

HOUSE BILL REPORT

HB 2031

As Reported By House Committee On:
Higher Education

Title: An act relating to higher education.

Brief Description: Including spouses and dependents of civil and military personnel of Washington as state residents for higher education residency purposes.

Sponsors: Representatives Ludwig, Mielke, Bray, Rayburn, Jacobsen, Karahalios, Kremen, Miller, Mastin, L. Johnson, Wood, Finkbeiner, Basich, Cothorn, Talcott, Dyer and Conway.

Brief History:

Reported by House Committee on:
Higher Education, March 2, 1993, DP.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass. Signed by 18 members: Representatives Jacobsen, Chair; Quall, Vice Chair; Brumsickle, Ranking Minority Member; Sheahan, Assistant Ranking Minority Member; Basich; Bray; Carlson; Casada; Finkbeiner; Flemming; Kessler; J. Kohl; Mielke; Ogden; Orr; Rayburn; Shin; and Wood.

Staff: Susan Hosch (786-7120).

Background: Under current law, tuition rates are different for resident and nonresident students. Before a person is entitled to pay resident tuition rates, he or she must have established and maintained a permanent home or "domicile" in the state for at least one year before starting college. This permanent home must have been established for purposes other than paying resident tuition rates. In order to show an institution that he or she has established a permanent home in Washington, a person may have to present evidence to the institution. That evidence may include a Washington driver's license, voter registration card, rent receipts, car license, employment information, location of a checking account, and the like.

Under current residency laws, a distinction is made between persons who are financially independent, and those who are still dependent on their parents for financial support. With some exceptions, a dependent student's status is based

on the residency status of the student's parents or legal guardian.

With some exceptions, if a Washington resident moves out of state, he or she loses the right to pay resident tuition rates. If the parents of a dependent student move out of state while the student is enrolled in college, the student may continue to pay resident tuition rates for as long as the student remains continuously enrolled in school, except during summer sessions. If a student enrolls in a public college or university within six months of graduating from a Washington high school, he or she may pay resident tuition rates if his or her parents maintain Washington as their permanent residence for at least one year within the five-year period when their child enrolls in a Washington college. If a person moves out of state while he or she is a member of the civil or military service of the state or the country, the person does not automatically lose his or her domicile in Washington. However, to pay resident tuition rates, the person must, within one year of discharge from the service, return to Washington with the intention to remain in the state as a state resident.

Summary of Bill: For the purpose of paying resident tuition rates, the spouse and dependents of a member of the civil or military service of Washington or this nation do not lose their domicile in the state while living in another state or another country. In addition, people in those categories do not lose their domicile while they are engaged in the navigation of the high seas or the waters of the state or nation. However, in order to maintain Washington as their domicile, these people must return to the state within one year of discharge from the service. And, they must intend to remain in the state as a resident.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Under current law, a Washington resident who is in the military can return to the state without losing his or her right to pay resident tuition. But, the children or spouse of that resident could be required to pay nonresident tuition.

Testimony Against: None.

Witnesses: Representative Curt Ludwig, prime sponsor.