

**House Study Bill 329 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON WAYS  
AND MEANS BILL BY CHAIRPERSON  
KAUFMANN)

**A BILL FOR**

1 An Act providing for a waiver of tuition and mandatory fees at  
2 regents institutions and community colleges for peace officers  
3 and their legal dependents and making appropriations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **256.231 Peace officer tuition**  
2 **waiver reimbursement — fund — appropriation.**

3 1. A peace officer tuition waiver reimbursement fund is  
4 created in the state treasury as a separate fund under the  
5 control of the commission. Moneys deposited in the fund are  
6 appropriated to the commission for the purpose of reimbursing  
7 institutions of higher education governed by the state board of  
8 regents and community colleges for the cost of waivers of tuition  
9 and mandatory fees for peace officers and their legal dependents  
10 under chapter 260K and chapter 262, subchapter XVIII.

11 2. The commission shall establish a process whereby an  
12 institution or community college may apply to the commission for  
13 reimbursement of the cost of waivers of tuition and mandatory  
14 fees for peace officers and their legal dependents under chapter  
15 260K and chapter 262, subchapter XVIII. The process shall include  
16 but is not limited to application timelines, procedures for  
17 documentation of costs, and procedures for the proration of  
18 reimbursements if the moneys available in the peace officer  
19 tuition waiver reimbursement fund are insufficient or anticipated  
20 to be insufficient to cover the full cost of reimbursements in a  
21 fiscal year.

22 3. Notwithstanding section 8.33, moneys appropriated to the  
23 fund that remain unencumbered or unobligated shall not revert at  
24 the close of the fiscal year but shall remain in the fund and  
25 shall remain available for expenditure for the purpose of this  
26 section.

27 Sec. 2. NEW SECTION. **260K.1 Definitions.**

28 As used in this chapter, unless the context otherwise  
29 requires:

30 1. "*Community college*" means a community college established  
31 under chapter 260C.

32 2. "*Legal dependent*" means a person considered a legal  
33 dependent of a peace officer for purposes of the free application  
34 for federal student aid.

35 3. "*Peace officer*" means the same as defined in section

1 801.4.

2 Sec. 3. NEW SECTION. **260K.2 Tuition and fee waiver for**  
3 **peace officers.**

4 1. A community college shall waive tuition and mandatory fees  
5 for a peace officer to whom all of the following apply:

6 a. The officer is a resident of Iowa.

7 b. The officer is certified through the Iowa law enforcement  
8 academy and such certification has not been revoked or suspended.

9 c. The officer meets all admission requirements of the  
10 community college.

11 d. The officer is pursuing a degree that relates to a career  
12 in law enforcement.

13 e. The officer submits to the community college documentation  
14 showing proof of employment as a peace officer and proof of  
15 residence in Iowa each year the officer applies for and receives  
16 the tuition waiver.

17 2. A peace officer may receive the tuition waiver for up to  
18 three years if the officer continues to meet the requirements  
19 of this chapter. The three years of eligibility start once the  
20 officer applies for and receives the tuition waiver for the first  
21 time and continue for the next three consecutive years.

22 Sec. 4. NEW SECTION. **260K.3 Tuition and fee waiver for**  
23 **legal dependents of peace officers.**

24 1. A community college shall waive tuition and mandatory fees  
25 for a legal dependent of a peace officer to whom all of the  
26 following apply:

27 a. The dependent is a resident of Iowa.

28 b. The dependent executes an agreement with the community  
29 college that provides for all of the following:

30 (1) The dependent will reside in Iowa for at least five years  
31 after the dependent receives a degree from the community college.

32 (2) To demonstrate the dependent's compliance with  
33 subparagraph (1), the dependent will file a tax return with the  
34 department of revenue for each year of the five-year period and  
35 provide proof of such filing to the community college in a manner

1 prescribed by the community college.

2 (3) If the dependent fails to comply with subparagraph (1)  
3 or (2), the dependent agrees to repay the community college the  
4 amount of any waiver received by the dependent under this section  
5 upon request.

6 c. The dependent has not previously earned an associate or  
7 baccalaureate degree.

8 d. The dependent completes and submits a free application for  
9 federal student aid.

10 e. The dependent submits to the community college  
11 documentation showing proof of the peace officer's employment  
12 as a peace officer and current certification by the Iowa law  
13 enforcement academy and proof of the officer's and dependent's  
14 residence in Iowa each year the legal dependent applies for and  
15 receives the tuition waiver.

16 2. The legal dependent may receive the tuition waiver for  
17 up to three years if the legal dependent continues to meet  
18 the requirements of this chapter. The three years of tuition  
19 waiver eligibility start once the legal dependent applies for and  
20 receives the tuition waiver for the first time and continue for  
21 the next three consecutive years.

