

# SENATE BILL REPORT

## HB 1688

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As Passed Senate, April 12, 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:** Passed House: 3/04/19, 97-0.

**Committee Activity:** Higher Education & Workforce Development: 3/14/19, 3/26/19 [DP-WM].

Ways & Means: 4/03/19 [DP].

**Floor Activity:**

Passed Senate: 4/12/19, 43-0.

### 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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### SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown, Liias and Wellman.

**Staff:** Alicia Kinne-Clawson (786-7407)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker, Billig, Carlyle,

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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.*

Conway, Hasegawa, Hunt, Keiser, Liias, Palumbo, Pedersen, Rivers, Schoesler, Wagoner and Warnick.

**Staff:** Daniel Masterson (786-7454)

**Background:** Veterans Access, Choice, and Accountability Act. The Veterans Access, Choice, and Accountability Act (Choice Act) was enacted in 2014. Under the Choice Act, public higher education institutions are required to provide in-state tuition to eligible veterans and dependents 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 the student 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 they enter a higher education institution in Washington within three years of their date of separation from the uniformed services;
- is entitled to veteran education benefits based on their 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 a higher education institution 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 their 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 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:** The definition of resident student for the purposes of in-state tuition is expanded to include students who are entitled to federal VR&E benefits. 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.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony (Higher Education & Workforce Development):**

PRO: This bill is about access and equity. Disabled veterans should not have to face the hardship of out-of-state tuition after being honorably discharged from military service. This aligns benefits for those who have scarified a lot for this country. Our higher education institutions would benefit from having these students on campus and their contributions in class.

**Persons Testifying (Higher Education & Workforce Development):** PRO: Representative Melanie Morgan, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying (Higher Education & Workforce Development):** No one.

**Staff Summary of Public Testimony (Ways & Means):** No public hearing was held.

**Persons Testifying (Ways & Means):** N/A

**Persons Signed In To Testify But Not Testifying (Ways & Means):** N/A