

HOUSE BILL NO. HB0034

Tuition-dependents of disabled firefighters and EMTs.

Sponsored by: Representative(s) Walsh, Bagby, Esquibel,
F., Esquibel, K., Slater and White and
Senator(s) Cooper, Fecht and Peterson

A BILL

for

1 AN ACT relating to education; providing free tuition and
2 fees for dependents of disabled firefighters and emergency
3 medical technicians as specified; and providing for an
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 21-16-1501(a), (b), (c)(intro), (i),
9 (ii), (h) and by creating a new subsection (j) is amended
10 to read:

11

12 ARTICLE 15

13 TUITION AND FEES FOR SURVIVORS OR DEPENDENTS OF EMERGENCY

14 RESPONDERS

1 **21-16-1501. Free tuition and fees for education of**
2 **survivors or dependents of deceased or disabled peace**
3 **officers, firefighters and emergency medical technicians.**

4
5 (a) The University of Wyoming or any Wyoming
6 community college for up to ten (10) semesters shall
7 provide free tuition and fees for any person who is a
8 surviving dependent of any person described in subsection
9 (g) of this section or the dependent of any disabled person
10 described in subsection (h) of this section. If the
11 surviving dependent first enrolls in a community college
12 and then transfers to another community college or the
13 University of Wyoming, the free tuition and fees shall
14 continue until the dependent has completed a cumulative
15 total of ten (10) semesters at the community college level
16 and the university.

17
18 (b) In order to qualify for the benefit under this
19 section, a person claiming eligibility for free tuition and
20 fees under this section shall be under twenty-two (22)
21 years of age at the time of the death of the parent or
22 legal guardian described in subsection (g) of this section
23 or at the time of the qualifying disability described in
24 subsection (j) of this section, and at the time of first

1 enrollment claiming eligibility for benefits under this
2 section. No person shall be eligible for the benefits
3 provided under this section for any semester commencing
4 more than eight (8) academic years after the semester in
5 which the person initially receives benefits under this
6 section. The institution in which the student enrolls
7 shall grant exceptions to the requirements of this
8 subsection for military service, religious service or other
9 good cause shown, which exceptions shall be consistent with
10 rules promulgated by the Wyoming department of education
11 for the Hathaway scholarship program under W.S.
12 21-16-1303(b)(iii)(B) and (d).

13

14 (c) Upon application by a person claiming eligibility
15 for free tuition and fees under this section because of the
16 death or qualifying disability of a parent or legal
17 guardian, the University of Wyoming or the Wyoming
18 community college where the person applied for enrollment
19 shall:

20

21 (i) Determine whether the ~~decedent~~ deceased or
22 disabled person was an individual specified in subsection
23 (g) or (h) of this section;

24

1 (ii) Determine whether the ~~decedent~~person died
2 or suffered a qualifying disability while acting within the
3 scope of his duties; and
4

5 (h) The benefits provided in subsections (a) through
6 (g) of this section shall be provided to the dependents of
7 the following:
8

9 (i) A peace officer who has qualified pursuant
10 to W.S. 9-1-701 through 9-1-709 and who suffered a
11 qualifying disability while acting within the scope of his
12 duties in the service of a law enforcement agency in the
13 state;
14

15 (ii) A paid or volunteer firefighter who
16 suffered a qualifying disability while acting within the
17 scope of his duties in the service of a paid or volunteer
18 fire department or district in the state;
19

20 (iii) A paid or volunteer emergency medical
21 technician who suffered a qualifying disability while
22 acting within the scope of his duties in the service of a
23 paid or volunteer ambulance service in the state, when
24 responding at the request of a public agency to assist in a

1 civil or military emergency, or natural or human caused
2 disaster.

3
4 (j) Limitations on benefits under subsections (a)
5 through (g) of this section shall be applicable to benefits
6 under ~~this~~ subsection (h) of this section and references to
7 the decedent's death shall be construed as references to
8 the qualifying disability. For purposes of ~~this~~ subsection
9 (h) of this section, it shall be conclusively presumed that
10 ~~a peace officer~~ the person suffered a qualifying disability
11 if:

12
13 (i) The ~~peace officer's~~ person's disability was
14 caused by a specific injury or disease which results
15 primarily from a specific act or occurrence determinable by
16 a definite time or place, from a physical or mental trauma
17 which arises from the nature and in the course of the ~~peace~~
18 ~~officer's~~ person's scope of employment;

19
20 (ii) The disabled ~~peace officer~~ person is unable
21 to continue in the performance of his duties; ~~as a peace~~
22 ~~officer~~ and

23

(iii) The ~~peace officer~~person is receiving retirement benefits for partial or total disability incurred in the scope of employment, including payments made pursuant to W.S. 9-3-431(f), 9-3-432(h)(i), 9-3-611(a) or 15-5-308(a) or the Wyoming Worker's Compensation Act.

7 **Section 2.** This act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming
10 Constitution.

12 (END)