

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 373 CS Tuition Waivers  
**SPONSOR(S):** Harrell and others  
**TIED BILLS:** None **IDEN./SIM. BILLS:** CS/SB 122

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Military &amp; Veteran Affairs Committee</u>	<u>8 Y, 0 N</u>	<u>Marino</u>	<u>Cutchins</u>
2) <u>Community Colleges &amp; Workforce Committee</u>	<u>7 Y, 0 N, w/CS</u>	<u>Thomas</u>	<u>Ashworth</u>
3) <u>Education Appropriations Committee</u>	<u>16 Y, 0 N, w/CS</u>	<u>Hamon</u>	<u>Hamon</u>
4) <u>State Administration Council</u>	<u></u>	<u>Marino</u>	<u>Bussey</u>
5) <u></u>	<u></u>	<u></u>	<u></u>

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### SUMMARY ANALYSIS

The bill establishes a new tuition fee waiver for recipients of the Purple Heart or other combat decoration superior in precedence in s. 1009.26, F.S. Section 1009.26, F.S. specifically provides fee waivers for universities and community colleges.

The bill allows state universities and community colleges to waive undergraduate tuition for a recipient of a Purple Heart or other combat decoration superior in precedence who:

- Is admitted as a full-time, part-time, or summer-school student in an undergraduate program of study leading to a degree or certificate.
- Is currently a Florida resident, and was a Florida resident at the time of the military action that resulted in them receiving the award.
- Submits to the state university and community college the DD-214 form issued at the time of separation from service as documentation verifying that they are a recipient of an award.

The actual number of recipients of the Purple Heart or other combat decoration superior in precedence currently residing in Florida is difficult to determine. The Florida Department of Veteran Affairs has reported that 2,482 Purple Heart recipients are registered members of the Florida Chapter of the Military Order of the Purple Heart. However, it is unknown how many recipients there are, how many are not registered, and how many of those registered still reside in Florida.

The fiscal impact is indeterminate due to the uncertainty of the number of recipients and the number of recipients that would take advantage of the fee waiver. The fiscal impact has been based on the 783 Purple Heart recipients registered for the three recent major conflicts (Operation Iraqi Freedom, Operation Enduring Freedom and Persian Gulf War/Desert Shield/Storm) involving the Armed Forces at proposed fiscal year 2006-2007 tuition rates. If all estimated 783 Florida recipients of the Purple Heart participated in the fee waiver, the fiscal year 2006-2007 cost could range from \$577,000 to \$1.8 million depending on whether the recipients attend full-time or part-time at a community college or university. It is believed that combat decorations superior in precedence to the Purple Heart would be nominal and consequently would have an insignificant fiscal.

The bill would take effect July 1, 2006.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Ensure Lower Taxes** – This bill would waive undergraduate tuition fees for Purple Heart recipients in Florida.

**Empower Families** – This bill would increase the opportunity for recipients of the Purple Heart who return home wounded to learn a new skill to support family and find self worth.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation:

##### **Fee Waivers**

Section 1009.26, F.S., lists fee waivers for postsecondary educational institutions. School districts, community colleges, university boards of trustees, the State Board of Education, and state universities may waive certain fees, such as tuition or application fees, charged to students and, in some cases, only on a space-available basis.

Those eligible for certain fee waivers under this section can include: persons who supervise student interns for a state university; full-time university employees; Florida residents 60 years of age or older; graduate students enrolled in certain state-approved school psychology training programs; certain out-of-state nondegree-seeking students; certain spouses of deceased state employees; and some active members of the Florida National Guard (FNG). Section 1009.26(8), F.S., specifically mentions the fee waiver for certain members of the FNG and references s. 250.10(8), F.S., which establishes the State Tuition Exemption Program (STEP) program. The Florida Department of Education reports that 82<sup>1</sup> community college students used the National Guard Fee Waiver in 2004-2005.

##### **Purple Heart and Combat Decoration Superior in Precedence**

The U.S. military recognizes order of precedence of awards for both service and combat. Each award carries a level of significance and its own eligibility requirements. The combat decoration awards in precedence according to Army Regulation 670-1, updated February 2005, are:

- (1) Medal of Honor (Army, Navy, Air Force)
- (2) Distinguished Service Cross
- (3) Navy Cross
- (4) Air Force Cross
- (5) Silver Star
- (6) Distinguished Flying Cross
- (7) Bronze Star Medal
- (8) Purple Heart

The Purple Heart was established by General George Washington during the Revolutionary War. The Purple Heart is awarded to any member of the Armed Forces or any civilian national of the United States who has been wounded in combat. A wound can be an injury to any part of the body from an outside force or agent. Injuries which clearly justify receiving the Purple heart include, but are not limited to, injury caused by mine or trap, or enemy released chemical, biological, or nuclear agent. A person will not be eligible for the Purple Heart for certain wounds or injuries such as battle fatigue, heat stroke, or disease not directly caused by enemy agents. The Purple Heart is unique among other military awards, in that an individual is not recommended for, but rather is entitled to the decoration.

