

CERTIFICATION OF ENROLLMENT

SENATE BILL 5545

Chapter 45, Laws of 2022

67th Legislature
2022 Regular Session

MILITARY TUITION WAIVER—SURVIVOR BENEFITS—MODIFICATION

EFFECTIVE DATE: June 9, 2022

Passed by the Senate February 15,
2022

Yeas 49 Nays 0

DENNY HECK

President of the Senate

Passed by the House March 2, 2022

Yeas 95 Nays 0

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved March 11, 2022 10:41 AM

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5545** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 11, 2022

JAY INSLEE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5545

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Senators Wagoner, Conway, Dhingra, Lovick, Mullet, Short, and J. Wilson

Prefiled 12/15/21. Read first time 01/10/22. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to survivor benefits; and amending RCW
2 28B.15.621.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.15.621 and 2019 c 406 s 73 are each amended to
5 read as follows:

6 (1) The legislature finds that active military and naval
7 veterans, reserve military and naval veterans, and national guard
8 members called to active duty have served their country and have
9 risked their lives to defend the lives of all Americans and the
10 freedoms that define and distinguish our nation. The legislature
11 intends to honor active military and naval veterans, reserve military
12 and naval veterans, and national guard members who have served on
13 active military or naval duty for the public service they have
14 provided to this country.

15 (2) Subject to the limitations in RCW 28B.15.910, the governing
16 boards of the state universities, the regional universities, The
17 Evergreen State College, and the community and technical colleges,
18 may waive all or a portion of tuition and fees for an eligible
19 veteran or national guard member.

20 (3) The governing boards of the state universities, the regional
21 universities, The Evergreen State College, and the community and

1 technical colleges, may waive all or a portion of tuition and fees
2 for a military or naval veteran who is a Washington domiciliary, but
3 who did not serve on foreign soil or in international waters or in
4 another location in support of those serving on foreign soil or in
5 international waters and who does not qualify as an eligible veteran
6 or national guard member under subsection (8) of this section.
7 However, there shall be no state general fund support for waivers
8 granted under this subsection.

9 (4) Subject to the conditions in subsection (5) of this section
10 and the limitations in RCW 28B.15.910, the governing boards of the
11 state universities, the regional universities, The Evergreen State
12 College, and the community and technical colleges, shall waive all
13 tuition and fees for the following persons:

14 (a) A child and the spouse or the domestic partner or surviving
15 spouse or surviving domestic partner of an eligible veteran or
16 national guard member who became totally disabled as a result of
17 serving in active federal military or naval service, or who is
18 determined by the federal government to be a prisoner of war or
19 missing in action; and

20 (b) A child and the surviving spouse or surviving domestic
21 partner of an eligible veteran or national guard member who lost his
22 or her life as a result of serving in active federal military or
23 naval service.

24 (5) The conditions in this subsection (5) apply to waivers under
25 subsection (4) of this section.

26 (a) A child must be a Washington domiciliary between the age of
27 seventeen and twenty-six to be eligible for the tuition waiver. A
28 child's marital status does not affect eligibility.

29 (b) (i) A surviving spouse or surviving domestic partner must be a
30 Washington domiciliary.

31 (ii) (~~Except as provided in (b) (iii) of this subsection, a~~) (A)
32 A surviving spouse or surviving domestic partner of the eligible
33 veteran or national guard member has ten years to receive benefits
34 under the waiver from ((the)) whichever date occurs last:

35 (I) The date of the death((τ));

36 (II) The date of total disability((τ));

37 (III) Federal determination of service-connected death or total
38 disability ((or federal)); or

1 (IV) Federal determination of prisoner of war or missing in
2 action status (~~(of the eligible veteran or national guard member to~~
3 ~~receive benefits under the waiver)~~).

4 (B) Upon remarriage or registration in a subsequent domestic
5 partnership, the surviving spouse or surviving domestic partner is
6 ineligible for the waiver of all tuition and fees.

7 (~~(iii) If a death results from total disability, the surviving~~
8 ~~spouse has ten years from the date of death in which to receive~~
9 ~~benefits under the waiver.~~)

10 (c) Each recipient's continued participation is subject to the
11 school's satisfactory progress policy.

12 (d) Tuition waivers for graduate students are not required for
13 those who qualify under subsection (4) of this section but are
14 encouraged.

15 (e) Recipients who receive a waiver under subsection (4) of this
16 section may attend full-time or part-time. Total credits earned using
17 the waiver may not exceed two hundred fifty quarter credits, or the
18 equivalent of semester credits.

19 (f) Subject to amounts appropriated, recipients who receive a
20 waiver under subsection (4) of this section shall also receive a
21 stipend for textbooks and course materials in the amount of five
22 hundred dollars per academic year, to be divided equally among
23 academic terms and prorated for part-time enrollment.

24 (6) Required waivers of all tuition and fees under subsection (4)
25 of this section shall not affect permissive waivers of tuition and
26 fees under subsection (3) of this section.

27 (7) Private vocational schools and private higher education
28 institutions are encouraged to provide waivers consistent with the
29 terms in subsections (2) through (5) of this section.

30 (8) The definitions in this subsection apply throughout this
31 section.

32 (a) "Child" means a biological child, adopted child, or
33 stepchild.

34 (b) "Eligible veteran or national guard member" means a
35 Washington domiciliary who was an active or reserve member of the
36 United States military or naval forces, or a national guard member
37 called to active duty, who served in active federal service, under
38 either Title 10 or Title 32 of the United States Code, in a war or
39 conflict fought on foreign soil or in international waters or in
40 support of those serving on foreign soil or in international waters,

1 and if discharged from service, has received an honorable discharge
2 or any other discharge if the sole reason for discharge is due to
3 gender or sexuality.

4 (c) "Totally disabled" means a person who has been determined to
5 be one hundred percent disabled by the federal department of veterans
6 affairs.

7 (d) "Washington domiciliary" means a person whose true, fixed,
8 and permanent house and place of habitation is the state of
9 Washington. "Washington domiciliary" includes a person who is
10 residing in rental housing or residing in base housing. In
11 ascertaining whether a child or surviving spouse or surviving
12 domestic partner is domiciled in the state of Washington, public
13 institutions of higher education shall, to the fullest extent
14 possible, rely upon the standards provided in RCW 28B.15.013.

15 (9) As used in subsection (4) of this section, "fees" includes
16 all assessments for costs incurred as a condition to a student's full
17 participation in coursework and related activities at an institution
18 of higher education.

19 (10) The governing boards of the state universities, the regional
20 universities, The Evergreen State College, and the community and
21 technical colleges shall report to the higher education committees of
22 the legislature by November 15, 2010, and every two years thereafter,
23 regarding the status of implementation of the waivers under
24 subsection (4) of this section. The reports shall include the
25 following data and information:

- 26 (a) Total number of waivers;
- 27 (b) Total amount of tuition waived;
- 28 (c) Total amount of fees waived;
- 29 (d) Average amount of tuition and fees waived per recipient;
- 30 (e) Recipient demographic data that is disaggregated by distinct
31 ethnic categories within racial subgroups; and
- 32 (f) Recipient income level, to the extent possible.

Passed by the Senate February 15, 2022.
Passed by the House March 2, 2022.
Approved by the Governor March 11, 2022.
Filed in Office of Secretary of State March 11, 2022.

--- END ---