

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 599

By Senators Weld, Chapman, Deeds, Nelson, and

Maroney

[Introduced January 30, 2024; referred

to the Committee on Military; and then to the

Committee on Finance]

1 A BILL to amend and reenact §18B-10-7 of the Code of West Virginia, 1931, as amended, relating
 2 to exempting certain military veterans and their dependents from the payment of tuition
 3 and fees.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 10. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF
 HIGHER EDUCATION.**

§18B-10-7. Tuition and fee waivers for children and spouses of officers, firefighters, and certain National Guard personnel, reserve personnel, and active military duty personnel and their families. ~~killed in the line of duty~~

1 (a) Each state institution of higher education shall waive tuition and fees for any person
 2 who is the child or spouse of an individual who:

3 (1) Was employed or serving as:

4 (A) A law-enforcement officer as defined in section one, article twenty-nine, chapter thirty
 5 of this code;

6 (B) A correctional officer at a state penal institution;

7 (C) A parole officer;

8 (D) A probation officer;

9 (E) A natural resources police officer; or

10 (F) A registered firefighter; and

11 (2) Was killed in the line of duty while:

12 (A) Employed by the state or any political subdivision of the state; or

13 (B) A member of a volunteer fire department serving a political subdivision of this state.

14 (b) Each state institution of higher education shall waive tuition and fees for ~~any person~~
 15 ~~who is the child or spouse of:~~

16 (1) A National Guard member or a member of a reserve component of the Armed Forces of

17 the United States who is a resident of this state; and is killed in the line of duty. The member is
18 considered to have been killed in the line of duty if death resulted from performing a duty required
19 by his or her orders or commander while in an official duty status, other than on federal active duty,
20 authorized under federal or state law; or

21 (2) A person on federal or state active military duty who is a resident of this state; and is
22 killed in the line of duty. The person is considered to have been killed in the line of duty if death
23 resulted from performance of a duty required by his or her orders or commander while in an official
24 duty status.

25 (3) A person who is a resident of this state and has been rated as having 90% or greater
26 service-connected disability by the United States Department of Veterans Affairs or meets the
27 eligibility requirements for individual unemployability according to the disability ratings of the
28 Department of Veterans Affairs as a result of a service-related injury suffered since September 11,
29 2001;

30 (4) The spouse and dependent children of a person who is a resident of this state and has
31 been rated as having 90% or greater service-connected disability by the United States
32 Department of Veterans Affairs or meets the eligibility requirements for individual unemployability
33 according to the disability ratings of the Department of Veterans Affairs as a result of a service-
34 related injury suffered since September 11, 2001; and

35 (5) The spouse and dependent children of:

36 (A) A person who is a resident of this state on federal or state active military duty:

37 (i) Who was killed in action;

38 (ii) Who died while in service;

39 (iii) Who is missing in action; or

40 (iv) Whose death is documented to be directly caused by illness or injury connected with
41 service in the Armed Forces of the United States.

42 (c) Any waiver granted pursuant to this section is subject to the following:

- 43 (1) The recipient may attend any undergraduate course if classroom space is available;
- 44 (2) The recipient has applied and been admitted to the institution;
- 45 (3) The recipient has applied for and submitted the Free Application for Federal Student
46 Aid;
- 47 (4) The recipient has exhausted all other sources of student financial assistance dedicated
48 solely to tuition and fees that exceed other grant assistance that are available to him or her,
49 excluding student loans;
- 50 (5) Waiver renewal is contingent upon the recipient continuing to meet the academic
51 progress standards established by the institution.

52 (d) The state institution of higher education may require the person to pay:

- 53 (1) Special fees, including any laboratory fees, if the fees are required of all other students
54 taking a single course or that particular course; and
- 55 (2) Parking fees.

56 (e) The governing boards may promulgate rules:

- 57 (1) For determining the availability of classroom space;
- 58 (2) As each considers necessary to implement this section; and
- 59 (3) Regarding requirements for attendance, which may not exceed the requirements for
60 other students.

61 (f) The governing boards may extend to persons attending courses and classes under this
62 section any rights, privileges or benefits extended to other students which it considers appropriate.

63 (g) The amendments to this section made during the 2024 regular session of the
64 Legislature shall become effective July 1, 2025.

65 (h) The governing boards shall promulgate rules, in accordance with §29A-3A-1 et. seq. of
66 this code, in order to implement the amendments made to this section during the 2024 regular
67 session of the Legislature.

NOTE: The purpose of this bill is to exempt certain military veterans and their dependents

from tuition.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.