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<sup>1</sup> Florida Department of Education correspondence. January 13, 2006.

The actual number of recipients of the Purple Heart is difficult to determine. Of the recent three major conflicts (Operation Iraqi Freedom, Operation Enduring Freedom and Persian Gulf War/Desert Shield/Storm) involving the Armed Forces an estimated 783 Florida residents have been wounded in action (WIA) and would be recipients of the Purple Heart. The number of recipients of the Purple Heart during the Vietnam War is undeterminable at this time.

CONFLICTS	FLORIDA WIA	UNITED STATES TOTAL WIA
Operation Iraqi Freedom	733 <sup>2</sup>	16,825
Operation Enduring Freedom	32	690
Persian Gulf War / Desert Shield/Storm (1990-1991)	18 <sup>3</sup>	467
Vietnam (1964 – 1973)	unavailable	153,303
Korean War (1950 – 1953)	unavailable	103,284
World War II (1941 – 1946)	unavailable	671,846
World War I (1917 – 1918)	unavailable	204,002

(WIA = Wounded In Action)

The Florida Department of Veterans Affairs reported that 2,482 Purple Heart recipients are registered members of the Florida Chapter of the Military Order of the Purple Heart and currently reside in Florida. They are unable to provide an actual number of recipients who are not registered or how many resided in Florida at the time they were awarded the Purple Heart.

#### **Effect of Proposed Changes:**

The bill establishes a new tuition fee waiver for recipients of a Purple Heart or other combat decoration superior in precedence in s. 1009.26, F.S. Section 1009.26, F.S. specifically provides fee waivers for universities and community colleges.

The bill allows state universities and community colleges to waive undergraduate tuition for a recipient of a Purple Heart or other combat decoration superior in precedence who:

- Is admitted as a full-time, part-time, or summer-school student in an undergraduate program of study leading to a degree or certificate.
- Is currently a Florida resident, and was a Florida resident at the time of the military action that resulted in them receiving the award.
- Submits to the state university or community college the DD-214 form issued at the time of separation from service as documentation verifying that they are a recipient of an award.

The bill would take effect July 1, 2006.

#### **C. SECTION DIRECTORY:**

Section 1: Creates 1009.26(9), F.S., establishing a Purple Heart or other combat decoration superior in precedence recipient undergraduate tuition waiver for state universities or community colleges beginning in the 2007-2008 academic year under certain circumstances.

Section 2: Provides an effective date of July 1, 2006.

<sup>2</sup> Between January 14, 2006 and February 18, 2006 the number of WIA increased by 30

<sup>3</sup> Estimated 4% from the United States Department of Defense

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

The fiscal impact is indeterminate due to the uncertainty of the number of recipients of the Purple Heart and other combat decorations superior in precedence and the number of recipients that would take advantage of the fee waiver.

The fiscal impact has been based on the 783 Purple Heart recipients registered for the three recent major conflicts (Operation Iraqi Freedom, Operation Enduring Freedom and Persian Gulf War/Desert Shield/Storm) involving the Armed Forces at proposed fiscal year 2006-2007 tuition rates. If all estimated 783 Florida recipients of the Purple Heart participated in the fee waiver the fiscal year 2006-2007 cost could range from \$577,000 to \$1.8 million depending on whether the recipients attend part-time or full-time at a community college or university. It is believed that combat decorations superior in precedence would be nominal and consequently would have an insignificant fiscal.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The chart shows the possible annual savings for a full-time (30 semester hours) and part-time (15 semester hours).

	Community College \$49.15 per credit hour	State University \$75.15 per credit hour
Full-time (30 hours)	\$1,474.50	\$2,254.50
Part-time (15 hours)	\$737.25	\$1,127.25

### D. FISCAL COMMENTS:

The costs per credit hour as listed in HB 5001, 2006 General Appropriations Act, for community colleges and state universities for the 2006-2007 fall/spring terms are \$49.15 and \$75.15 respectively.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenues.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### **AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

On March 7, 2006, the Community College and Workforce Committee adopted two amendments. HB 373 CS has the following changes:

- Requires the documentation to the state university or community college to be the DD-214 form issued at the time of separation from service.
- Removes the 2007-2008 beginning academic year, therefore making the benefits effective July 1, 2006.
- Clarifies language.

On April 11, 2006, the Education Appropriations Committee adopted an amendment to expand the tuition waivers to recipients of the Purple Heart *or other combat decoration superior in precedence*.

The awards in precedence are:

- (1) Medal of Honor (Army, Navy, Air Force)
- (2) Distinguished Service Cross
- (3) Navy Cross
- (4) Air Force Cross
- (5) Silver Star
- (6) Distinguished Flying Cross
- (7) Bronze Star Medal
- (8) Purple Heart