

Date of Hearing: April 2, 2019

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1090 (Medina) – As Introduced February 21, 2019

SUBJECT: Public postsecondary education: waiver of mandatory campus-based fees

SUMMARY: Expands an existing exemption from mandatory systemwide tuition and fees at the University of California (UC), the Hastings College of Law, the California State University (CSU), and the California Community Colleges (CCC)—for an eligible survivor of a state or local public agency law enforcement officer or a federal, state or local firefighter who died in the line of duty—to also exempt these eligible survivors from mandatory campus-based fees.

EXISTING LAW:

- 1) Provides that no mandatory systemwide fees be required by the UC Regents, the Board of Directors of Hastings College of Law, the CSU Trustees, or the Board of Governors of the CCC from any surviving spouse or child, of a deceased person, who met all of the following requirements:
 - a) He or she was a resident of this state;
 - b) He or she was employed by a state or local public agency, or was a contractor, or an employee of a contractor, performing services for a public agency, or was a firefighter employed by the federal government whose duty assignment involved performing firefighting services in California;
 - c) His or her principal duties consisted of active law enforcement service or active fire suppression and prevention; and,
 - d) He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties, died as a result of an accident or an injury caused by external violence or physical force during the performing those duties, or died as a result of an industrial injury or illness arising out of and in the course of performing those duties. (Education Code (EC) Section 68120)
- 2) Requires that any determination of eligibility, as specified, shall be consistent with any findings of the Workers' Compensation Appeals Board, using the same procedures as in workers' compensation hearings, as to whether the death of the person, as specified, was industrial. (EC Sect. 68120.5)

FISCAL EFFECT: Unknown

COMMENTS:

Background and Recent Legislative History. The Alan Pattee Scholarship Act of 1970 was created in order to assist surviving family members of firefighters and law enforcement officers who died in the line of duty. The Act waives all mandatory tuition and systemwide fees at UC, Hastings, CSU and the CCC for these survivors. AB 2164 (O'Donnell), Chapter 435, Statutes of

2016 expanded the eligibility for this tuition exemption to survivors of firefighters and law enforcement officers who died as a result of an industrial injury or illness arising out of and in the course of performing their duties. Last year, AB 2554 (Bonta), Chapter 191, Statutes of 2018, expanded the exemption to apply to an eligible survivor of a firefighter employed by the federal government who was a resident of California and whose duty assignment involved firefighting in California.

Purpose. AB 1090, in addition to waiving *systemwide* tuition and fees for the students described above, waives all *mandatory campus-based* fees. (This provision was also included in AB 2164, but was amended out of that bill prior to its final enactment in 2016.) These fees are adopted at the campus level and thus vary among campuses. They are often used to cover the costs of student government operations, student health and counseling centers, and the development and operating costs of student unions and recreation centers, among other things. At UC for 2018-19, the annual cost of campus-based fees averages \$1,389 and ranges from \$656 to \$1,832. At CSU, the fees average \$1,561, and range from \$845 to \$2,056. (The San Luis Obispo campus has an annual fee of \$4,074 - \$2,000 above the next highest campus.) Mandatory campus-based fees at the community colleges are generally minimal.

Camel's Nose Under Tent? The number of students obtaining a tuition waiver under the Pattee Act is very low; it is only around 10 annually at UC and was 26 at CSU last year. Therefore, the revenue losses to UC and CSU from this bill would be de minimis at any individual campus. There are, however, other categories of students who currently receive tuition waivers, and if the waiver contained in this bill was subsequently extended to additional such students, the fiscal impact could be significant. For example, one such category of students receiving tuition waivers are the survivors of military veterans killed or permanently disabled in the line of duty. At CSU alone, almost 9,000 students fall into this category. Extending the waiver of campus-based fees just to these students would therefore result in revenue losses of around \$14 million across CSU's campuses.

Prior Legislation. In addition to the recent legislation discussed above, AB 2990 (Low), Chapter 642, Statutes of 2018 required every campus subject to the Act to place a link on the financial aid section of the campus website describing the exemption and providing an application for the exemption.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Chuck Nicol / HIGHER ED. / (916) 319-3960