



# House of Representatives

General Assembly

**File No. 195**

February Session, 2016

Substitute House Bill No. 5471

*House of Representatives, March 24, 2016*

The Committee on Veterans' Affairs reported through REP. HENNESSY of the 127th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING UNUSED TUITION AND FEE WAIVERS AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FAMILY OF VETERANS AND MEMBERS OF THE CONNECTICUT NATIONAL GUARD.***

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2 repealed and the following is substituted in lieu thereof (*Effective July*  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, 2016*):

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) subject to the provisions of subsection (e) of this section,  
12 for any veteran who performed service in time of war, as defined in

13 subsection (a) of section 27-103, except that for purposes of this  
14 subsection, "service in time of war" shall not include time spent in  
15 attendance at a military service academy, who has been accepted for  
16 admission to such institution and is domiciled in this state at the time  
17 such veteran is accepted for admission to such institution, (3) for any  
18 resident of Connecticut sixty-two years of age or older, provided, at  
19 the end of the regular registration period, there are enrolled in the  
20 course a sufficient number of students other than those persons  
21 eligible for waivers pursuant to this subdivision to offer the course in  
22 which such person intends to enroll and there is space available in  
23 such course after accommodating all such students, (4) for any student  
24 attending the Connecticut State Police Academy who is enrolled in a  
25 law enforcement program at said academy offered in coordination  
26 with a regional community-technical college which accredits courses  
27 taken in such program, (5) for any active member of the Connecticut  
28 Army or Air National Guard who (A) has been certified by the  
29 Adjutant General or such Adjutant General's designee as a member in  
30 good standing of the guard, and (B) is enrolled or accepted for  
31 admission to such institution on a full-time or part-time basis in an  
32 undergraduate degree-granting program, (6) for any dependent child  
33 of a (A) police officer, as defined in section 7-294a, or supernumerary  
34 or auxiliary police officer, (B) firefighter, as defined in section 7-323j, or  
35 member of a volunteer fire company, (C) municipal employee, or (D)  
36 state employee, as defined in section 5-154, killed in the line of duty,  
37 (7) for any resident of the state who is a dependent child or surviving  
38 spouse of a specified terrorist victim who was a resident of this state,  
39 (8) for any dependent child of a resident of the state who was killed in  
40 a multivehicle crash at or near the intersection of Routes 44 and 10 and  
41 Nod Road in Avon on July 29, 2005, [and] (9) for any resident of the  
42 state who is a dependent child or surviving spouse of a person who  
43 was killed in action while performing active military duty with the  
44 armed forces of the United States on or after September 11, 2001, and  
45 who was a resident of this state, and (10) for any spouse, son or  
46 daughter of a veteran or member of the National Guard entitled to a  
47 tuition waiver under subdivision (2) or (5) of this subsection, as the

48 case may be, provided the number of semesters for which such spouse,  
49 son or daughter may receive any such tuition waiver shall be  
50 calculated by subtracting the number of semesters such veteran or  
51 member received any such tuition waiver from eight, except that no  
52 such spouse, son or daughter may receive any such tuition waiver for  
53 more than four semesters. If any person who receives a tuition waiver  
54 in accordance with the provisions of this subsection also receives  
55 educational reimbursement from an employer, such waiver shall be  
56 reduced by the amount of such educational reimbursement. Veterans  
57 described in subdivision (2) of this subsection and members of the  
58 National Guard described in subdivision (5) of this subsection shall be  
59 given the same status as students not receiving tuition waivers in  
60 registering for courses at regional community-technical colleges.  
61 Notwithstanding the provisions of section 10a-30, as used in this  
62 subsection, "domiciled in this state" includes domicile for less than one  
63 year.

64 Sec. 2. Subsection (d) of section 10a-99 of the general statutes is  
65 repealed and the following is substituted in lieu thereof (*Effective July*  
66 *1, 2016*):

67 (d) Said board shall waive the payment of tuition fees at the  
68 Connecticut State University System (1) for any dependent child of a  
69 person whom the armed forces of the United States has declared to be  
70 missing in action or to have been a prisoner of war while serving in  
71 such armed forces after January 1, 1960, which child has been accepted  
72 for admission to such institution and is a resident of Connecticut at the  
73 time such child is accepted for admission to such institution, (2) subject  
74 to the provisions of subsection (e) of this section, for any veteran who  
75 performed service in time of war, as defined in subsection (a) of section  
76 27-103, except that for purposes of this subsection, "service in time of  
77 war" shall not include time spent in attendance at a military service  
78 academy, who has been accepted for admission to such institution and  
79 is domiciled in this state at the time such veteran is accepted for  
80 admission to such institution, (3) for any resident of Connecticut sixty-  
81 two years of age or older who has been accepted for admission to such

