



Senate

General Assembly

File No. 80

January Session, 2007

Senate Bill No. 301

Senate, March 20, 2007

The Committee on Public Safety and Security reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING FREE TUITION FOR DEPENDENT CHILDREN OR SPOUSES OF PERSONS WHO HAVE BEEN KILLED IN ACTION WHILE PERFORMING ACTIVE MILITARY DUTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 10a-77 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (d) Said board of trustees shall waive the payment of tuition at any
5 of the regional community-technical colleges (1) for any dependent
6 child of a person whom the armed forces of the United States has
7 declared to be missing in action or to have been a prisoner of war
8 while serving in such armed forces after January 1, 1960, which child
9 has been accepted for admission to such institution and is a resident of
10 Connecticut at the time such child is accepted for admission to such
11 institution, (2) for any dependent child or spouse of any person who
12 served in the armed forces in time of war, as defined by subsection (a)
13 of section 27-103, as amended by this act, and who was killed in action

14 or who died as a result of accident or illness sustained while
15 performing active military duty with the armed forces of the United
16 States, which child or spouse has been accepted for admission to such
17 institution and is a resident of Connecticut at the time such child or
18 spouse is accepted for admission to such institution, (3) for any veteran
19 having served in time of war, as defined in subsection (a) of section 27-
20 103, as amended by this act, or who served in either a combat or
21 combat support role in the invasion of Grenada, October 25, 1983, to
22 December 15, 1983, the invasion of Panama, December 20, 1989, to
23 January 31, 1990, or the peace-keeping mission in Lebanon, September
24 29, 1982, to March 30, 1984, who has been accepted for admission to
25 such institution and is domiciled in this state at the time such veteran
26 is accepted for admission to such institution, [(3)] (4) for any resident
27 of Connecticut sixty-two years of age or older, provided, at the end of
28 the regular registration period, there are enrolled in the course a
29 sufficient number of students other than those persons eligible for
30 waivers pursuant to this subdivision to offer the course in which such
31 person intends to enroll and there is space available in such course
32 after accommodating all such students, [(4)] (5) for any student
33 attending the Connecticut State Police Academy who is enrolled in a
34 law enforcement program at said academy offered in coordination
35 with a regional community-technical college which accredits courses
36 taken in such program, [(5)] (6) for any active member of the
37 Connecticut Army or Air National Guard who (A) has been certified
38 by the Adjutant General or such Adjutant General's designee as a
39 member in good standing of the guard, and (B) is enrolled or accepted
40 for admission to such institution on a full-time or part-time basis in an
41 undergraduate degree-granting program, [(6)] (7) for any dependent
42 child of a (A) police officer, as defined in section 7-294a, or
43 supernumerary or auxiliary police officer, (B) firefighter, as defined in
44 section 7-323j, or member of a volunteer fire company, (C) municipal
45 employee, or (D) state employee, as defined in section 5-154, killed in
46 the line of duty, [(7)] (8) for any resident of the state who is a
47 dependent child or surviving spouse of a specified terrorist victim who
48 was a resident of this state, and [(8)] (9) for any dependent child of a

49 resident of the state who was killed in a multivehicle crash at or near
50 the intersection of Routes 44 and 10 and Nod Road in Avon on July 29,
51 2005. If any person who receives a tuition waiver in accordance with
52 the provisions of this subsection also receives educational
53 reimbursement from an employer, such waiver shall be reduced by the
54 amount of such educational reimbursement. Veterans described in
55 subdivision [(2)] (3) of this subsection and members of the National
56 Guard described in subdivision [(5)] (6) of this subsection shall be
57 given the same status as students not receiving tuition waivers in
58 registering for courses at regional community-technical colleges.
59 Notwithstanding the provisions of section 10a-30, as used in this
60 subsection, "domiciled in this state" includes domicile for less than one
61 year.

