



# Senate

General Assembly

February Session, 2008

**File No. 586**

Senate Bill No. 48

*Senate, April 14, 2008*

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING TUITION WAIVER BENEFIT FOR CHILDREN AND SURVIVING SPOUSES OF ARMED FORCES MEMBERS KILLED IN ACTION.***

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2 repealed and the following is substituted in lieu thereof (Effective July  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, 2008):

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 veteran having served in time of war, as defined  
12 in subsection (a) of section 27-103, or who served in either a combat or  
13 combat support role in the invasion of Grenada, October 25, 1983, to

14 December 15, 1983, the invasion of Panama, December 20, 1989, to  
15 January 31, 1990, or the peace-keeping mission in Lebanon, September  
16 29, 1982, to March 30, 1984, who has been accepted for admission to  
17 such institution and is domiciled in this state at the time such veteran  
18 is accepted for admission to such institution, (3) for any resident of  
19 Connecticut sixty-two years of age or older, provided, at the end of the  
20 regular registration period, there are enrolled in the course a sufficient  
21 number of students other than those persons eligible for waivers  
22 pursuant to this subdivision to offer the course in which such person  
23 intends to enroll and there is space available in such course after  
24 accommodating all such students, (4) for any student attending the  
25 Connecticut State Police Academy who is enrolled in a law  
26 enforcement program at said academy offered in coordination with a  
27 regional community-technical college which accredits courses taken in  
28 such program, (5) for any active member of the Connecticut Army or  
29 Air National Guard who (A) has been certified by the Adjutant  
30 General or such Adjutant General's designee as a member in good  
31 standing of the guard, and (B) is enrolled or accepted for admission to  
32 such institution on a full-time or part-time basis in an undergraduate  
33 degree-granting program, (6) for any dependent child of a (A) police  
34 officer, as defined in section 7-294a, or supernumerary or auxiliary  
35 police officer, (B) firefighter, as defined in section 7-323j, or member of  
36 a volunteer fire company, (C) municipal employee, or (D) state  
37 employee, as defined in section 5-154, killed in the line of duty, (7) for  
38 any resident of the state who is a dependent child or surviving spouse  
39 of a specified terrorist victim who was a resident of this state, [and] (8)  
40 for any dependent child of a resident of the state who was killed in a  
41 multivehicle crash at or near the intersection of Routes 44 and 10 and  
42 Nod Road in Avon on July 29, 2005, and (9) for any resident of the state  
43 who is a dependent child or surviving spouse of a person who was  
44 killed in action while performing active military duty with the armed  
45 forces of the United States on or after September 11, 2001, and who  
46 was a resident of this state. If any person who receives a tuition waiver  
47 in accordance with the provisions of this subsection also receives  
48 educational reimbursement from an employer, such waiver shall be

49 reduced by the amount of such educational reimbursement. Veterans  
50 described in subdivision (2) of this subsection and members of the  
51 National Guard described in subdivision (5) of this subsection shall be  
52 given the same status as students not receiving tuition waivers in  
53 registering for courses at regional community-technical colleges.  
54 Notwithstanding the provisions of section 10a-30, as used in this  
55 subsection, "domiciled in this state" includes domicile for less than one  
56 year.

57 Sec. 2. Subsection (d) of section 10a-99 of the general statutes is  
58 repealed and the following is substituted in lieu thereof (*Effective July*  
59 *1, 2008*):

60 (d) Said board shall waive the payment of tuition fees at the  
61 Connecticut State University system (1) for any dependent child of a  
62 person whom the armed forces of the United States has declared to be  
63 missing in action or to have been a prisoner of war while serving in  
64 such armed forces after January 1, 1960, which child has been accepted  
65 for admission to such institution and is a resident of Connecticut at the  
66 time such child is accepted for admission to such institution, (2) for  
67 any veteran having served in time of war, as defined in subsection (a)  
68 of section 27-103, or who served in either a combat or combat support  
69 role in the invasion of Grenada, October 25, 1983, to December 15,  
70 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,  
71 or the peace-keeping mission in Lebanon, September 29, 1982, to  
72 March 30, 1984, who has been accepted for admission to such  
73 institution and is domiciled in this state at the time such veteran is  
74 accepted for admission to such institution, (3) for any resident of  
75 Connecticut sixty-two years of age or older who has been accepted for  
76 admission to such institution, provided (A) such person is enrolled in a  
77 degree-granting program, or (B) at the end of the regular registration  
78 period, there are enrolled in the course a sufficient number of students  
79 other than those persons eligible for waivers pursuant to this  
80 subdivision to offer the course in which such person intends to enroll  
81 and there is space available in such course after accommodating all  
82 such students, (4) for any student attending the Connecticut Police