82 institution, provided (A) such person is enrolled in a degree-granting  
83 program, or (B) at the end of the regular registration period, there are  
84 enrolled in the course a sufficient number of students other than those  
85 persons eligible for waivers pursuant to this subdivision to offer the  
86 course in which such person intends to enroll and there is space  
87 available in such course after accommodating all such students, (4) for  
88 any student attending the Connecticut Police Academy who is enrolled  
89 in a law enforcement program at said academy offered in coordination  
90 with the university which accredits courses taken in such program, (5)  
91 for any active member of the Connecticut Army or Air National Guard  
92 who (A) has been certified by the Adjutant General or such Adjutant  
93 General's designee as a member in good standing of the guard, and (B)  
94 is enrolled or accepted for admission to such institution on a full-time  
95 or part-time basis in an undergraduate or graduate degree-granting  
96 program, (6) for any dependent child of a (A) police officer, as defined  
97 in section 7-294a, or supernumerary or auxiliary police officer, (B)  
98 firefighter, as defined in section 7-323j, or member of a volunteer fire  
99 company, (C) municipal employee, or (D) state employee, as defined in  
100 section 5-154, killed in the line of duty, (7) for any resident of this state  
101 who is a dependent child or surviving spouse of a specified terrorist  
102 victim who was a resident of the state, (8) for any dependent child of a  
103 resident of the state who was killed in a multivehicle crash at or near  
104 the intersection of Routes 44 and 10 and Nod Road in Avon on July 29,  
105 2005, [and] (9) for any resident of the state who is a dependent child or  
106 surviving spouse of a person who was killed in action while  
107 performing active military duty with the armed forces of the United  
108 States on or after September 11, 2001, and who was a resident of this  
109 state, and (10) for any spouse, son or daughter of a veteran or member  
110 of the National Guard entitled to a tuition waiver under subdivision  
111 (2) or (5) of this subsection, as the case may be, provided the number of  
112 semesters for which such spouse, son or daughter may receive any  
113 such tuition waiver shall be calculated by subtracting the number of  
114 semesters such veteran or member received any such tuition waiver  
115 from eight, except that no such spouse, son or daughter may receive  
116 any such tuition waiver for more than four semesters. If any person

117 who receives a tuition waiver in accordance with the provisions of this  
118 subsection also receives educational reimbursement from an employer,  
119 such waiver shall be reduced by the amount of such educational  
120 reimbursement. Veterans described in subdivision (2) of this  
121 subsection and members of the National Guard described in  
122 subdivision (5) of this subsection shall be given the same status as  
123 students not receiving tuition waivers in registering for courses at  
124 Connecticut state universities. Notwithstanding the provisions of  
125 section 10a-30, as used in this subsection, "domiciled in this state"  
126 includes domicile for less than one year.

127       Sec. 3. Subsection (e) of section 10a-105 of the 2016 supplement to  
128 the general statutes is repealed and the following is substituted in lieu  
129 thereof (*Effective July 1, 2016*):

130       (e) Said board of trustees shall waive the payment of tuition fees at  
131 The University of Connecticut (1) for any dependent child of a person  
132 whom the armed forces of the United States has declared to be missing  
133 in action or to have been a prisoner of war while serving in such armed  
134 forces after January 1, 1960, which child has been accepted for  
135 admission to The University of Connecticut and is a resident of  
136 Connecticut at the time such child is accepted for admission to said  
137 institution, (2) subject to the provisions of subsection (f) of this section,  
138 for any veteran who performed service in time of war, as defined in  
139 subsection (a) of section 27-103, except that for purposes of this  
140 subsection, "service in time of war" shall not include time spent in  
141 attendance at a military service academy, who has been accepted for  
142 admission to said institution and is domiciled in this state at the time  
143 such veteran is accepted for admission to said institution, (3) for any  
144 resident of Connecticut sixty-two years of age or older who has been  
145 accepted for admission to said institution, provided (A) such person is  
146 enrolled in a degree-granting program, or (B) at the end of the regular  
147 registration period, there are enrolled in the course a sufficient number  
148 of students other than those persons eligible for waivers pursuant to  
149 this subdivision to offer the course in which such person intends to  
150 enroll and there is space available in such course after accommodating