22 3. The death of a peace officer in the line of duty that  
23 occurs after an otherwise eligible legal dependent's submission  
24 of an application for a tuition waiver shall not disqualify the  
25 dependent from receiving the tuition waiver. In such case, in  
26 lieu of the requirements of subsection 1, paragraph "e", the  
27 legal dependent shall submit verification in a manner prescribed  
28 by the community college from the officer's employer attesting to  
29 all of the following:

30 a. At the time of the officer's death, the employer was  
31 employing the officer as a peace officer.

32 b. The officer died in the line of duty.

33 Sec. 5. NEW SECTION. **260K.4 Tuition waiver — amount and**  
34 **eligibility.**

35 The community college shall waive one hundred percent of

1 the officer's or legal dependent's tuition and mandatory fees  
2 remaining due after subtracting awarded federal financial aid  
3 grants and state scholarships and grants during the time the  
4 officer or legal dependent is enrolled. To remain eligible, the  
5 officer or legal dependent must comply with all requirements of  
6 the community college for continued attendance and award of a  
7 degree.

8 Sec. 6. NEW SECTION. **260K.5 Documented verification.**

9 An application for the tuition waiver by a peace officer  
10 or legal dependent must include documented verification of  
11 the officer's or dependent's satisfaction of section 260K.2,  
12 subsection 1, or section 260K.3, subsection 1, as applicable,  
13 in a manner prescribed by the community college. The officer  
14 or dependent shall include such verification when the officer or  
15 legal dependent is initially applying to the community college  
16 to obtain a tuition waiver and subsequently as determined by the  
17 community college.

18 Sec. 7. NEW SECTION. **260K.6 Notice of eligibility**  
19 **decision.**

20 A community college shall send written notice of the peace  
21 officer's or legal dependent's eligibility or ineligibility for  
22 the tuition waiver after receiving an application for a waiver.  
23 If the officer or legal dependent is determined not to be  
24 eligible for the tuition waiver, the notice shall include the  
25 reason or reasons for such determination.

26 Sec. 8. NEW SECTION. **262.105 Definitions.**

27 As used in this subchapter, unless the context otherwise  
28 requires:

29 1. "Institution" means an institution of higher education  
30 governed by the state board of regents.

31 2. "Legal dependent" means a person considered a legal  
32 dependent of a peace officer for purposes of the free application  
33 for federal student aid.

34 3. "Peace officer" means the same as defined in section  
35 801.4.

1     Sec. 9.   NEW SECTION.   **262.106 Tuition and fee waiver for**  
2 **peace officers.**

3     1. An institution shall waive undergraduate tuition and  
4 mandatory fees for a peace officer to whom all of the following  
5 apply:

6     a. The officer is a resident of Iowa.

7     b. The officer is certified through the Iowa law enforcement  
8 academy and such certification has not been revoked or suspended.

9     c. The officer meets all admission requirements of the  
10 institution.

11    d. The officer is pursuing a degree that relates to a career  
12 in law enforcement.

13    e. The officer submits to the institution documentation  
14 showing proof of employment as a peace officer and proof of  
15 residence in Iowa each year the officer applies for and receives  
16 the tuition waiver.

17    2. A peace officer may receive the tuition waiver for up to  
18 five years if the officer continues to meet the requirements  
19 of this chapter. The five years of eligibility start once the  
20 officer applies for and receives the tuition waiver for the first  
21 time and continue for the next five consecutive years.

22    Sec. 10. NEW SECTION.   **262.107 Tuition and fee waiver for**  
23 **legal dependents of peace officers.**

24    1. An institution shall waive undergraduate tuition and  
25 mandatory fees for a legal dependent of a peace officer to whom  
26 all of the following apply:

27    a. The dependent is a resident of Iowa.

28    b. The dependent executes an agreement with the institution  
29 that provides for all of the following:

30    (1) The dependent will reside in Iowa for at least five years  
31 after the dependent receives a degree from the institution.

32    (2) To demonstrate the dependent's compliance with  
33 subparagraph (1), the dependent will file a tax return with the  
34 department of revenue for each year of the five-year period and  
35 provide proof of such filing to the institution in a manner

1 prescribed by the institution.

2 (3) If the dependent fails to comply with subparagraph (1)  
3 or (2), the dependent agrees to repay the institution the amount  
4 of any waiver received by the dependent under this section upon  
5 request.

6 c. If the dependent is pursuing an associate degree, the  
7 dependent has not previously earned an associate or baccalaureate  
8 degree. If the dependent is pursuing a baccalaureate degree, the  
9 dependent has not previously earned a baccalaureate degree.

10 d. The dependent completes and submits a free application for  
11 federal student aid.

12 e. The dependent submits to the institution documentation  
13 showing proof of the peace officer's employment as a peace  
14 officer and current certification by the Iowa law enforcement  
15 academy and proof of the officer's and dependent's residence in  
16 Iowa each year the legal dependent applies for and receives the  
17 tuition waiver.