62 Sec. 2. Subsection (d) of section 10a-99 of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective July*
64 *1, 2007*):

65 (d) Said board shall waive the payment of tuition fees at the
66 Connecticut State University system (1) for any dependent child of a
67 person whom the armed forces of the United States has declared to be
68 missing in action or to have been a prisoner of war while serving in
69 such armed forces after January 1, 1960, which child has been accepted
70 for admission to such institution and is a resident of Connecticut at the
71 time such child is accepted for admission to such institution, (2) for
72 any dependent child or spouse of any person who served in the armed
73 forces in time of war, as defined by subsection (a) of section 27-103, as
74 amended by this act, and who was killed in action or who died as a
75 result of accident or illness sustained while performing active military
76 duty with the armed forces of the United States, which child or spouse
77 has been accepted for admission to such institution and is a resident of
78 Connecticut at the time such child or spouse is accepted for admission
79 to such institution, (3) for any veteran having served in time of war, as
80 defined in subsection (a) of section 27-103, as amended by this act, or
81 who served in either a combat or combat support role in the invasion
82 of Grenada, October 25, 1983, to December 15, 1983, the invasion of

83 Panama, December 20, 1989, to January 31, 1990, or the peace-keeping
84 mission in Lebanon, September 29, 1982, to March 30, 1984, who has
85 been accepted for admission to such institution and is domiciled in this
86 state at the time such veteran is accepted for admission to such
87 institution, [(3)] (4) for any resident of Connecticut sixty-two years of
88 age or older who has been accepted for admission to such institution,
89 provided (A) such person is enrolled in a degree-granting program, or
90 (B) at the end of the regular registration period, there are enrolled in
91 the course a sufficient number of students other than those persons
92 eligible for waivers pursuant to this subdivision to offer the course in
93 which such person intends to enroll and there is space available in
94 such course after accommodating all such students, [(4)] (5) for any
95 student attending the Connecticut Police Academy who is enrolled in a
96 law enforcement program at said academy offered in coordination
97 with the university which accredits courses taken in such program,
98 [(5)] (6) for any active member of the Connecticut Army or Air
99 National Guard who (A) has been certified by the Adjutant General or
100 such Adjutant General's designee as a member in good standing of the
101 guard, and (B) is enrolled or accepted for admission to such institution
102 on a full-time or part-time basis in an undergraduate degree-granting
103 program, [(6)] (7) for any dependent child of a (A) police officer, as
104 defined in section 7-294a, or supernumerary or auxiliary police officer,
105 (B) firefighter, as defined in section 7-323j, or member of a volunteer
106 fire company, (C) municipal employee, or (D) state employee, as
107 defined in section 5-154, killed in the line of duty, [(7)] (8) for any
108 resident of this state who is a dependent child or surviving spouse of a
109 specified terrorist victim who was a resident of the state, and [(8)] (9)
110 for any dependent child of a resident of the state who was killed in a
111 multivehicle crash at or near the intersection of Routes 44 and 10 and
112 Nod Road in Avon on July 29, 2005. If any person who receives a
113 tuition waiver in accordance with the provisions of this subsection also
114 receives educational reimbursement from an employer, such waiver
115 shall be reduced by the amount of such educational reimbursement.
116 Veterans described in subdivision [(2)] (3) of this subsection and
117 members of the National Guard described in subdivision [(5)] (6) of

118 this subsection shall be given the same status as students not receiving
119 tuition waivers in registering for courses at Connecticut state
120 universities. Notwithstanding the provisions of section 10a-30, as used
121 in this subsection, "domiciled in this state" includes domicile for less
122 than one year.

