



Romney Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

EXTEND POLICE AND FIREFIGHTER SURVIVORS' TUITION ACT

House Bill 4792

Sponsor: Rep. Bob Brown

Committee: Education

Complete to 7-7-99

A SUMMARY OF HOUSE BILL 4792 AS INTRODUCED 6-11-99

The bill would amend the Police Officer's and Firefighter's Survivor Tuition Act, Public Act 195 of 1996, to extend its provisions to the children and surviving spouses of motor carrier division officers and capitol security officers killed in the line of duty beginning in the 1996-97 academic year.

Specifically, House Bill 4792 would require Michigan public colleges to waive tuition under certain circumstances, for children and surviving spouses of motor carrier officers and capitol security officers who had been killed in the line of duty. The bill would define a "Michigan capitol security officer" to mean a security employee employed by the state as described in the Michigan State Police Act, and a "Michigan motor carrier officer" to mean an officer of the motor carrier enforcement division of the Department of the Michigan State Police, also as described in the Michigan State Police Act.

The provisions of the bill would apply to a Michigan motor carrier division or a capitol security officer's surviving spouse, and to his or her natural or adopted children who were under the age of 21 at the time of the first application for a tuition waiver. The provisions of the bill would apply only to the family of an individual whose death was directly caused by a traumatic injury that occurred in the line of duty, including assigned social, ceremonial, or athletic functions. A traumatic injury would include wounds caused by external force, including but not limited to an injury inflicted by a bullet, explosive, sharp instrument, blunt object or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria. However, the definition would specifically exclude any injuries caused by stress, strain, or occupational disease.

In order to receive a tuition waiver, applicants would have to meet criteria for financial need, as certified by the financial aid officer of the institution of higher education. In determining financial need, death benefits attributable to the officer's death would not be counted as "family income", if other family income was below 400 percent of the poverty level, as determined under federal poverty guidelines. In addition, a student would have to be admitted as a full-time, part-time, or summer school student in a program of study that would lead to a degree or certificate; would have to have been a legal resident of the state for the prior 12 consecutive months (the residence of an individual who was dependent on his or her parent would be determined by the parent's residency, while the residency of an individual who was not a dependent would be determined under title IV of the higher education act of 1965); and would have to have applied to the department, and provided evidence that he or she was the child or surviving spouse of a

House Bill 4792 (7-7-99)

slain

officer. Furthermore, a tuition waiver would not be available for otherwise eligible individuals who had already achieved a bachelor's degree and/or had already received tuition reimbursement under the act for 124 semester credits or 180 term credits at an institution of higher learning.

Tuition would be waived only for those courses applying to the degree or certificate being sought by the student, and a tuition waiver would be available to a student for not more than nine semesters (or the equivalent number of terms or quarters). Additionally, the student would be required to maintain satisfactory academic progress, as defined by the state institution of higher education or by an institution for federal student assistance programs under title IV of the higher education act of 1965, for each term or semester. Finally, if a student's tuition was covered or paid by any scholarship, trust fund, statutory benefit, or any other source of tuition coverage available to the student, the bill would only allow for the waiver of an amount that exceeded the other source of tuition.

[Police and Firefighters' Survivors Tuition Waivers. Since 1996 when the legislature passed House Bill 4382 (Public Act 195 of 1996), Michigan has provided a higher education tuition waiver to the survivors of fallen police officers and firefighters. At that time, Michigan was one of only five states that lacked a tuition waiver for dependents of police officers killed in the line of duty. According to the House Legislative Analysis Section's analysis of House Bill 4382 dated 6-11-96, in the nine-year period from 1985-93, thirty-six married police officers were killed in the line of duty in Michigan, and they were survived by 61 children. From 1986-95, twenty-six firefighters were killed and the number of their survivors was unknown.

Veterans' Survivor Tuition Waivers. In addition, the Department of Military Affairs administers a tuition grant program for the survivors of military veterans, a program established by Public Act 245 of 1935, and revised when the legislature enacted Public Act 335 of 1996.]

MCL 390.1241, 390.1242, and 390.1243

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.