Chapter 73.04 RCW
GENERAL PROVISIONS

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Department of veterans affairs: Chapter 43.60A RCW.

Veterans classified as resident students: RCW 28B.15.014.

RCW 73.04.005 "Qualifying discharge"—Definition—Proof—Predischarge certification. (1) For purposes of RCW 9.46.070, 28A.230.120, 28B.15.012, 28B.15.621, 28B.102.020, 41.04.005, 41.04.007, 41.04.010, 41.06.133, 41.08.040, 41.12.040, 43.24.130, 43.70.270, 46.18.270, 46.18.280, 46.20.161, 72.36.030, 73.08.005, 73.16.010, and 77.32.480:

(a) A "qualifying discharge" means:

(i) A discharge with an honorable characterization of service;

(ii) A discharge with a general under honorable conditions characterization of service;

(iii) A discharge with an other than honorable characterization of service if the applicant provides a letter, administrative decision, or other documentation from the United States department of veterans affairs showing eligibility for or receipt of monetary benefits, such as disability compensation or nonservice-connected pension; or

(iv) Any characterization of service if the reason for discharge was listed as solely due to: (A) A person's sexual orientation, gender identity, or gender expression; (B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation, gender identity, or gender expression unless the statements, conduct, or acts

are or were prohibited by the uniform code of military justice on grounds other than the person's sexual orientation, gender identity, or gender expression; or (C) the disclosure of statements, conduct, or acts relating to sexual orientation, gender identity, or gender expression to military officials.

(b)(i) To prove a "qualifying discharge" under this section, an individual must provide official documentation that shows the following to the agency administering the sought benefit or protection:

(A) The individual's characterization of service; and

(B) If an individual has a qualifying discharge under (a)(iv) of this subsection, also the individual's reason for discharge or narrative reason for separation.

(ii) Proof may include, but is not limited to, a department of defense DD form 214, NGB form 22, or equivalent or successor official paperwork stating the required information from a government agency. Copies of official documents are acceptable as proof.

(2)(a) For purposes of RCW 41.04.010 and 73.16.010, proof may also include a predischarge certification.

(b) A "predischarge certification" means a written statement issued by an individual's branch of service that: (i) States the individual is expected to be discharged or released from active duty under a qualifying discharge; (ii) includes the expected date of discharge; and (iii) includes the characterization of service.

(c) Agencies shall:

(i) Develop written procedures to verify the characterization of service and expected discharge date as stated in a predischarge certification; and

(ii) Track and document the receipt of official discharge documentation and ensure that any appointment made on the basis of a predischarge certification is confirmed only upon receipt of such documentation.

(d) Agencies shall not take adverse actions, such as termination or rescission of offer, based on a discrepancy between a predischarge certification and official discharge documents without first providing notice and an opportunity for the individual to be heard.

(e) A predischarge certification may be used to establish eligibility for veterans' preference for initial appointment, but must not be used to determine retention or layoff preference unless the individual has provided official discharge documentation confirming the qualifying discharge. [2026 c 146 s 3; 2024 c 146 s 4.]

Findings—Intent—2026 c 146: See note following RCW 41.04.010.

Intent—2024 c 146: "The legislature intends to align the federal and state definition of "veteran," expanding state veterans' benefits to any veteran who is already eligible for federal department of veterans affairs monetary benefits. The legislature further intends to create eligibility for state benefits for veterans who were separated with less than honorable characterizations of service due solely to sexual orientation, gender identity, or gender expression or actions or statements related to sexual orientation, gender identity, or gender expression, regardless of characterization of service." [2024 c 146 s 1.]

RCW 73.04.010 Pension papers—Fees not to be charged. No judge, or clerk of court, county clerk, county auditor, or any other county officer, shall be allowed to charge any honorably discharged soldier or seaman, or the spouse or domestic partner, orphan, or legal representative thereof, any fee for administering any oath, or giving any official certificate for the procuring of any pension, bounty, or back pay, nor for administering any oath or oaths and giving the certificate required upon any voucher for collection of periodical dues from the pension agent, nor any fee for services rendered in perfecting any voucher. [2008 c 6 s 510; 1973 1st ex.s. c 154 s 106; 1891 c 14 s 1; RRS s 4232.]

Part headings not law—Severability—2008 c 6: See RCW 26.60.900 and 26.60.901.

