

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Military Affairs and Domestic Security Committee

BILL: CS/SB 2006

INTRODUCER: Committee on Higher Education and Senator Crist

SUBJECT: Veterans' Tuition Assistance Act

DATE: April 12, 2007                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carrouth</u>	<u>Matthews</u>	<u>HE</u>	<u>Fav/CS</u>
2.	<u>Pardue</u>	<u>Skelton</u>	<u>MS</u>	<u>Favorable</u>
3.	_____	_____	<u>HI</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill provides for a 50 percent waiver of in-state tuition for an eligible veteran who enrolls in a vocational, career, or undergraduate program or course at a state university or community college that terminates in a degree or certificate.

Eligibility for the tuition waiver would be provided to any veteran who:

- Meets the definition of a wartime veteran as provided in s. 1.01(14), F.S.;
- Has received an honorable discharge;
- Enrolls full or part-time in a postsecondary course or program that terminates in a degree or certificate;
- Meets Florida residency requirements; and
- Submits to the public postsecondary institution the formal discharge documentation from active duty.<sup>1</sup>

The fiscal impact of the bill is indeterminate. However, community colleges and universities will have to absorb the cost of this benefit unless additional funds are appropriated.

This bill amends section 1009.26 of the Florida Statutes.

<sup>1</sup> DD Form 214 - Discharge Papers and Separation Documents - [www.archives.gov/veterans/military-service-records/dd-214.html](http://www.archives.gov/veterans/military-service-records/dd-214.html)

## II. Present Situation:

Florida provides a number of educational benefits to active duty and veteran service members.

### **In-state Tuition**

Section 1009.21(10), F.S., classifies certain active duty service members, who are residing or stationed in the state, and their spouses and dependents, as state residents for tuition purposes. Additionally, this classification pertains to certain active duty members of the Florida National Guard.

### **Fee Waivers**

Certain active duty members of the National Guard have their fees waived if they qualify under s. 250.10(8), F.S.<sup>2</sup>

The 2006 Legislature authorized state universities and community colleges to waive undergraduate tuition for recipients of the Purple Heart or other combat decoration superior in precedence.<sup>3</sup> In order to receive an undergraduate tuition waiver, a recipient of the Purple Heart or other qualified combat decoration must:

- Enroll as a full-time, part-time, or summer-school student in an undergraduate program of study leading to a degree or certification;
- Reside currently in the State of Florida, and have been a Florida resident at the time of the military action that resulted in receipt of the award; and
- Submit to the state university or community college the DD-214 form issued at the time of separation from service as documentation verifying receipt of an award.

The waiver covers 110 percent of the number of required credit hours of the degree or certificate program in which the student is enrolled.

Additionally, spouses and dependents of certain deceased or permanently disabled service members are eligible for educational opportunities at state expense.<sup>4</sup>

### **Montgomery G.I. Bill**

The federal Montgomery G.I. bill allows enlistees to invest in an educational plan that provides up to \$1,075 monthly, which can be used for a number of educational programs.<sup>5</sup> This educational assistance program was established to help military personnel pay for postsecondary education. Benefits are available through this program only for undergraduate study and are payable for up to 36 months. Veterans have up to 10 years after they leave active duty to use the G.I. bill.

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<sup>2</sup> s. 1009.26(8), F.S.

<sup>3</sup> ch. 2006-233, L.O.F., as codified in s. 1009.26(9) F.S.

<sup>4</sup> ch. 295, F.S.

<sup>5</sup> [http://www.gibill.va.gov/GI\\_Bill\\_Info/rates/CH30/ch30rates100106.htm](http://www.gibill.va.gov/GI_Bill_Info/rates/CH30/ch30rates100106.htm)

### III. Effect of Proposed Changes:

The bill provides for a 50 percent waiver of in-state tuition for an eligible veteran who enrolls full or part-time in a vocational, career, or undergraduate course or program at a state university or community college that results in a degree or certificate.

Eligibility for the tuition waiver would be provided to any veteran who was honorably discharged after serving in active military duty,<sup>6</sup> during wartime as defined in section 1.01(14), F.S.

Section 1.01(14), F.S., requires that a veteran, in order to receive benefits as a wartime veteran, must have served in a campaign or expedition for which a campaign badge has been authorized or the veteran must have served during certain periods of wartime service through the Persian Gulf War from August 2, 1990, to January 2, 1992. Certain veterans of Operation Enduring Freedom and Operation Iraqi Freedom would have received a campaign or expedition badge. However, according to the Department of Military Affairs, not all veterans receive the badge. Based on data from the Defense Manpower Data Center, approximately 123,000 Florida veterans would be eligible.<sup>7</sup>

Finally, the bill requires the veteran to have established residence in the state for at least one year before applying for the waiver.

The waiver is limited to 110 percent of the number of required credit hours of the degree or certificate program for which the veteran is enrolled.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

### V. Economic Impact and Fiscal Note:

#### A. Tax/Fee Issues:

None.

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<sup>6</sup> Active duty, as defined in s. 250.01(1), F.S., does not include full-time duty in the National Guard

<sup>7</sup> Florida Department of Veterans Affairs Bill Analysis, April 2, 2007 - [www.dmdc.osd.mil](http://www.dmdc.osd.mil)

**B. Private Sector Impact:**

Certain veterans would be able to attend state postsecondary institutions at a considerably reduced rate.

**C. Government Sector Impact:**

The fiscal impact of the bill is indeterminate. It is not known how many eligible veterans would take advantage of the tuition waiver. Based on 2006-07 undergraduate tuition, if 100 student FTEs in the state university system used this fee waiver, it would result in a reduction in state university revenue of approximately \$110,565.<sup>8</sup> Without a specific appropriation from the Legislature to cover the cost of the tuition waivers, community colleges and universities would be required to absorb the reduction.<sup>9</sup>

**VI. Technical Deficiencies:**

Section 1.01(14), F.S., defines a “veteran,” in pertinent part, as a person who served in the active military and who was discharged or released from service under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. This bill’s stated eligibility criteria requires the veteran to have received an honorable discharge and uses the term “wartime veteran” which as defined in s. 1.01(14), F.S. includes both honorably discharged military members and those whose discharge is characterized as under honorable conditions. This may lead to some confusion. However, the bill’s requirement for an honorable discharge is in consonance with U. S. Department of Veterans Affairs eligibility criteria for federal veterans’ educational benefits.<sup>10</sup>

**VII. Related Issues:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>8</sup> Florida Board of Governors Bill Analysis – March 30, 2007

<sup>9</sup> *Id.*

<sup>10</sup> U. S. Department of Veterans Affairs Pamphlet 22-90-0, Revised October 2004.

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## **VIII. Summary of Amendments:**

None.

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