123 Sec. 3. Subsection (e) of section 10a-105 of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective July*
125 *1, 2007*):

126 (e) Said board of trustees shall waive the payment of tuition fees at
127 The University of Connecticut (1) for any dependent child of a person
128 whom the armed forces of the United States has declared to be missing
129 in action or to have been a prisoner of war while serving in such armed
130 forces after January 1, 1960, which child has been accepted for
131 admission to The University of Connecticut and is a resident of
132 Connecticut at the time such child is accepted for admission to said
133 institution, (2) for any dependent child or spouse of any person who
134 served in the armed forces in time of war, as defined by subsection (a)
135 of section 27-103, as amended by this act, and who was killed in action
136 or who died as a result of accident or illness sustained while
137 performing active military duty with the armed forces of the United
138 States, which child or spouse has been accepted for admission to such
139 institution and is a resident of Connecticut at the time such child or
140 spouse is accepted for admission to such institution, (3) for any veteran
141 having served in time of war, as defined in subsection (a) of section 27-
142 103, as amended by this act, or who served in either a combat or
143 combat support role in the invasion of Grenada, October 25, 1983, to
144 December 15, 1983, the invasion of Panama, December 20, 1989, to
145 January 31, 1990, or the peace-keeping mission in Lebanon, September
146 29, 1982, to March 30, 1984, who has been accepted for admission to
147 said institution and is domiciled in this state at the time such veteran is
148 accepted for admission to said institution, [(3)] (4) for any resident of
149 Connecticut sixty-two years of age or older who has been accepted for
150 admission to said institution, provided (A) such person is enrolled in a
151 degree-granting program, or (B) at the end of the regular registration

152 period, there are enrolled in the course a sufficient number of students
153 other than those persons eligible for waivers pursuant to this
154 subdivision to offer the course in which such person intends to enroll
155 and there is space available in such course after accommodating all
156 such students, [(4)] (5) for any active member of the Connecticut Army
157 or Air National Guard who (A) has been certified by the Adjutant
158 General or such Adjutant General's designee as a member in good
159 standing of the guard, and (B) is enrolled or accepted for admission to
160 said institution on a full-time or part-time basis in an undergraduate
161 degree-granting program, [(5)] (6) for any dependent child of a (A)
162 police officer, as defined in section 7-294a, or supernumerary or
163 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or
164 member of a volunteer fire company, (C) municipal employee, or (D)
165 state employee, as defined in section 5-154, killed in the line of duty,
166 [(6)] (7) for any resident of the state who is the dependent child or
167 surviving spouse of a specified terrorist victim who was a resident of
168 the state, and [(7)] (8) for any dependent child of a resident of the state
169 who was killed in a multivehicle crash at or near the intersection of
170 Routes 44 and 10 and Nod Road in Avon on July 29, 2005. If any
171 person who receives a tuition waiver in accordance with the provisions
172 of this subsection also receives educational reimbursement from an
173 employer, such waiver shall be reduced by the amount of such
174 educational reimbursement. Veterans described in subdivision [(2)] (3)
175 of this subsection and members of the National Guard described in
176 subdivision [(4)] (5) of this subsection shall be given the same status as
177 students not receiving tuition waivers in registering for courses at The
178 University of Connecticut. Notwithstanding the provisions of section
179 10a-30, as used in this subsection, "domiciled in this state" includes
180 domicile for less than one year.

181 Sec. 4. Subsection (a) of section 27-103 of the general statutes is
182 repealed and the following is substituted in lieu thereof (*Effective July*
183 *1, 2007*):

184 (a) As used in the general statutes, except chapter 504, and except as
185 otherwise provided: (1) "Armed forces" means the United States Army,

