

HOUSE BILL NO. HB0112

Tuition-survivors of specified deceased public servants.

Sponsored by: Representative(s) Walsh, Illoway, Lubnau, Warren and White and Senator(s) Aullman, Coe, Jennings, Peck, Scott and Vasey

A BILL

for

1 AN ACT relating to education; providing free tuition and
2 fees for survivors of peace officers, firefighters,
3 emergency medical technicians and combat veterans and
4 surviving spouses and orphans of combat veterans; providing
5 for consistent benefits and eligibility criteria for all
6 eligible persons; repealing duplicative provisions; and
7 providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 21-16-1501 is created to read:

12

13

ARTICLE 15

14

TUITION AND FEES FOR SURVIVORS OF EMERGENCY RESPONDERS

15

1 **21-16-1501. Free tuition and fees for education of**
2 **survivors of deceased peace officers, firefighters and**
3 **emergency medical technicians.**

4
5 (a) The University of Wyoming for up to ten (10)
6 semesters and each community college for up to a total of
7 six (6) semesters of study at the community college level
8 shall provide free tuition and fees for any person who is a
9 surviving dependent of any person described in subsection
10 (g) of this section. If the surviving dependent first
11 enrolls in a community college and then transfers to
12 another community college or the University of Wyoming, the
13 free tuition and fees shall continue until the dependent
14 has completed a cumulative total of ten (10) semesters at
15 the community college level and the university, not to
16 exceed six (6) semesters at the community college level.

17
18 (b) In order to qualify for the benefit under this
19 section, a person claiming eligibility for free tuition and
20 fees under this section shall be under twenty-two (22)
21 years of age at the time of the death of the parent or
22 legal guardian described in subsection (g) of this section
23 and at the time of first enrollment claiming eligibility
24 for benefits under this section. No person shall be

1 eligible for the benefits provided under this section for
2 any semester commencing more than eight (8) academic years
3 after the semester in which the person initially receives
4 benefits under this section. The institution in which the
5 student enrolls shall grant exceptions to the requirements
6 of this subsection for military service, religious service
7 or other good cause shown, which exceptions shall be
8 consistent with rules promulgated by the Wyoming department
9 of education for the Hathaway scholarship program under
10 W.S. 21-16-1303(b)(iii)(B) and (d).

11

12 (c) Upon application by a person claiming eligibility
13 for free tuition and fees under this section because of the
14 death of a parent or legal guardian, the University of
15 Wyoming or the Wyoming community college where the person
16 applied for enrollment shall:

17

18 (i) Determine whether the decedent was an
19 individual specified in subsection (g) of this section;

20

21 (ii) Determine whether the decedent died while
22 acting within the scope of his duties; and

23

1 (iii) Certify whether the person claiming
2 eligibility for free tuition and fees under this section is
3 qualified to receive free tuition and fees under this
4 section.

5

6 (d) A person who had qualified for free tuition and
7 fees under subsection (b) of this section, shall be deemed
8 eligible for the free tuition and fees at any Wyoming
9 community college or the University of Wyoming up to the
10 maximum number of semesters of study allowed under
11 subsection (a) of this section, if the person transfers to
12 another institution specified in subsection (a) of this
13 section.

14

15 (e) For purposes of paragraph (c)(ii) of this
16 section, it shall be conclusively presumed that the
17 decedent died while acting within the scope of duties if
18 death benefits were paid as a result of the death to any
19 person pursuant to the Wyoming Worker's Compensation Act.

20

21 (f) To remain eligible for benefits under this
22 section, by the end of the spring semester completing the
23 student's third or fourth semester of attendance, the
24 student shall have a cumulative grade point average of at

1 least two point zero (2.0) and shall maintain a cumulative
2 grade point average of at least two point zero (2.0) at the
3 end of each subsequent spring semester to continue to
4 receive the free tuition and fees.

5

6 (g) The benefits provided in subsections (a) through
7 (f) of this section shall be provided to the surviving
8 dependents of the following:

9

10 (i) A peace officer who has qualified pursuant
11 to W.S. 9-1-701 through 9-1-709 and who died while acting
12 within the scope of his duties in the service of a law
13 enforcement agency in the state;

14

15 (ii) A paid or volunteer fire fighter who died
16 while acting within the scope of his duties in the service
17 of a paid or volunteer fire department or district in the
18 state;

19

20 (iii) A paid or volunteer emergency medical
21 technician who died while acting within the scope of his
22 duties in the service of a paid or volunteer ambulance
23 service in the state, when responding at the request of a

1 public agency to assist in a civil or military emergency,
2 or natural or human caused disaster.