Severability—1973 1st ex.s. c 154: See note following RCW 2.12.030.

RCW 73.04.020 Pension papers—Fees not to be charged—Penalty. Any such officer who may require and accept fees for such services shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than ten dollars nor more than fifty dollars. [1891 c 14 s 2; RRS s 4233.]

RCW 73.04.030 Discharges recorded without charge—Exemption from public disclosure—Fee. Each county auditor of the several counties of the state of Washington shall record upon presentation without expense, in a suitable permanent record the discharge of any veteran of the armed forces of the United States who is residing in the state of Washington.

The department of veterans affairs, in consultation with the association of county auditors, shall develop and distribute to county auditors the form referred to in RCW 42.56.440 entitled "request for exemption from public disclosure of discharge papers."

The county auditor may charge a basic recording fee and preservation fee that together shall not exceed a total of seven dollars for the recording of the "request for exemption from public disclosure of discharge papers."

County auditors shall develop a form for requestors of military discharge papers (form DD214) to verify that the requestor is authorized to receive or view the military discharge paper. [2005 c 274 s 349; 2002 c 224 s 3; 1989 c 50 s 1; 1943 c 38 s 1; Rem. Supp. 1943 s 10758-10. FORMER PART OF SECTION: 1923 c 17 s 1 now codified as RCW 73.04.042.]

Working group on veterans' records: See note following RCW 42.56.210.

RCW 73.04.040 Discharges recorded without charge—Certified copy as proof. A certified copy of such record shall be prima facie proof for all purposes of the services rendered, citizenship, place and date of birth of such veteran. [1943 c 38 s 2; Rem. Supp. 1943 s 10758-11.]

RCW 73.04.070 Meeting hall may be furnished veterans' organizations. Counties, cities and other political subdivisions of the state of Washington are authorized to furnish free of charge a building, office and/or meeting hall for the exclusive use of the several nationally recognized veterans' organizations and their auxiliaries, subject to the direction of the committee or person in charge of such building, office and/or meeting hall. The several nationally recognized veterans' organizations shall have access at all times to said building, office and/or meeting hall. Counties, cities and other political subdivisions shall further have the right to furnish heat, light, utilities, furniture and janitor service at no cost to the veterans' organizations and their auxiliaries. [1945 c 108 s 1; Rem. Supp. 1945 s 10758-60.]

RCW 73.04.080 Meeting place rental may be paid out of county fund. Any post, camp or chapter of any national organization of veterans now, or which may hereafter be, chartered by an act of congress which has qualified to accept relief from the veteran's assistance fund of any county may draw upon said county fund for the payment of the rent of its regular meeting place: PROVIDED, That no post, camp or chapter shall be allowed to draw on such fund for this purpose to exceed a reasonable amount approved by the county legislative authority in any one year, or in any amount for hall rental where said post, camp or chapter is furnished quarters by the state or by any municipality.

Before such claims are ordered paid by the county legislative authority, the commander or authorized disbursing officer of such posts, camps or chapters shall file a proper claim each month with the county auditor for such rental. [1985 c 181 s 1; 1947 c 180 s 7; 1945 c 144 s 8; 1921 c 41 s 8; 1915 c 69 s 1; 1909 c 64 s 1; Rem. Supp. 1947 s 10743.]

RCW 73.04.090 Benefits, preferences, exemptions, etc., limited to veterans subject to full, continuous military control. All benefits, advantages or emoluments, not available upon equal terms to all citizens, including but not being limited to preferred rights to public employment, civil service preference, exemption from license fees or other impositions, preference in purchasing state property, which by any law of this state have been made specially available to war veterans or to persons who have served in the armed forces or defense forces of the United States, shall be available only to persons who have been subject to full and continuous military control and discipline as actual members of the federal armed forces or to persons defined as "veterans" in RCW 41.04.007. Service with such forces in a civilian capacity, or in any capacity wherein a person retained the right to terminate his or her service or to refuse full obedience to military superiors, shall not be the basis for eligibility for such benefits. Service in any of the following shall not for purposes of this section be considered as military service: The office of emergency services or any component thereof; the American Red Cross; the United States Coast Guard Auxiliary; United States Coast Guard Reserve Temporary; United States Coast and Geodetic Survey; American Field Service; Civil Air Patrol; Cadet Nurse Corps, and any other similar organization. [2002 c 292 s 6; 1991 c 240 s 3; 1974 ex.s. c 171 s 45; 1947 c 142 s 1; Rem. Supp. 1947 s 10758-115.]