83 Academy who is enrolled in a law enforcement program at said  
84 academy offered in coordination with the university which accredits  
85 courses taken in such program, (5) for any active member of the  
86 Connecticut Army or Air National Guard who (A) has been certified  
87 by the Adjutant General or such Adjutant General's designee as a  
88 member in good standing of the guard, and (B) is enrolled or accepted  
89 for admission to such institution on a full-time or part-time basis in an  
90 undergraduate degree-granting program, (6) for any dependent child  
91 of a (A) police officer, as defined in section 7-294a, or supernumerary  
92 or auxiliary police officer, (B) firefighter, as defined in section 7-323j, or  
93 member of a volunteer fire company, (C) municipal employee, or (D)  
94 state employee, as defined in section 5-154, killed in the line of duty,  
95 (7) for any resident of this state who is a dependent child or surviving  
96 spouse of a specified terrorist victim who was a resident of the state,  
97 [and] (8) for any dependent child of a resident of the state who was  
98 killed in a multivehicle crash at or near the intersection of Routes 44  
99 and 10 and Nod Road in Avon on July 29, 2005, and (9) for any  
100 resident of the state who is a dependent child or surviving spouse of a  
101 person who was killed in action while performing active military duty  
102 with the armed forces of the United States on or after September 11,  
103 2001, and who was a resident of this state. If any person who receives a  
104 tuition waiver in accordance with the provisions of this subsection also  
105 receives educational reimbursement from an employer, such waiver  
106 shall be reduced by the amount of such educational reimbursement.  
107 Veterans described in subdivision (2) of this subsection and members  
108 of the National Guard described in subdivision (5) of this subsection  
109 shall be given the same status as students not receiving tuition waivers  
110 in registering for courses at Connecticut state universities.  
111 Notwithstanding the provisions of section 10a-30, as used in this  
112 subsection, "domiciled in this state" includes domicile for less than one  
113 year.

114 Sec. 3. Subsection (e) of section 10a-105 of the general statutes is  
115 repealed and the following is substituted in lieu thereof (*Effective July*  
116 *1, 2008*):

117 (e) Said board of trustees shall waive the payment of tuition fees at  
118 The University of Connecticut (1) for any dependent child of a person  
119 whom the armed forces of the United States has declared to be missing  
120 in action or to have been a prisoner of war while serving in such armed  
121 forces after January 1, 1960, which child has been accepted for  
122 admission to The University of Connecticut and is a resident of  
123 Connecticut at the time such child is accepted for admission to said  
124 institution, (2) for any veteran having served in time of war, as defined  
125 in subsection (a) of section 27-103, or who served in either a combat or  
126 combat support role in the invasion of Grenada, October 25, 1983, to  
127 December 15, 1983, the invasion of Panama, December 20, 1989, to  
128 January 31, 1990, or the peace-keeping mission in Lebanon, September  
129 29, 1982, to March 30, 1984, who has been accepted for admission to  
130 said institution and is domiciled in this state at the time such veteran is  
131 accepted for admission to said institution, (3) for any resident of  
132 Connecticut sixty-two years of age or older who has been accepted for  
133 admission to said institution, provided (A) such person is enrolled in a  
134 degree-granting program, or (B) at the end of the regular registration  
135 period, there are enrolled in the course a sufficient number of students  
136 other than those persons eligible for waivers pursuant to this  
137 subdivision to offer the course in which such person intends to enroll  
138 and there is space available in such course after accommodating all  
139 such students, (4) for any active member of the Connecticut Army or  
140 Air National Guard who (A) has been certified by the Adjutant  
141 General or such Adjutant General's designee as a member in good  
142 standing of the guard, and (B) is enrolled or accepted for admission to  
143 said institution on a full-time or part-time basis in an undergraduate  
144 degree-granting program, (5) for any dependent child of a (A) police  
145 officer, as defined in section 7-294a, or supernumerary or auxiliary  
146 police officer, (B) firefighter, as defined in section 7-323j, or member of  
147 a volunteer fire company, (C) municipal employee, or (D) state  
148 employee, as defined in section 5-154, killed in the line of duty, (6) for  
149 any resident of the state who is the dependent child or surviving  
150 spouse of a specified terrorist victim who was a resident of the state,  
151 [and] (7) for any dependent child of a resident of the state who was