3

4 **Section 2.** W.S. 19-14-106(a)(iv), (d) and by creating
5 new subsections (f) through (k) are amended to read:

6

7 **19-14-106. Free tuition and fees for education of war**
8 **orphans and veterans; definitions.**

9

10 (a) As used in this section:

11

12 (iv) "Combat veteran surviving spouse or orphan"
13 means a person who is a surviving spouse or orphan of any
14 overseas combat veteran when the overseas combat veteran
15 was a resident of Wyoming for at least one (1) year prior
16 to entering active service and the overseas combat veteran
17 died during active service. For purposes of this
18 paragraph, a child is a combat orphan only if he was under
19 ~~twenty-one (21)~~ twenty-two (22) years of age at the time
20 his parent died in overseas combat during active service;

21

22 (d) The community college commission shall reimburse
23 the University of Wyoming and each community college for
24 the costs of tuition provided under this section. If

1 insufficient funds are appropriated, the reimbursement
2 shall be proportionally reduced based on tuition expenses.
3 The commission shall promulgate rules for the
4 implementation of the free tuition pursuant to ~~subsection~~
5 ~~(e)~~ subsections (f) through (k) of this section, including
6 the reimbursement to the university and community colleges.

7
8 (f) Any person who is a Vietnam veteran, not
9 presently receiving education benefits under the
10 Servicemen's Readjustment Act of 1944, as amended, an
11 overseas combat veteran, a combat veteran surviving spouse
12 or a combat veteran orphan shall receive free tuition and
13 fees for up to a total of ten (10) semesters of study at
14 the University of Wyoming or any Wyoming community college.
15 The University of Wyoming and all Wyoming community
16 colleges shall cooperate to ensure that a total of not more
17 than ten (10) semesters is provided under this section to
18 any recipient. No person shall be eligible for the
19 benefits provided under this section for any semester
20 commencing more than eight (8) academic years after the
21 semester in which the person initially receives benefits
22 under this section. The institution in which the student
23 enrolls shall grant exceptions to the requirements of this
24 subsection for military service, religious service or other

1 good cause shown, which exceptions shall be consistent with
2 rules promulgated by the Wyoming department of education
3 for the Hathaway scholarship program under W.S.
4 21-16-1303(d).

5
6 (g) In order to qualify for the benefit under this
7 section, a person claiming eligibility as:

8
9 (i) An overseas combat veteran for free tuition
10 and fees under this section shall enroll at the University
11 of Wyoming or a Wyoming community college not later than
12 ten (10) years following completion of military service;

13
14 (ii) A combat veteran surviving spouse shall
15 enroll at the University of Wyoming or a Wyoming community
16 college not later than ten (10) years following the death
17 of the combat veteran;

18
19 (iii) A combat veteran orphan shall be under
20 twenty-two (22) years of age at the time of enrollment at
21 the University of Wyoming or a Wyoming community college.

22
23 (h) The institution in which the student enrolls
24 shall grant exceptions to the requirements of this

1 subsection for military service, religious service or other
2 good cause shown, which exceptions shall be consistent with
3 rules promulgated by the Wyoming department of education
4 for the Hathaway scholarship program under W.S.
5 21-16-1303(b)(iii)(B). There is no limitation as to when a
6 Vietnam veteran not presently receiving education benefits
7 under the Servicemen's Readjustment Act of 1944, as
8 amended, may enroll and begin receiving benefits under this
9 section.

10
11 (j) A person who had qualified for free tuition and
12 fees under subsection (f) or (g) of this section, shall be
13 deemed eligible for the free tuition and fees at any
14 Wyoming community college or the University of Wyoming up
15 to the maximum number of semesters of study allowed under
16 subsection (a) of this section, if the person transfers to
17 another institution specified in subsection (a) of this
18 section.

19
20 (k) To remain eligible for benefits under this
21 section, by the end of the spring semester completing the
22 student's third or fourth semester of attendance, the
23 student shall have a cumulative grade point average of at
24 least two point zero (2.0) and shall maintain a cumulative

1 grade point average of at least two point zero (2.0) at the
2 end of each subsequent spring semester to continue to
3 receive the free tuition and fees.

4

5 **Section 3.** W.S. 7-2-108, 19-14-106(c), 33-36-114 and
6 35-9-161 are repealed.

7

8 **Section 4.** This act is effective immediately upon
9 completion of all acts necessary for a bill to become law
10 as provided by Article 4, Section 8 of the Wyoming
11 Constitution.

12

13

(END)