

# HOUSE BILL REPORT

## SHB 2543

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### As Amended by the Senate

**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.

### Brief Summary of Substitute Bill

- Provides in-state residency to students on terminal, separation, or transition leave pending separation or release from active duty from the uniformed services who have veteran education benefits.
- Provides in-state residency to 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, if the student enrolls in a higher education institution in Washington within three years of the service member's date of separation.
- Expands in-state residency to students who are eligible for transferred Post-9/11 GI Bill benefits.

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### HOUSE COMMITTEE ON COLLEGE & WORKFORCE DEVELOPMENT

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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.*

**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).

**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; and
- 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.

**EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment made two changes. It merged the contents of Substitute House Bill 2185 into Substitute House Bill 2543, which has the following effect:

- modifies the definition of "in-state resident" for tuition purposes to include spouses and dependents 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 admitted;
- allows residency to be decided at the time of acceptance for spouses and dependents of active duty military residing in Washington, but stationed in an Oregon border county, if the military member is reassigned out of the Oregon border county after acceptance; and
- restructures the residency statute for students who are active duty military and National Guard members and their spouses and dependents.

In addition, the Senate amendment establishes residency for a student who has separated from the uniformed services who was discharged due to their sexual orientation or gender identity.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 28, 2020.

**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.