



HOUSE BILL No. 4382

February 9, 1995, Introduced by Reps. McNutt, Bush, Profit, Dalman, Porreca and Galloway and referred to the Committee on Higher Education.

A bill to provide for a waiver of 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 the Michigan police officer's death
9 is the direct and proximate result of a traumatic injury or a

1 disease or condition caused by or resulting from a traumatic
2 injury.

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

9 (e) "Michigan police officer" means a sheriff or sheriff's
10 deputy of a sheriff's department in this state; village or town-
11 ship marshal of a village or township in this state; officer of
12 the police department of any city, village, or township in this
13 state; officer of the Michigan state police; or any other police
14 officer or law enforcement officer trained and certified pursuant
15 to the Michigan law enforcement officers training council act of
16 1965, Act No. 203 of the Public Acts of 1965, being sections
17 28.601 to 28.616 of the Michigan Compiled Laws.

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

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

1 (h) "Traumatic injury" means a wound or the condition of the
2 body caused by external force, including, but not limited to, an
3 injury inflicted by bullet, explosive, sharp instrument, blunt
4 object or other physical blow, chemical, electricity, climatic
5 condition, infectious disease, radiation, or bacteria, but
6 excluding an injury resulting from stress, strain, or occupa-
7 tional disease.

8 Sec. 3. (1) Subject to the limitations in subsections (2)
9 and (3), a state institution of higher education shall waive
10 tuition for each child and surviving spouse of a Michigan police
11 officer who has been or is killed in the line of duty if the
12 child or surviving spouse meets all of the following
13 requirements:

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

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

18 (c) Applies to the department for tuition waiver under this
19 act and provides evidence satisfactory to the department that he
20 or she is the child or the surviving spouse of a Michigan police
21 officer who was killed in the line of duty, that the course or
22 courses for which he or she is seeking a tuition waiver meet the
23 requirements of subsection (2), and that he or she meets the
24 other requirements of this section.

25 (d) For a child of a Michigan police officer who was killed
26 in the line of duty, applies under subdivision (c) for the first
27 time before the age of 21.

1 (e) Is certified by the financial aid officer at the state
2 institution of higher education as needing the tuition waiver in
3 order to meet recognized educational expenses. If the child's or
4 surviving spouse's family income, excluding any income from death
5 benefits attributable to the police officer's death, is below
6 400% of poverty level under federal poverty guidelines published
7 by the United States department of health and human services,
8 income from any death benefits accruing to the child or surviving
9 spouse as a result of the police officer's death shall not be
10 counted as family income in determining financial need under this
11 subdivision.

12 (2) A state institution of higher education shall waive
13 tuition under this act only for courses that are applicable
14 toward the degree or certificate requirements of the program in
15 which the child or surviving spouse is enrolled.

16 (3) A child or surviving spouse of a Michigan police officer
17 who was killed in the line of duty is eligible for tuition waiver
18 under this section for not more than a total of 11 semesters or
19 the equivalent number of terms or quarters.

20 Sec. 4. (1) Upon receiving an application under
21 section 3(c), the department shall determine whether the appli-
22 cant and the courses for which tuition waiver is sought meet the
23 requirements of section 3 and, if so, shall approve the applica-
24 tion and notify the state institution of higher education that
25 the application has been approved.

26 (2) Upon application by the state institution of higher
27 education, the department annually shall reimburse each state

1 institution of higher education for the total amount of tuition
2 waived during the immediately preceding fiscal year under
3 section 3. The department annually shall report to the legisla-
4 ture the number of individuals for whom tuition has been waived
5 at each state institution of higher education and the total
6 amounts to be paid under this act for that fiscal year.

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

11 Sec. 6. The legislature annually shall appropriate the
12 funds necessary to implement this act.