Emergency management: Chapter 38.52 RCW.

RCW 73.04.115 Free license plates for surviving spouses or surviving domestic partners of deceased prisoners of war. (1) The department shall issue to the surviving spouse or surviving domestic partner of any deceased former prisoner of war described in RCW 46.18.235(1)(c), one set of regular or special license plates for use on a personal passenger vehicle registered to that person.

(2) The plates shall be issued without the payment of any license fees or excise tax on the vehicle. Whenever any person who has been issued license plates under this section applies to the department for transfer of the plates to a subsequently acquired motor vehicle, a transfer fee of five dollars shall be charged in addition to all other appropriate fees. If the surviving spouse remarries or the surviving domestic partner registers in a new domestic partnership, he or she shall return the special plates to the department within fifteen days and apply for regular license plates.

(3) For purposes of this section, the term "special license plates" does not include any plate from the armed forces license plate collection established in *RCW 46.18.200(3). [2010 c 161 s 1159; 2008 c 6 s 511; 2005 c 216 s 5; 1990 c 250 s 91; 1987 c 98 s 1.]

***Reviser's note:** RCW 46.18.200 was amended by 2011 c 229 s 1, 2011 c 225 s 1, and 2011 c 171 s 69, each changing subsection (3) to subsection (2).

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

Part headings not law—Severability—2008 c 6: See RCW 26.60.900 and 26.60.901.

Persons with disabilities, versions of special plates for: RCW 46.19.060.

RCW 73.04.120 Documents available for free—Who may request. County clerks and county auditors, respectively, are authorized and directed to furnish free of charge to the legal representative, surviving spouse or surviving domestic partner, child or parent of any deceased veteran certified copies of marriage certificates, decrees of dissolution of marriage or domestic partnership, or annulment, or other documents contained in their files and to record and issue, free of charge, certified copies of such documents from other states, territories, or foreign countries affecting the marital status of such veteran whenever any such document shall be required in connection with any claim pending before the United States veterans' bureau or other governmental agency administering benefits to war veterans. Where these same documents are required of service personnel of the armed forces of the United States for determining entitlement to family allowances and other benefits, they shall be provided without charge by county clerks and county auditors upon request of the person in the service or his or her dependents. [2012 c 117 s 506; 2008 c 6 s 508; 1985 c 44 s 19; 1984 c 84 s 1; 1967 c 89 s 1; 1949 c 16 s 1; Rem. Supp. 1949 s 10758-13b.]

Part headings not law—Severability—2008 c 6: See RCW 26.60.900 and 26.60.901.

RCW 73.04.130 Veteran estate management program—Director authority—Criteria. The director is authorized to implement a veteran estate management program and manage the estate of any incapacitated veteran or incapacitated veteran's dependent who:

(1) Is a bona fide resident of the state of Washington; and

(2) The United States department of veterans affairs or the social security administration has determined that the payment of benefits or entitlements is dependent upon the appointment of a federal fiduciary or representative payee; and

(3) Requires the services of a fiduciary and a responsible family member is not available; or

(4) Is deceased and has not designated an executor to dispose of the estate.

The director or any other interested person may petition the appropriate authority for the appointment as fiduciary for an incapacitated veteran or as the executor of the deceased veteran's estate. If appointed, the director may serve without bond. This section shall not affect the prior right to act as administrator of a veteran's estate of such persons as are denominated in *RCW 11.28.120 (1) and (2), nor shall this section affect the appointment of executor made in the last will of any veteran. [1994 c 147 s 2; 1979 c 64 s 1; 1977 c 31 s 3; 1974 ex.s. c 63 s 1; 1972 ex.s. c 4 s 1.]

***Reviser's note:** RCW 11.28.120 was amended by 2026 c 204 s 2, changing subsections (1) and (2) to subsection (1)(a) and (b).

RCW 73.04.131 Veteran estate management program—Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this title.

(1) "Director" means the director of the department of veterans affairs or the director's designee.

(2) "Veteran estate management program" means the program under which the director serves as administrator or federal fiduciary of an incapacitated veteran's estate or incapacitated veteran's dependent's estate, or the executor of a deceased veteran's estate. [1994 c 147 s 1.]

