

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO TUITION WAIVERS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the dependent  
2 children and surviving spouse of fire fighters who are killed in  
3 the line of duty face many challenges, emotionally and  
4 economically. One way to help the dependent children who  
5 graduate from high school is to provide college tuition  
6 assistance through the state university system.

7       Accordingly, the purpose of this Act is to allow surviving  
8 dependents of fire fighters killed in the line of duty a tuition  
9 waiver from the university of Hawaii and its community colleges.

10       SECTION 2. Chapter 304A, Hawaii Revised Statutes, is  
11 amended by adding a new part to be appropriately designated and  
12 to read as follows:

13               "PART     . FIRE FIGHTER SURVIVOR BENEFIT

14       §304A-A Tuition waiver; authorized. (a) The university  
15 of Hawaii and its affiliated community colleges shall permit the  
16 following persons to attend class for credit or noncredit  
17 purposes without the required tuition payment:



(1) Any person who is the survivor of a fire fighter who was killed as a direct result of a traumatic injury sustained in the line of duty;

(2) The spouse of a fire fighter who was permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty; or

(3) Any child, if the child is at least seventeen years, but not yet twenty-four years old, whose parent or legal or custodial guardian is a fire fighter who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty.

However, a child's eligibility for a tuition waiver under this chapter shall not exceed:

(A) Fifty-four months, if the child is seeking a baccalaureate degree; or

(B) If the child is not seeking a baccalaureate degree, the number of months required to complete the educational program to which the child is applying.

(b) Persons eligible for the tuition waiver under subsection (a) must meet admission and other standards



1 considered appropriate by the educational institution. In  
2 addition, the university of Hawaii and its affiliated community  
3 colleges shall accept these persons only on a space available  
4 basis.

5       **§304A-B Rules.** The board of regents of the university of  
6 Hawaii shall adopt rules necessary for the implementation of  
7 this part.

8       **§304A-C Proof of eligibility.** (a) The officials of the  
9 institutions charged with administration of this part shall  
10 require the following proof to ensure that a person applying to  
11 the institution and who requests a tuition waiver is eligible  
12 for the benefits provided by this part:

13       (1) The parent-child relationship shall be verified by a  
14 birth certificate, legal adoption papers, or other  
15 documentation deemed appropriate by the institution;

16       (2) The legal guardian-child relationship shall be  
17 verified by an order from a court proceeding that  
18 established the legal guardianship;

19       (3) The legal custodian-child relationship shall be  
20 verified by an order from a court proceeding that  
21 established the legal custodianship;



(4) The marital relationship shall be verified by a marriage certificate or other documentary evidence deemed appropriate by the institution;

(5) The cause of death of the fire fighter shall be verified by certification from the records of the administrative agency for the fire department or the administrative agency having jurisdiction over any paid fire fighters of any county; and

(6) The permanent and total disability shall be verified by documentation deemed necessary by the administrative authority for permanent and total disabilities.

(b) The officials of the institutions charged with administration of this part may require proof to verify that a person is applying to the university of Hawaii or their affiliated community colleges.

**§304A-D Student to be credited for scholarship value.** If a person obtains a tuition waiver under this chapter and the person also receives a cash scholarship paid or payable to the university of Hawaii or their affiliated community colleges from whatever source, the amount of the scholarship shall be applied



1 to the credit of the person in the payment of incidental  
2 expenses of the person's attendance at the university of Hawaii  
3 or their affiliated community colleges and any balance, if the  
4 terms of the scholarship permits, shall be returned to the  
5 student.

6       **§304A-E Misrepresentation of eligibility.** Any applicant  
7 who willfully misrepresents his or her eligibility for the  
8 tuition benefits provided under this part or any person who  
9 knowingly aids or abets the applicant in misrepresenting his or  
10 her eligibility for benefits shall be deemed guilty of a petty  
11 misdemeanor."

12       SECTION 3. In codifying the new sections added by section  
13 2 of this Act, the revisor of statutes shall substitute  
14 appropriate section numbers for the letters used in designating  
15 the new sections in this Act.

16       SECTION 4. This Act shall take effect upon its approval  
17 and shall be repealed on June 30, 2030.

18  
INTRODUCED BY:



By Request



# S.B. NO. 452

**Report Title:**

State Fire Council Package; UH; Fire Fighter Survivor Benefit;  
Tuition Waiver

**Description:**

Provides a tuition waiver from the University of Hawaii and its associated community colleges for the surviving spouse and dependent children of a fire fighter who dies in the line of duty or who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