18 2. The legal dependent may receive the tuition waiver for  
19 up to five years if the legal dependent continues to meet  
20 the requirements of this chapter. The five years of tuition  
21 waiver eligibility start once the legal dependent applies for and  
22 receives the tuition waiver for the first time and continue for  
23 the next five consecutive years.

24 3. The death of a peace officer in the line of duty that  
25 occurs after an otherwise eligible legal dependent's submission  
26 of an application for a tuition waiver shall not disqualify the  
27 dependent from receiving the tuition waiver. In such case, in  
28 lieu of the requirements of subsection 1, paragraph "e", the  
29 legal dependent shall submit verification in a manner prescribed  
30 by the institution from the officer's employer attesting to all  
31 of the following:

32 a. At the time of the officer's death, the employer was  
33 employing the officer as a peace officer.

34 b. The officer died in the line of duty.

35 Sec. 11. NEW SECTION. **262.108 Tuition waiver — amount and**

1 **eligibility.**

2 The institution shall waive one hundred percent of the  
3 officer's or legal dependent's tuition and mandatory fees  
4 remaining due after subtracting awarded federal financial aid  
5 grants and state scholarships and grants during the time the  
6 officer or legal dependent is enrolled. To remain eligible, the  
7 officer or legal dependent must comply with all requirements of  
8 the institution for continued attendance and award of a degree.

9 Sec. 12. NEW SECTION. **262.109 Documented verification.**

10 An application for the tuition waiver by a peace officer  
11 or legal dependent must include documented verification of  
12 the officer's or dependent's satisfaction of section 262.106,  
13 subsection 1, or section 262.107, subsection 1, as applicable,  
14 in a manner prescribed by the institution. The officer or  
15 dependent shall include such verification when the officer or  
16 legal dependent is initially applying to the institution to  
17 obtain a tuition waiver and subsequently as determined by the  
18 institution.

19 Sec. 13. NEW SECTION. **262.110 Notice of eligibility**  
20 **decision.**

21 An institution shall send written notice of the peace  
22 officer's or legal dependent's eligibility or ineligibility for  
23 the tuition waiver after receiving an application for a waiver.  
24 If the officer or legal dependent is determined not to be  
25 eligible for the tuition waiver, the notice shall include the  
26 reason or reasons for such determination.

27 Sec. 14. NEW SECTION. **321P.10 Surcharge.**

28 A surcharge of ten dollars is imposed on each citation issued  
29 using a system. A local authority shall transfer all moneys  
30 collected pursuant to this section to the treasurer of state on  
31 a monthly basis for deposit in the peace officer tuition waiver  
32 reimbursement fund created in section 256.231.

33 Sec. 15. IMPLEMENTATION OF ACT. The funds generated as a  
34 result of the enactment of this Act are intended to cover  
35 the costs of any state mandate included in this Act and this

1 specification of state funding shall be deemed to meet all the  
2 state funding-related requirements of section 25B.2, subsection  
3 3, and no additional state funding shall be necessary for the  
4 full implementation of this Act by, and enforcement of this Act  
5 against, all affected political subdivisions.

6

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

9 This bill requires institutions of higher education governed  
10 by the state board of regents and community colleges to waive  
11 tuition and mandatory fees for peace officers, as defined in the  
12 bill. The bill provides requirements to receive such a waiver,  
13 including residency in Iowa, current certification through the  
14 Iowa law enforcement academy, meeting admission requirements, and  
15 pursuing a degree that relates to a career in law enforcement.  
16 The bill provides for a similar waiver of tuition and mandatory  
17 fees for the legal dependent of a peace officer. A legal  
18 dependent must agree to reside in Iowa for five years after  
19 receiving a degree or repay the amount of the waiver. A waiver  
20 lasts for five years at a regents institution and three years at  
21 a community college. The bill provides procedures for applying  
22 for and retaining eligibility for such waivers.

23 The bill creates a peace officer tuition waiver reimbursement  
24 fund in the state treasury under the control of the college  
25 student aid commission. The bill appropriates moneys deposited  
26 in the fund to the commission for the purpose of reimbursing  
27 regents institutions and community colleges for the cost of  
28 waivers of tuition and mandatory fees under the bill. The bill  
29 directs the commission to establish a process whereby a regents  
30 institution or community college may apply to the commission for  
31 reimbursement of such costs.

32 The bill imposes a surcharge of \$10 on citations issued by  
33 local authorities using automated or remote systems for traffic  
34 law enforcement under Code chapter 321P. The bill requires local  
35 authorities to transfer such moneys to the treasurer of state for

1 deposit in the peace officer tuition waiver reimbursement fund.

2 The bill may include a state mandate as defined in Code  
3 section 25B.3. The bill provides that funds generated in the  
4 bill are intended to cover the costs of any state mandate  
5 included in the bill. The inclusion of this specification  
6 of state funding is intended to reinstate the requirement of  
7 political subdivisions to comply with any state mandates included  
8 in the bill.

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