

1 SB390  
2 100704-1  
3 By Senator Orr  
4 RFD: Veterans and Military Affairs  
5 First Read: 09-FEB-10

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8 SYNOPSIS: Currently, to be eligible for veterans'  
9 educational benefits, the veteran must have been a  
10 permanent resident of Alabama for at least one year  
11 prior to entrance into service. The wife or child  
12 of a permanently and totally disabled veteran who  
13 was a resident for at least one year prior to  
14 entering the service or immediately prior to his or  
15 her death may also be eligible for education  
16 benefits.

17 This bill would allow a veteran who has been  
18 a resident for five years prior to application for  
19 benefits to be eligible to receive the benefits.

20 This bill would allow the spouse of or child  
21 of any veteran who has been a resident for five  
22 years prior to application for benefits to be  
23 eligible to receive benefits or if the veteran was  
24 a resident immediately prior to his or her death.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 To amend Section 31-6-11, Code of Alabama 1975,  
4 relating to veterans' educational benefits, to allow a veteran  
5 who has been a resident for five years prior to application  
6 for benefits to be eligible to receive the benefits; and to  
7 allow the spouse or child of a disabled veteran who has been a  
8 resident for five years prior to application for benefits to  
9 be eligible to receive the benefits.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 31-6-11, Code of Alabama 1975, is  
12 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~~ the veteran  
16 shall submit proof, satisfactory to the State Department of  
17 Veterans' Affairs, of:

18 "(1) Identification~~7.~~

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 or having been a permanent resident  
22 of the State of Alabama for at least five years immediately  
23 prior to his or her application for benefits~~7. and.~~

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

1 of honorable termination of less than 24 months of service is  
2 acceptable.

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

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

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

23 "(3) An honorable discharge or other proof of  
24 honorable termination of service of the veteran or serviceman  
25 in the armed forces for a period of at least 90 days between  
26 the dates mentioned in this chapter, or service of less than

1       90 days if the veteran or serviceman was discharged or  
2       released by reason of service-connected disability.

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

8               Section 2. This act shall become effective on the  
9       first day of the third month following its passage and  
10       approval by the Governor, or its otherwise becoming law.