

# HOUSE BILL REPORT

## SB 5318

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

**Title:** An act relating to removing the one-year waiting period for veterans or active members of the military for the purpose of eligibility for resident tuition.

**Brief Description:** Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition.

**Sponsors:** Senators Bailey, Becker, Roach, Hobbs, Holmquist Newbry, Honeyford, Hill, Chase, Billig, Kline, Cleveland, Carrell and Shin.

**Brief History:**

**Committee Activity:**

Higher Education: 3/20/13, 3/26/13 [DP].

**Brief Summary of Bill**

- Expands eligibility to pay resident tuition for students on active military duty, National Guard members, and their spouses and dependents under certain conditions.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass. Signed by 17 members: Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan, Hansen, Hargrove, Johnson, Magendanz, Riccelli, Sawyer, Scott, Sells, Smith, Tarleton, Walsh and Wylie.

**Minority Report:** Do not pass. Signed by 1 member: Representative Pedersen.

**Staff:** Madeleine Thompson (786-7304).

**Background:**

Establishing Residency for Tuition Purposes.

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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.*

In Washington, as in most other states, establishing residency for tuition purposes at public institutions of higher education has two components: the establishment of an official domicile, and a waiting period of one year after establishing a domicile. A collection of evidence is required to prove an individual's domicile. Individuals can only have one legal domicile in the United States at one time.

#### Residency for Active Military and Veterans.

State statute directs that active duty military personnel stationed in Washington and their dependents are eligible to pay resident tuition.

In current law, the term "resident student" covers many different types of active military duty students, spouses, and dependents, including the following:

- a student who is on active military duty stationed in the state or who is a member of the Washington National Guard;
- a student who is the spouse or a dependent of a person who is on active military duty stationed in Washington;
- a student who resides in Washington and is the spouse or a dependent of a person who is a member of the Washington National Guard;
- a student who resides in Washington and is on active military duty stationed in certain Oregon counties; and
- a student who resides in Washington and is the spouse or a dependent of a person who resides in Washington and is on active military duty stationed in certain Oregon counties.

Individuals who separate from the military are required to meet specific residency requirements, which include a waiting period of one year following establishment of Washington as their official domicile.

The term "active military duty" means the person is serving on active duty in:

- the armed forces of the United States government;
- the Washington National Guard; or
- the Coast Guard, Merchant Marines, or other nonmilitary organization when such service is recognized by the United States government as equivalent to service in the armed forces.

#### Post 9/11 GI Bill.

The Post 9/11 GI Bill provides postsecondary education benefits that cover in-state tuition costs at public institutions. Nonresident tuition may be significantly higher. For example, for 2012-13, average resident tuition at University of Washington–Seattle is \$12,383 and nonresident tuition is \$29,938. The average tuition and fees for students taking 15 credits during the academic year at community and technical colleges is \$4,000 for residents and \$9,235 for nonresidents.

There are three public colleges (Walla Walla Community College, Washington State University, and The Evergreen State College) and 27 private colleges that participate in the 'Yellow Ribbon' program that is an element of the post 9/11 GI bill. In order to participate, a postsecondary education institution must make a commitment to contribute a portion of funds to cover the difference between resident and nonresident tuition for veterans. However,

participation is limited as schools place a maximum limit on the number of students who may participate.

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**Summary of Bill:**

The definition of "resident student" is revised to include the following:

- a student who is on active military duty or a member of the National Guard who entered service as a Washington resident and has maintained Washington as their domicile but is not stationed in the state;
  - a student who is a spouse or a dependent of a person who is on active military duty or a member of the National Guard who entered service as a Washington resident and has maintained Washington as their domicile but is not stationed in the state;
  - a student who has separated from the military under honorable conditions after at least two years of service, enters an institution of higher education in Washington within one year of the date of separation, and meets at least one of three criteria regarding a connection or intended connection to Washington; and
  - a student who is the spouse or a dependent of an individual who has separated from the military under honorable conditions after at least two years of service, and meets all criteria regarding a connection or intended connections to Washington.
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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) There are 22 states that have adopted comparable legislation. This proposal is a benefit to the state as it would bring GI bill benefits and funds. The main beneficiaries would be people already stationed here. This proposal would benefit the state's communities because higher education helps veterans transition to civilian life and helps the economy by encouraging people to stay here and take out mortgages and have families here. If veterans can stay it is also good for their families and means that kids in school would not have to move, which often happens in the middle of the school year.

The current issue is that the state loses students if they have to wait to receive residency. During the year they wait, they disappear, they find other opportunities. If colleges enroll two veterans, their spouses, and dependents, then they have recouped all of their revenue. It costs a lot more and is a burden that can be too much to pay if a student faces paying nonresident tuition. Improving higher education opportunities for veterans provides a social, economic, moral, and community nexus. Veterans make great student leaders and are an important part of the student community.

(Opposed) None.

**Persons Testifying:** Senator Bailey, prime sponsor; Jim Sims, Veterans Legislative Coalition; Scott Copeland, State Board for Community and Technical Colleges; Eric Lint; Gabriel Bowman, Associated Students of the University of Washington–Tacoma; and Jackie Sperlich, Associated Students of Central Washington University.

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