

**Sponsors:** House Committee on College & Workforce Development (originally sponsored by Representatives Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Davis, Volz and Ormsby).

#### **Brief History:**

##### **Committee Activity:**

College & Workforce Development: 1/22/20, 1/29/20 [DPS].

##### **Floor Activity:**

Passed House: 2/13/20, 98-0.

Senate Amended.

Passed Senate: 3/6/20, 49-0.

House Concurred.

Passed House: 3/9/20, 94-2.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Expands in-state residency for tuition purposes to various categories of veterans, active duty, and their spouses and dependents.

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### HOUSE COMMITTEE ON COLLEGE & WORKFORCE DEVELOPMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 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, Mead, Paul, Pollet, Ramos, Rude, Sells, Slatter, Sutherland and Young.

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

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## **Background:**

Public higher education institutions use state residency to determine whether a student will be required to pay in-state or out-of-state tuition. Residency typically requires that a financially independent student establish a Washington domicile for one year before the first day of registration for a purpose other than educational. However, residency is also granted to other categories of students, including active duty military or National Guard members and their spouses and dependents who meet certain requirements. For example, this includes students:

- who have separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, are eligible for veteran education benefits, and enter a higher education institution in Washington within three years of their date of separation from the uniformed services;
- who are entitled to veteran education benefits based on their relationship as a spouse, former spouse, or dependent 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 enter a higher education institution in Washington within three years of the service member's date of separation from the uniformed services; and
- who are entitled to transferred Post-9/11 GI Bill benefits based on their relationship as a spouse, former spouse, or child to an individual who is on active duty in the uniformed services.

## **Summary of Substitute Bill:**

Eligibility for in-state residency is expanded to the following categories of individuals:

- students on terminal, separation, or transition leave pending separation, or release from active duty, from the uniformed services with any period of honorable service after at least 90 days of active duty service and are eligible for veteran education benefits;
- students who are the spouse or child of an individual who has separated from the uniformed services with at least 10 years of honorable service and at least 90 days of active duty service, and who enter an institution of higher education in Washington within three years of the service member's date of separation;
- students who are eligible for, not just entitled to, transferred Post-9/11 GI Bill benefits based on the student's relationship as a spouse, former spouse, or child to an individual who is on active duty in the uniformed services;
- students who are the spouse or dependent of active duty military stationed in the state and who are accepted to a higher education institution before the military member is reassigned out-of-state, as long as the spouse or dependent enrolls for the term in which they were accepted;
- students who are the spouse or dependent of active duty military residing in Washington, but stationed in an Oregon border county who are accepted to a higher education institution before the military member is reassigned out-of-state, as long as the spouse or dependent enrolls for the term in which they were accepted; and
- students who are separated from the uniformed services who were discharged due to their sexual orientation or gender identity.

In addition, the residency statute is restructured for those categories of students who are active duty military and National Guard members and their spouses and dependents.

**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 allows veterans to qualify for in-state residency after getting out of the service. When a military member enrolls in the service, they often do not transfer their residency from their home state. Then when the military member gets out of the service or retires, the veteran goes on terminal leave and the military has not finalized the paperwork. This allows a veteran to get in-state residency while that paperwork is still being completed.

(Opposed) None.

**Persons Testifying:** Representative Paul, prime sponsor.

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