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:

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**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Colleges, Regional Comm.-Tech.; CT State Univ System.; UConn	GF - Cost	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill provides tuition waivers at the Community-Technical Colleges (CTC), the Connecticut State University System (CSUS), and the University of Connecticut (UConn) for dependent children or surviving spouses of individuals (who were Connecticut residents) killed in action while performing active military duty on or after September 11, 2001.

Since September 11, 2001 there have been 22 Connecticut residents who have been killed while performing active military duty. Assuming an average full-time equivalency tuition waiver of \$4,212<sup>1</sup> and an average of three dependents (two children and one surviving spouse) the maximum cost of the reimbursement (in any given year) could be up to \$277,992. However, based on similar reimbursement programs offered by the constituent units of higher education few eligible participants actually take advantage of the waiver in any given year. Therefore, it is assumed that the FY 09 and FY 10 costs of extending the waivers would be minimal.

**The Out Years**

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<sup>1</sup> This average is based on the current reimbursement levels for dependents of September 11, 2001 victims.

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

**OLR Bill Analysis****SB 48*****AN ACT CONCERNING TUITION WAIVER BENEFIT FOR CHILDREN AND SURVIVING SPOUSES OF ARMED FORCES MEMBERS KILLED IN ACTION.*****SUMMARY:**

This bill requires UConn, the Connecticut State University (CSU) system, and the regional community-technical colleges (CTC) to waive tuition for any state resident who is a dependent child or surviving spouse of a state resident killed in action while performing active military duty in the U.S. Armed Forces on or after September 11, 2001 (see BACKGROUND). Currently, the schools must waive tuition for eight other classes of students.

EFFECTIVE DATE: July 1, 2008

**BACKGROUND*****Tuition Waivers at UCONN, CSU, and CTC***

Currently, these schools must waive tuition for the following:

1. dependent child of post 1959 missing-in-action or prisoner-of-war veterans;
2. wartime and certain combat or combat-support role veterans;
3. resident age 62 or older, under prescribed circumstances;
4. Connecticut State Police Academy student enrolled in an academy law enforcement program offered in coordination with the school;
5. active Connecticut National Guard member certified by the adjutant general to be in good standing (undergraduate

program only);

6. dependent child of a police officer, supernumerary, auxiliary police officer, paid or volunteer firefighter; or municipal or state employee killed in the line of duty;
7. state resident who is a dependent child or surviving spouse of a specified terrorist victim who was a state resident; and
8. dependent child of a state resident killed in the July 29, 2005 Avon road multivehicle crash.

***Attorney General's Opinion on Residency and Veterans' Benefits***

In a 1991 opinion, the attorney general said that a residency requirement for veterans tuition waiver was unconstitutional. The statute at the time required the college boards to waive tuition for wartime veterans provided they were state residents when they entered the service, while serving, and when accepted for admission to the school.

**COMMITTEE ACTION**

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference  
 Yea 10 Nay 0 (02/28/2008)

Higher Education and Employment Advancement Committee

Joint Favorable Change of Reference  
 Yea 18 Nay 0 (03/06/2008)

Appropriations Committee

Joint Favorable  
 Yea 54 Nay 0 (03/28/2008)