

HOUSE BILL No. 4483

March 6, 1991, Introduced by Reps. Hertel, DeMars, Clack, Stallworth, Power, Dobronski and Wozniak and referred to the Committee on Appropriations.

A bill to provide free tuition at state public institutions of higher education for children and surviving spouses of Michigan police officers killed in the line of duty; and to provide for an appropriation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "police officer's survivor tuition act".

3 Sec. 2. As used in this act:

4 (a) "Child" means an individual who is a natural or adopted
5 child of a deceased Michigan police officer and who was under the
6 age of 21 at the time of the Michigan police officer's death.

7 (b) "Department" means the department of education.

8 (c) "Killed" means that a traumatic injury or a disease
9 caused by or resulting from a traumatic injury is a substantial
10 factor in the Michigan police officer's death.

1 (d) "Line of duty" means an action that a Michigan police
2 officer is obligated or authorized to perform by rule, regula-
3 tion, condition of employment or service, or law, including, but
4 not limited to, a social, ceremonial, or athletic function that
5 the Michigan police officer is assigned to or compensated for by
6 the public agency he or she serves.

7 (e) "Michigan police officer" means a sheriff or sheriff's
8 deputy of a sheriff's department in this state; village or town-
9 ship marshal of a village or township in this state; officer of
10 the police department of any city, village, or township in this
11 state; officer of the Michigan state police; or any other police
12 officer or law enforcement officer trained and certified pursuant
13 to the Michigan law enforcement officers training council act of
14 1965, Act No. 203 of the Public Acts of 1965, being sections
15 28.601 to 28.616 of the Michigan Compiled Laws.

16 (f) "Occupational disease" means a disease that routinely
17 constitutes a special hazard in, or is commonly regarded as con-
18 comitant of, the Michigan police officer's occupation.

19 (g) "State institution of higher education" means a public
20 community or junior college established under section 7 of arti-
21 cle VIII of the state constitution of 1963 or part 25 of the
22 school code of 1976, Act No. 451 of the Public Acts of 1976,
23 being sections 380.1601 to 380.1607 of the Michigan Compiled
24 Laws, or a state university described in section 4, 5, or 6 of
25 article VIII of the state constitution of 1963.

26 (h) "Traumatic injury" means a wound or the condition of the
27 body caused by external force, including, but not limited to, an

1 injury inflicted by bullet, explosive, sharp instrument, blunt
2 object or other physical blow, chemical, electricity, climatic
3 condition, infectious disease, radiation, or bacteria, but
4 excluding an injury resulting from stress, strain, or occupa-
5 tional disease.

6 Sec. 3. A state institution of higher education shall waive
7 tuition for each child and surviving spouse of a Michigan police
8 officer who has been or is killed in the line of duty if the
9 child or surviving spouse meets all of the following
10 requirements:

11 (a) Applies, qualifies, and is admitted as a full-time,
12 part-time, or summer school student.

13 (b) Is a legal resident of the state for at least the 12
14 consecutive months immediately preceding his or her application.

15 (c) Applies to the department for tuition waiver under this
16 act and provides evidence satisfactory to the department that he
17 or she is the child or the surviving spouse of a Michigan police
18 officer who was killed in the line of duty and that he or she
19 meets the other requirements of this section.

20 (d) For a child, applies under subdivision (c) for the first
21 time before the age of 21.

22 (e) For a child, is not over the age of 23 at the beginning
23 of the term or semester for which the tuition waiver is sought.

24 Sec. 4. (1) Upon receiving an application under
25 section 3(c), the department shall determine whether the appli-
26 cant meets the requirements of section 3 and, if so, approve the

1 application and notify the state institution of higher education
2 that the application has been approved.

3 (2) Upon application by the institution, the department
4 shall annually reimburse each state institution of higher educa-
5 tion for the total amount of tuition waived during the immedi-
6 ately preceding fiscal year under section 3. The department
7 shall report annually to the legislature the number of individu-
8 als for whom tuition has been waived at each institution and the
9 total amounts to be paid under this act for that fiscal year.

10 Sec. 5. The department shall provide the necessary forms
11 and applications and shall cooperate with the state institutions
12 of higher education in developing efficient procedures for imple-
13 menting the purposes of this act.

14 Sec. 6. The legislature shall appropriate annually the
15 funds necessary to implement this act.