

1 SB84  
2 147766-2  
3 By Senators Pittman, Dial, Holley and Beasley  
4 RFD: Finance and Taxation Education  
5 First Read: 05-FEB-13

1 SB84

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to veterans' educational benefits; to amend  
12 Sections 31-6-2, 31-6-4, 31-6-5, 31-6-6, and 31-6-15, Code of  
13 Alabama 1975; to specify which dependents are entitled to  
14 benefits and to limit benefits for dependents who apply for  
15 and first receive benefits after January 1, 2014.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Sections 31-6-2, 31-6-4, 31-6-5, 31-6-6,  
18 and 31-6-15, Code of Alabama 1975, are amended to read as  
19 follows:

20 "§31-6-2.

21 "For the purposes of this chapter, the following  
22 terms shall have the meanings ascribed to them by this  
23 section:

24 "(1) ARMED FORCES. Such term shall include the  
25 United States Army, Air Force, Navy, Marine Corps, and Coast  
26 Guard, and such term shall also include the units of those  
27 branches of the services having women troops. It shall also

1 include the Army, Navy, Marine Corps, and Coast Guard Nurse  
2 Corps.

3 "~~(4)~~ (2) HUSBAND. Such term shall mean spouse.

4 "(3) TUITION. Fees for instruction.

5 "~~(2)~~ (4) TUITION AND FEES. All fees known and  
6 classed as instructional fees.

7 "(5) WIDOW. Such term shall mean widow or widower.

8 "~~(3)~~ (6) WIFE. Such term shall mean spouse.

9 "§31-6-4.

10 "(a) Any child whose father or mother:

11 "(1) Was killed or died in line of duty or is listed  
12 as missing in action or is/was a prisoner of war or whose  
13 death or permanent total disabilities were service-connected  
14 while serving as a member of the armed forces; or

15 "(2) Died from a disability incurred from military  
16 service, as established by the State Department of Veterans'  
17 Affairs, after having been discharged under conditions other  
18 than dishonorable and after having served at least 90 days  
19 consecutively in the armed forces prior to and/or subsequent  
20 to the date on which such disability occurred, or who was  
21 honorably discharged by reason of wartime, service-connected  
22 disability after serving less than 90 days; or

23 "(3) Has been assigned 100 percent permanent or  
24 total disability rated by the United States Veterans'  
25 Administration, or was discharged or retired from the armed  
26 forces with a 20 percent or more disability and maintained

1       that percentage (such person to be deemed to be a disabled  
2       veteran)  
3       may attend any Alabama state institution of higher learning,  
4       college, or university for a period of five standard academic  
5       years, not to exceed 45 months or the equivalent of 45 months  
6       if enrolled part-time, without paying any tuition, fees, or  
7       books whatsoever for such college or university attendance, or  
8       any such child may take a prescribed course in any Alabama  
9       state trade school for the length of any prescribed course of  
10      study of his or her choosing, and if such course does not  
11      require the full 45 months, then training for the remainder of  
12      such 45 months' entitlement may be taken at a state-supported  
13      college or university only, without the payment of any  
14      tuition, fees, or books whatsoever. Training under this  
15      section must be initiated prior to the child's thirtieth  
16      birthday, and must be completed within eight years after its  
17      initiation, except for delays caused by military service  
18      during the training period, and in no case may training be  
19      received under this chapter beyond the thirty-eighth birthday  
20      of such child.

21               "(b) The educational benefits received pursuant to  
22      subsection (a) for use at any Alabama state institution of  
23      higher learning, college, or university shall be limited to  
24      undergraduate courses of study only for children who apply for  
25      and are granted educational benefits for the first time by the  
26      Department of Veterans' Affairs after January 1, 2014.

27               "§31-6-5.

1           "(a) Any wife or husband or unmarried widow or  
2           widower whose spouse, during their marriage:

3                 "(1) Was killed or died in the line of duty or is  
4                 listed as missing in action or is/was a prisoner of war while  
5                 serving as a member of the armed forces;

6                 "(2) Died from a disability incurred from military  
7                 service; or

8                 "(3) Is 100 percent permanently and totally  
9                 disabled, whose permanent and total disabilities were  
10                service-connected;  
11                shall be entitled to training in any Alabama state-supported  
12                college or university for a period of five standard academic  
13                years, not to exceed 45 months or to training for the  
14                equivalent of 45 months if enrolled part-time or to training  
15                in a prescribed course in a state-supported trade school, and  
16                if such course does not require the full 45 months, then  
17                training for the remainder of such 45 months' entitlement may  
18                be taken at a state-supported college or university only,  
19                without the payment of any tuition, fees, or books,  
20                whatsoever. One change of program will be allowed without  
21                counseling. All training received under this section must be  
22                completed within eight years after the beginning date of the  
23                course. This section shall not apply to the spouse of any such  
24                deceased serviceman or veteran who has remarried prior to  
25                applying for and obtaining educational benefits under this  
26                section, and should any such spouse of such deceased  
27                serviceman or veteran remarry during the time he or she is in

1 attendance upon any of the schools, colleges, or universities  
2 mentioned in this section, then he or she shall pay tuition  
3 and fees for the course of study or attendance upon such  
4 school, college, or university from the time of the  
5 remarriage. The benefits provided under this section shall be  
6 in addition to federal government benefits.