RCW 73.04.135 Veteran estate management program—Claims against veteran's estate—Account created. (1) The director may place a claim against the estate of an incapacitated or deceased veteran who is a veteran estate management program client. The claim shall not exceed the amount allowed by rule of the United States department of veterans affairs and charges for reasonable expenses incurred in the execution or administration of the estate. The director shall waive all or any portion of the claim if the payment or a portion thereof would pose a hardship to the veteran.

(2) The veteran estate management account is hereby created in the custody of the state treasurer. Fees, reimbursements, and grants collected from estates of incapacitated veterans or incapacitated veterans' dependents shall be deposited into the account. Funds in the account shall be expended solely for the purpose of providing

financial operating and maintenance support to the veteran estate management program and shall be the sole source of funding for the program. Only the director or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2006 c 372 s 905; 1994 c 147 s 3.]

Severability—2006 c 372: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2006 c 372 s 908.]

Effective date—2006 c 372: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 31, 2006]." [2006 c 372 s 909.]

RCW 73.04.140 Guardians—Department officers and employees prohibited. The director or any other department of veterans affairs employee shall not serve as guardian for any resident at the Washington state veterans' homes. [1994 c 147 s 5.]

RCW 73.04.150 Joint committee on veterans' and military affairs. (1) There is hereby created a joint committee on veterans' and military affairs. The committee shall consist of: (a) Eight members of the senate appointed by the president of the senate, four of whom shall be members of the majority party and four of whom shall be members of the minority party; and (b) eight members of the house of representatives appointed by the speaker, four of whom shall be members of the majority party and four of whom shall be members of the minority party. Members of the committee shall be appointed before the close of the 2005 legislative session, and before the close of each regular session during an odd-numbered year thereafter.

(2) Each member's term of office shall run from the close of the session in which he or she was appointed until the close of the next regular session held in an odd-numbered year. If a successor is not appointed during a session, the member's term shall continue until the member is reappointed or a successor is appointed. The term of office for a committee member who does not continue as a member of the senate or house of representatives shall cease upon the convening of the next session of the legislature during an odd-numbered year after the member's appointment, or upon the member's resignation, whichever is earlier. Vacancies on the committee shall be filled by appointment in the same manner as described in subsection (1) of this section. All such vacancies shall be filled from the same political party and from the same house as the member whose seat was vacated.

(3) The committee shall establish an executive committee of four members, two of whom are members of the senate and two of whom are members of the house of representatives. The executive committee shall appoint one cochair from the two executive committee members who are senators and one cochair from the two executive committee members who are representatives. The two cochairs shall be from different political parties and their terms of office shall run from the close of the session in which they are appointed until the close of the next

regular session in an odd-numbered year. The executive committee is responsible for performing all general administrative and personnel duties assigned to it in the rules and procedures adopted by the joint committee, as well as other duties delegated to it by the joint committee.

(4) The joint committee on veterans' and military affairs has the following powers and duties:

(a) To study veterans' issues, active military forces issues, and national guard and reserve component issues, and make recommendations to the legislature; and

(b) To study structure and administration of the department of veterans affairs and the military department, and make recommendations to the legislature.

(5) The joint committee shall adopt rules and procedures for its orderly operation. The joint committee may create subcommittees to perform duties under this section.

(6) The regulating authorities for the department of licensing, the department of health, and the professional educator standards board shall file reports to the legislature annually beginning January 1, 2024, and appear annually before the joint committee on veterans' and military affairs, to provide updates on progress in their efforts to implement the requirements of chapter 18.340 RCW, chapter 32, Laws of 2011, chapter 351, Laws of 2011, and RCW 18.340.040. [2023 c 165 s 10; 2017 c 184 s 1; 2005 c 141 s 1; 2001 c 268 s 1.]

Short title—Finding—Intent—2023 c 165: See notes following RCW 18.340.020.

RCW 73.04.160 Veterans' history awareness month—Commemoration of contributions of veterans. The legislature declares that:

(1) November of each year will be known as veterans' history awareness month;

(2) The week in November in which Veterans Day occurs is designated as a time for people of this state to celebrate the contributions to the state by veterans; and

(3) Educational institutions, public entities, and private organizations are encouraged to designate time for appropriate activities in commemoration of the contributions of America's veterans. [2003 c 161 s 1.]