

# HOUSE BILL REPORT

## HB 2464

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**As Reported by House Committee On:**  
Higher Education

**Title:** An act relating to veteran and national guard tuition waivers.

**Brief Description:** Concerning veteran and national guard tuition waivers.

**Sponsors:** Representatives Reeves, Kilduff, Muri, Shea, Riccelli and Stanford.

**Brief History:**

**Committee Activity:**

Higher Education: 1/16/18, 1/17/18 [DP].

**Brief Summary of Bill**

- Increases from 200 to 250, the tuition waiver credits that a child, spouse, or domestic partner of an eligible veteran or National Guard member who became totally disabled, a prisoner of war, missing in action, or who lost his or her life while serving may receive.
- Expands the definition of "eligible veteran or National Guard member" for the purposes of tuition waivers at the public institutions of higher education to veteran or National Guard members who received a general discharge under honorable conditions.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass. Signed by 7 members: Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall, Sells and Tarleton.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Haler.

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

**Background:**

Tuition Waivers for Veterans or National Guard Members and Dependents.

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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.*

State law requires and authorizes public institutions of higher education to grant various tuition and fee waivers. The institutions are limited in their tuition and fee waiver authority in that the total amount of tuition and fee revenues waived, exempted, or reduced may not exceed a percentage of their estimated gross operating fee revenue.

The public institutions of higher education are required to waive undergraduate tuition and fees for children and spouses of an eligible veteran or National Guard member, who as a result of serving:

- lost his or her life;
- became totally disabled; or
- has a prisoner of war (POW) or missing in action (MIA) status.

In order to be eligible for the tuition waiver, a child must be domiciled in Washington and be between the age of 17 and 26. The spouse or domestic partner must be a Washington domiciliary, not have remarried or entered into another domestic partnership, and must use the tuition waiver within 10 years of the date of death, disability, or determination of POW or MIA status.

The child or spouse may receive a tuition waiver until he or she has earned 200 quarter credits, or the equivalent in semester credits.

The public institutions of higher education may also waive tuition for eligible veterans and National Guard members. For the purposes of tuition waivers, "eligible veteran or National Guard member" means a Washington domiciliary who was an active or reserve member of the United States military or naval forces, or a National Guard member called to active duty, who served in active federal service, under either Title 10 or Title 32 of the United States Code, in a war or conflict fought on foreign soil or in international waters, and if discharged from service, has received an honorable discharge.

#### Military Discharge Classifications.

When a military member is released from their service obligation with the United States Armed Forces, he or she receives a discharge. There are different types of discharge classifications based on why or how the service member left the military. The service member's eligibility for veteran and military benefits, including education benefits, will change based on the discharge he or she receives. There are two categories of discharges: administrative and punitive.

Administrative discharges include:

- *Honorable Discharge*: The service member received a good or excellent rating for their service time and is eligible for all veteran benefits, including the GI Bill.
- *General Discharge, Under Honorable Conditions*: The service member received a satisfactory rating because the individual failed to meet all expectations of conduct, and he or she received a non-judicial punishment to correct the misbehavior or failure to meet standards. The service member is eligible for most veteran and military benefits, including education assistance, but is not eligible for the GI Bill.
- *Other Than Honorable (OTH) discharge*: The service member failed to meet or violated military conduct standards. Examples for an other-than-honorable discharge include security violations, conviction by a civilian court with a sentence including

prison time, or being found guilty of adultery in a divorce hearing. The service member is not usually eligible for veteran and military benefits.

Punitive discharges include:

- *Bad Conduct Discharge*: This is a punitive discharge imposed by court-martial for only enlisted service members. The service member is not eligible for veteran or military benefits under a general court-martial.
- *Dishonorable Discharge*: The service member committed a serious offense, such as being convicted of murder or sexual assault. All veteran and military benefits are lost.
- *Officer Discharge*: Commissioned officers cannot receive bad conduct discharges or dishonorable discharges, but they can receive a discharge by a general court-martial.
- *Entry Level Separation*: The service member leaves military service before completing at least 180 days. No veteran or military benefits are earned with a service time of less than 180 days, unless the service member was injured or incurred an illness as a result of service.

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### **Summary of Bill:**

The credits a child or spouse may receive under a tuition waiver given to those whose parent, spouse, or domestic partner became totally disabled, has a determination of POW or MIA status, or who died as a result of serving is increased to 250.

The definition of "eligible veteran or National Guard member" is expanded to also include veterans or National Guard members who receive a general discharge under honorable conditions.

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**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) The Legislature needs to increase opportunities for veterans and their families and ensure they are getting what they need from the state. This legislation opens up discussions about eligibility requirements and some of the reasons a military member might receive a general discharge, under honorable conditions. Often times the Department of Defense discharges a service member for reasons that have nothing to do with a person's character, such as maintaining weight standards. There is a recognition that the service was honorable, but the service member is not allowed to receive certain benefits. This is a simple and commonplace measure that allows veterans and National Guard members to pursue more

education. In addition, increasing the tuition credits allows the recipient to finalize a second degree. Oftentimes they get halfway through a second degree and cannot finish.

(Opposed) None.

**Persons Testifying:** Representative Reeves, prime sponsor; Randy Kelley, The Evergreen State College Veterans Resource Center; Ted Wicorek, Veterans Legislative Coalition; Charles Adkins, The Evergreen State College Legislative Affairs; and Matthew Morrow, Associated Students of Washington State University.

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