

1 SB79
2 147678-1
3 By Senators Taylor, Williams, Dial, Beason, Brewbaker, Glover,
4 Scofield, Holtzclaw and Whatley
5 RFD: Veterans and Military Affairs
6 First Read: 05-FEB-13

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8 SYNOPSIS: Under existing law, the wife, widow, or
9 child of a veteran is entitled to scholarship
10 benefits for postsecondary education based on
11 certain conditions including service of the veteran
12 during "wartime or extra hazardous conditions." The
13 Department of Veterans' Affairs has in the past
14 provided benefits to dependents of any veteran
15 based on any service, but as of January 2011 began
16 providing benefits only to dependents of veterans
17 who served during certain designated conflict
18 periods.

19 This bill would delete the requirement that
20 the service of the veteran had to have been during
21 wartime or extrahazardous conditions. The bill
22 would also provide that the application of the
23 change would be applied retroactively to January
24 2011.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To amend Section 31-6-11 of the Code of Alabama
4 1975, relating to the educational scholarship benefits for
5 postsecondary education to dependents of veterans; to delete
6 the requirement that in order to qualify for the benefits any
7 service of the veteran had to have been during wartime or
8 extrahazardous conditions; and to provide for retroactive
9 application.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 31-6-11 of the Code of Alabama
12 1975, is amended to read as follows:

13 "§31-6-11.

14 "(a) Before an application of any veteran for
15 benefits under this chapter can be approved, such veteran
16 shall submit proof, satisfactory to the State Department of
17 Veterans' Affairs, of all of the following:

18 "(1) Identification~~;~~.

19 "(2) Having been a permanent resident of the State
20 of Alabama for at least one year immediately prior to his or
21 her entrance into service~~;~~ ~~and~~.

22 "(3) An honorable discharge or other proof of
23 honorable termination of at least 24 months of service in the
24 armed forces, or if such veteran was discharged or released by
25 reason of service-connected disability then proof of honorable
26 termination of less than 24 months of service is acceptable.

1 "(b) Before the application of a wife, widow, or
2 child of a disabled veteran or a deceased veteran or
3 serviceman for educational benefits under this chapter is
4 approved, proof, satisfactory to the State Department of
5 Veterans' Affairs, must be submitted of all of the following:

6 "(1) Establishing the identification of such wife,
7 widow, or child as the wife, widow, or child of the veteran or
8 serviceman, as the case may be~~7~~.

9 "(2) Of ~~such~~ the veteran or serviceman having been a
10 permanent resident of the State of Alabama for at least one
11 year immediately prior, to his or her entrance into service,
12 or if the applicant is the wife, widow, or child of a totally
13 and permanently disabled veteran, then proof either of the
14 veteran's having been a permanent resident of the State of
15 Alabama for at least one year prior to his or her entrance
16 into service or proof that ~~such~~ the veteran has been a bona
17 fide resident of this state for at least five years
18 immediately prior to the filing of the application for
19 benefits under this chapter or immediately prior to his or her
20 death if the veteran is deceased~~7~~and~~7~~.

21 "(3) An honorable discharge or other proof of
22 honorable termination of service of the veteran or serviceman
23 in the armed forces for a period of at least 90 days between
24 the dates mentioned in this chapter, or service of less than
25 90 days if the veteran or serviceman was discharged or
26 released by reason of service-connected disability.

1 ~~"(c) The service upon which any benefits are awarded~~
2 ~~under this chapter shall have been rendered during wartime or~~
3 ~~under extrahazardous conditions; and this condition of~~
4 ~~eligibility shall be established by the State Department of~~
5 ~~Veterans' Affairs."~~

6 Section 2. This act shall be applied retroactively
7 to educational programs commenced by dependents of veterans
8 after January 1, 2011.

9 Section 3. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.