186 Navy, Marine Corps, Coast Guard and Air Force and any reserve
 187 component thereof, including the Connecticut National Guard
 188 performing duty as provided in Title 32 of the United States Code; (2)
 189 "veteran" means any person honorably discharged from, or released
 190 under honorable conditions from active service in, the armed forces;
 191 (3) "service in time of war" means service of ninety or more days
 192 except, if the period of war lasted less than ninety days, "service in
 193 time of war" means service for the entire period of war, unless
 194 separated from service earlier because of a service-connected death or
 195 a service-connected disability rated by the Veterans' Administration,
 196 during a period of war; and (4) "period of war" has the same meaning
 197 as provided in 38 USC 101, as amended, except that the "Vietnam Era"
 198 means the period beginning on February 28, 1961, and ending on July
 199 1, 1975, in all cases; and "period of war" shall include service while
 200 engaged in combat or a combat support role in Lebanon, July 1, 1958,
 201 to November 1, 1958, or September 29, 1982, to March 30, 1984;
 202 Grenada, October 25, 1983, to December 15, 1983; Operation Earnest
 203 Will, involving the escort of Kuwaiti oil tankers flying the United
 204 States flag in the Persian Gulf, February 1, 1987, to July 23, 1987; and
 205 Panama, December 20, 1989, to January 31, 1990, and shall include
 206 service during such periods with the armed forces of any government
 207 associated with the United States.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	10a-77(d)
Sec. 2	<i>July 1, 2007</i>	10a-99(d)
Sec. 3	<i>July 1, 2007</i>	10a-105(e)
Sec. 4	<i>July 1, 2007</i>	27-103(a)

HED *Joint Favorable C/R* PS

PS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Constituent Units of Higher Education	GF - Revenue Loss	See Below	See Below
Various State Agencies	GF - None	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
Various Municipalities	See Below	See Below	See Below

Explanation

Higher Education Tuition Waiver - The bill may result in a revenue loss to the state's public colleges and universities, as it extends tuition waiver rights. State statutes currently provide tuition benefits to certain veterans, national guardsmen and senior citizens at the state's constituent units of public higher education. In FY 07, an estimated 7,570 individuals received tuition waivers across all state higher education units. The estimated dollar value of these waivers is \$6.7 million. In addition, the statutes provide for reimbursement of the cost of waivers that exceed tuition revenue - 2.5% for UConn and CSU and 5% for the community colleges. Funds have never been appropriated for this purpose and as such the constituent units absorb these costs within their respective budgets.

Since the number of individuals who may take advantage of these waivers is unknown, the amount that the units would have to absorb is indeterminate.

Various state agencies and municipalities - The bill expands the definition of "service in time of war" to include early separation from

service due to a service-connected death. This provision conforms to current practice for most of the state veterans' programs that have war-time service requirements.

Although there is no anticipated impact to the Office of Policy and Management's Property Tax Relief for Veterans grant program (distributed on a pro rata basis to the amount of available funds), the municipalities may experience a minimal impact. It is uncertain how many individuals and their surviving spouses would now be eligible for a property tax exemption by expanding the definition of "service in time of war", nor is it certain how many municipalities may already be providing benefits under such a definition, thus these costs are expected to be minimal.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 301*****AN ACT CONCERNING FREE TUITION FOR DEPENDENT CHILDREN OR SPOUSES OF PERSONS WHO HAVE BEEN KILLED IN ACTION WHILE PERFORMING ACTIVE MILITARY DUTY.*****SUMMARY:**

This bill waives tuition at state higher education institutions for the surviving dependent children or spouse of anyone who served in the armed forces during time of war and (1) was killed in action or (2) died as a result of an accident or illness sustained while performing active military duty with the U.S. Armed Forces. To receive the waiver, the child or spouse must be accepted for admission to the institution and be a state resident at the time of acceptance. The bill applies to UConn, the Connecticut State University System, and community-technical colleges. Time of war includes various conflicts and the period since August 2, 1990 until a date prescribed by the President or federal law.

The bill also expands the definition of "service in time of war" to include early separation from service due to a service-connected death. The phrase already includes early preparation due to Veterans' Administration-rated service-connected disabilities. This change, which conforms the law to existing practice, extends war service benefits to such veterans, and in some cases their surviving spouse and dependent children.

EFFECTIVE DATE: July 1, 2007

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Change of Reference

Yea 18 Nay 0 (03/01/2007)

Public Safety and Security Committee

Joint Favorable

Yea 16 Nay 0 (03/08/2007)