7 "(b) The educational benefits received pursuant to  
8 subsection (a) for use at any Alabama state institution of  
9 higher learning, college, or university shall be limited to  
10 undergraduate courses of study only for wives, husbands, and  
11 unmarried widows or widowers who apply for and are granted  
12 educational benefits for the first time by the Department of  
13 Veterans' Affairs after January 1, 2014.

14 "§31-6-6.

15 "(a) The spouse and children of any veteran who is  
16 suffering from 20 to 90 percent service-connected disability  
17 brought about from service in the Armed Forces of the United  
18 States, or the unmarried widow or widower and children of a  
19 deceased veteran who was suffering from 20 percent or more of  
20 service-connected disability at the time of death, provided  
21 such disabilities as are mentioned herein are incurred from  
22 military service, as established by the State Department of  
23 Veterans' Affairs, shall be entitled to the following  
24 educational advantages and opportunities:

25 "(1) The spouse or unmarried widow or widower, as  
26 the case may be, shall be entitled to up to 27 months of  
27 schooling or the equivalent of 27 months if enrolled

1 part-time, in any Alabama state-supported institution of  
2 higher learning, college, or university, or to a prescribed  
3 course in any Alabama state-supported trade school without the  
4 payment of any tuition, fee, or books. One change of program  
5 will be allowed without counseling. It is provided, however,  
6 that all training received at state institutions of higher  
7 learning or state trade schools under this subdivision must be  
8 completed within a period of six years after the beginning  
9 date of such two-year course or such prescribed course.

10 "(2) Each child of such disabled veteran shall be  
11 entitled to five standard academic years, or the equivalent of  
12 45 months if enrolled part-time, in any Alabama  
13 state-supported institution of higher learning, college, or  
14 university, or to a prescribed course at an Alabama  
15 state-supported trade school. If the course of training at the  
16 trade school does not require the full time to which such  
17 child is entitled hereunder, then the remaining entitlement  
18 may be taken in a state-supported college or university only,  
19 without payment of any tuition, fees, or books. One change of  
20 program will be allowed without counseling. Training under  
21 this subdivision must be initiated prior to the child's  
22 twenty-sixth birthday, and must be completed within eight  
23 years after its initiation, except for delays caused by  
24 military service during the training period, and in no case  
25 may training be received under this section beyond the  
26 thirty-fourth birthday of such child.

1           "(b) The educational benefits received pursuant to  
2           subsection (a) for use at any Alabama state institution of  
3           higher learning, college, or university shall be limited to  
4           undergraduate courses of study only for spouses, children, and  
5           unmarried widows and widowers who apply for and are granted  
6           educational benefits for the first time by the Department of  
7           Veterans' Affairs after January 1, 2014.

8           ~~"(b)~~ (c) The benefits provided under this section  
9           shall be available in addition to federal government benefits.  
10          Any child, spouse, or unmarried widow or widower who was  
11          denied full entitlement, 27 or 45 months, whichever the case  
12          may be, shall have the remainder of their entitlement  
13          reinstated under this chapter.

14                "§31-6-15.

15                "There is hereby appropriated from the Education  
16          Trust Fund such an amount as may be necessary to reimburse  
17          every Alabama state institution of higher learning, college,  
18          university, or Alabama state trade school or junior college in  
19          which benefits are given to veterans, their wives, widows, or  
20          children under this chapter. Such reimbursement shall be made  
21          at the end of each academic quarter or semester for all fees  
22          or tuition waived by such institution, college, university, or  
23          school under this chapter, and shall be made on the basis of  
24          certified invoices submitted by such institution or school to  
25          the State Department of Veterans' Affairs, and shall be  
26          supported by names of the students receiving such benefits,  
27          together with the amounts claimed for each student. The



1     appropriation from the Education Trust Fund for reimbursement  
2     for benefits provided under this chapter shall be for the  
3     value of educational benefits for individuals who are  
4     residents of the state and who apply for and are granted  
5     educational benefits for the first time by the Department of  
6     Veterans' Affairs after January 1, 2014."

7             Section 2. This act shall become effective  
8     immediately following its passage and approval by the  
9     Governor, or its otherwise becoming law.

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2  
3 Senate  
  
4 Read for the first time and referred to the Senate  
5 committee on Finance and Taxation Education ..... 05-FEB-13  
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7 Read for the second time and placed on the calen-  
8 dar..... 14-FEB-13  
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10 Read for the third time and passed as amended .... 25-APR-13

11 Yeas 20  
12 Nays 9

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14  
15 Patrick Harris  
16 Secretary  
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