151 all such students, (4) for any active member of the Connecticut Army  
152 or Air National Guard who (A) has been certified by the Adjutant  
153 General or such Adjutant General's designee as a member in good  
154 standing of the guard, and (B) is enrolled or accepted for admission to  
155 said institution on a full-time or part-time basis in an undergraduate or  
156 graduate degree-granting program, (5) for any dependent child of a  
157 (A) police officer, as defined in section 7-294a, or supernumerary or  
158 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or  
159 member of a volunteer fire company, (C) municipal employee, or (D)  
160 state employee, as defined in section 5-154, killed in the line of duty,  
161 (6) for any resident of the state who is the dependent child or surviving  
162 spouse of a specified terrorist victim who was a resident of the state,  
163 (7) for any dependent child of a resident of the state who was killed in  
164 a multivehicle crash at or near the intersection of Routes 44 and 10 and  
165 Nod Road in Avon on July 29, 2005, [and] (8) for any resident of the  
166 state who is a dependent child or surviving spouse of a person who  
167 was killed in action while performing active military duty with the  
168 armed forces of the United States on or after September 11, 2001, and  
169 who was a resident of this state, and (9) for any spouse, son or  
170 daughter of a veteran or member of the National Guard entitled to a  
171 tuition waiver under subdivision (2) or (4) of this subsection, as the  
172 case may be, provided the number of semesters for which such spouse,  
173 son or daughter may receive any such tuition waiver shall be  
174 calculated by subtracting the number of semesters such veteran or  
175 member received any such tuition waiver from eight, except that no  
176 such spouse, son or daughter may receive any such tuition waiver for  
177 more than four semesters. If any person who receives a tuition waiver  
178 in accordance with the provisions of this subsection also receives  
179 educational reimbursement from an employer, such waiver shall be  
180 reduced by the amount of such educational reimbursement. Veterans  
181 described in subdivision (2) of this subsection and members of the  
182 National Guard described in subdivision (4) of this subsection shall be  
183 given the same status as students not receiving tuition waivers in  
184 registering for courses at The University of Connecticut.  
185 Notwithstanding the provisions of section 10a-30, as used in this

186 subsection, "domiciled in this state" includes domicile for less than one  
187 year.

188 Sec. 4. Section 10a-143 of the general statutes is amended by adding  
189 subsection (h) as follows (*Effective July 1, 2016*):

190 (NEW) (h) The Board of Regents for Higher Education shall waive  
191 the payment of course enrollment fees at Charter Oak State College (1)  
192 for any veteran who performed service in time of war, as defined in  
193 subsection (a) of section 27-103, who has been accepted for admission  
194 to Charter Oak State College and is domiciled in this state at the time  
195 such veteran is accepted for admission to said institution, except that  
196 for purposes of this subsection, "service in time of war" shall not  
197 include time spent in attendance at a military service academy, (2) for  
198 any active member of the Connecticut Army or Air National Guard  
199 who (A) has been certified by the Adjutant General or the Adjutant  
200 General's designee as a member in good standing of the guard, and (B)  
201 is enrolled or accepted for admission to Charter Oak State College on a  
202 full-time or part-time basis in a degree-granting program, and (3) for  
203 any spouse, son or daughter of a veteran or member of the National  
204 Guard entitled to a course enrollment fee waiver under subdivision (1)  
205 or (2) of this subsection, as the case may be, provided the number of  
206 semesters for which such spouse, son or daughter may receive any  
207 such course enrollment fee waiver shall be calculated by subtracting  
208 the number of semesters such veteran or member received any such  
209 course enrollment fee waiver from eight, except that no such spouse,  
210 son or daughter may receive any such course enrollment fee waiver for  
211 more than four semesters. If any person who receives a course  
212 enrollment fee waiver in accordance with the provisions of this  
213 subsection also receives educational reimbursement from an employer,  
214 such waiver shall be reduced by the amount of such educational  
215 reimbursement. Veterans and members of the National Guard  
216 described in this subsection shall be given the same status as students  
217 not receiving course enrollment fee waivers in registering for courses  
218 at Charter Oak State College. Notwithstanding the provisions of  
219 section 10a-30, as used in this subsection, "domiciled in this state"

220 includes domiciled for less than one year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	10a-77(d)
Sec. 2	<i>July 1, 2016</i>	10a-99(d)
Sec. 3	<i>July 1, 2016</i>	10a-105(e)
Sec. 4	<i>July 1, 2016</i>	10a-143

**Statement of Legislative Commissioners:**

In Section 4(h)(1), "subject to the provisions of subsection (i) of this section," was removed for accuracy.

**VA**      *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 17 \$</b>	<b>FY 18 \$</b>
Higher Education Constituent Units	Tuition Fund - Revenue Forgone	12.2 million	12.2 million

**Municipal Impact:** None

**Explanation**

The bill results in forgone revenue to the constituent units of higher education of up to \$12.2 million in FY 17 and FY 18. The forgone revenue is due to providing tuition waivers for up to four semesters to the spouses and children of eligible veterans and National Guard members who have received fewer than eight semesters of waivers themselves and establishing a course enrollment fee waiver for eligible veterans, National Guard members, and their spouses or children who attend Charter Oak State College.

The foregone revenue by unit would be as follows: Connecticut State University System - \$5.3 million, Community-Technical College System - \$2.9 million, the University of Connecticut - \$3.9 million and Charter Oak State College - \$0.1 million.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of students and the future tuition rate.

**OLR Bill Analysis****sHB 5471*****AN ACT CONCERNING UNUSED TUITION AND FEE WAIVERS AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FAMILY OF VETERANS AND MEMBERS OF THE CONNECTICUT NATIONAL GUARD.*****SUMMARY:**

This bill expands the tuition waiver program at UConn, the Connecticut State University System (CSUS), and the community colleges by providing tuition waivers for up to four semesters to the spouses and children of eligible veterans and National Guard members who have received fewer than eight semesters of waivers themselves.

The bill also establishes a course enrollment fee waiver for eligible veterans, National Guard members, and their spouses or children who attend Charter Oak State College, with the same eligibility requirements as the tuition waiver program at the other public institutions of higher education. (Charter Oak State College charges class enrollment fees instead of tuition.)

EFFECTIVE DATE: July 1, 2016

**TUITION WAIVERS**

Under the bill, a veteran's or National Guard member's spouse or child may receive a tuition or enrollment fee waiver of up to four semesters. The number of semesters is calculated by subtracting the number of semesters the veteran or member has received from eight. For example, if a veteran has taken five semesters of classes, his or her spouse or child could receive only three semesters of tuition waivers.

**BOARD OF REGENTS COURSE ENROLLMENT FEE WAIVERS**

The bill requires the Board of Regents for Higher Education (BOR)

to waive course enrollment fees at Charter Oak State College for any veteran and active Connecticut National Guard member who (1) has been certified by the adjutant general, or his designee, to be in good standing and (2) is enrolled or accepted for admission to the college in a degree-granting program.

It also requires BOR to (1) reduce the waiver amount by the amount of any employer's educational reimbursement and (2) give the veteran or National Guard member the same status as students who do not receive the waiver when registering for courses.

## BACKGROUND

### *Tuition Waiver Eligibility*

**Veterans.** By law, UConn, CSUS, and the Community-Technical Colleges must waive tuition for veterans who (1) live in Connecticut when they are accepted for admission to the institution and (2) served at least 90 days during a statutorily defined period of war or for the duration of a war that lasted less than 90 days, unless they were separated earlier by a Veterans' Administration-rated service-connected disability and does not include any time spent attending a military service academy.

Table 1 shows post-1940 war periods for purposes of veterans' benefits, including tuition waivers. "Service in time of war" also includes service during the period beginning on the date of any future declaration of war by Congress and ending on the date prescribed by presidential proclamation or concurrent resolution by Congress.

**Table 1: Service in a Time of War**

<b>Operation</b>	<b>Date</b>	<b>Service Condition</b>
World War II	12/07/1941-12/31/1946	Active service during the war
Korean War	06/27/1950-01/31/1955	Active service during the war
Lebanon Conflict	07/01/1958-11/01/1958 or 09/29/1982-03/30/1984	Combat or combat-support role in Lebanon
Vietnam Era	02/28/1961-07/01/1975	Active service during the war

Grenada invasion	10/25/1983-12/15/1983	Combat or combat-support role in Grenada required
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in Persian Gulf)	07/24/1987-08/01/1990	Combat or combat-support role required in the operation
Panama invasion	12/20/1989-01/31/1990	Combat or combat-support role required in the invasion
Persian Gulf War	08/02/1990 until a date prescribed by the President or law	Active-service anywhere during the war (not necessarily in the Persian Gulf or a combat role)

Additionally, World War II veterans of certain allied armed forces are also eligible if they (1) were U.S. citizens at enlistment and received an honorable discharge or (2) have been U.S. citizens for at least 10 years and participated in armed conflict with an enemy of the United States.

**Active National Guard Members.** By law, these institutions must waive tuition for active National Guard members who (1) have been certified by the adjutant general, or his designee, as a member in good standing of the guard and (2) are enrolled or accepted for admission to such institution on a full- or part-time basis in a degree-granting program (including graduate programs in the case of UConn and CSUS).

### **Related Bill**

sHB 287, favorably reported by the Veterans' Affairs Committee, (1) expands the tuition waiver program for eligible veterans and active National Guard members to include fees for extension and summer school programs and (2) establishes a course enrollment fee waiver for eligible veterans and National Guard members who attend Charter Oak State College.

### **COMMITTEE ACTION**

Veterans' Affairs Committee

Joint Favorable

Yea 15 Nay 0 (03/08/2016)