

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

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8 SYNOPSIS: Under existing law, the Alabama G.I.
9 Dependents' Scholarship is available to all
10 dependents of certain veterans and provides for
11 tuition, fees, and books for these dependents.

12 This bill would specify which dependents are
13 entitled to benefits and limit the benefits to
14 tuition only for those dependents who apply for and
15 first receive benefits after August 1, 2013.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
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21 Relating to veterans' educational benefits; to amend
22 Sections 31-6-2, 31-6-4, 31-6-5, 31-6-6, and 31-6-15, Code of
23 Alabama 1975; to specify which dependents are entitled to
24 benefits and to limit benefits to tuition only for dependents
25 who apply for and first receive benefits after August 1, 2013.
26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

4 "§31-6-2.

5 "For the purposes of this chapter, the following
6 terms shall have the meanings ascribed to them by this
7 section:

8 "(1) ARMED FORCES. Such term shall include the
9 United States Army, Air Force, Navy, Marine Corps, and Coast
10 Guard, and such term shall also include the units of those
11 branches of the services having women troops. It shall also
12 include the Army, Navy, Marine Corps, and Coast Guard Nurse
13 Corps.

14 "~~(4)~~ (2) HUSBAND. Such term shall mean spouse.

15 "(3) TUITION. Fees for instruction.

16 "~~(2)~~ (4) TUITION AND FEES. All fees known and
17 classed as instructional fees.

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

19 "~~(3)~~ (6) WIFE. Such term shall mean spouse.

20 "§31-6-4.

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

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

26 "(2) Died from a disability incurred from military
27 service, as established by the State Department of Veterans'

1 Affairs, after having been discharged under conditions other
2 than dishonorable and after having served at least 90 days
3 consecutively in the armed forces prior to and/or subsequent
4 to the date on which such disability occurred, or who was
5 honorably discharged by reason of wartime, service-connected
6 disability after serving less than 90 days; or

7 "(3) Has been assigned 100 percent permanent or
8 total disability rated by the United States Veterans'
9 Administration, or was discharged or retired from the armed
10 forces with a 20 percent or more disability and maintained
11 that percentage (such person to be deemed to be a disabled
12 veteran)
13 may attend any Alabama state institution of higher learning,
14 college, or university for a period of five standard academic
15 years, not to exceed 45 months or the equivalent of 45 months
16 if enrolled part-time, without paying any tuition, fees, or
17 books whatsoever for such college or university attendance, or
18 any such child may take a prescribed course in any Alabama
19 state trade school for the length of any prescribed course of
20 study of his or her choosing, and if such course does not
21 require the full 45 months, then training for the remainder of
22 such 45 months' entitlement may be taken at a state-supported
23 college or university only, without the payment of any
24 tuition, fees, or books whatsoever. Training under this
25 section must be initiated prior to the child's thirtieth
26 birthday, and must be completed within eight years after its
27 initiation, except for delays caused by military service

1 during the training period, and in no case may training be
2 received under this chapter beyond the thirty-eighth birthday
3 of such child.

4 "(b) The educational benefits received pursuant to
5 subsection (a) shall be limited to tuition only for children
6 who apply for and are granted educational benefits for the
7 first time by the Department of Veterans' Affairs after August
8 1, 2013.

9 "(c) The educational benefits received pursuant to
10 subsection (a) for use at any Alabama state institution of
11 higher learning, college, or university shall be limited to
12 undergraduate courses of study only for children who apply for
13 and are granted educational benefits for the first time by the
14 Department of Veterans' Affairs after August 1, 2013.

15 "§31-6-5.

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

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

21 "(2) Died from a disability incurred from military
22 service; or

23 "(3) Is 100 percent permanently and totally
24 disabled, whose permanent and total disabilities were
25 service-connected;
26 shall be entitled to training in any Alabama state-supported
27 college or university for a period of five standard academic

1 years , not to exceed 45 months or to training for the
2 equivalent of 45 months if enrolled part-time or to training
3 in a prescribed course in a state-supported trade school, and
4 if such course does not require the full 45 months, then
5 training for the remainder of such 45 months' entitlement may
6 be taken at a state-supported college or university only,
7 without the payment of any tuition, fees, or books,
8 whatsoever. One change of program will be allowed without
9 counseling. All training received under this section must be
10 completed within eight years after the beginning date of the
11 course. This section shall not apply to the spouse of any such
12 deceased serviceman or veteran who has remarried prior to
13 applying for and obtaining educational benefits under this
14 section, and should any such spouse of such deceased
15 serviceman or veteran remarry during the time he or she is in
16 attendance upon any of the schools, colleges, or universities
17 mentioned in this section, then he or she shall pay tuition
18 and fees for the course of study or attendance upon such
19 school, college, or university from the time of the
20 remarriage. The benefits provided under this section shall be
21 in addition to federal government benefits.

22 "(b) The educational benefits received pursuant to
23 subsection (a) shall be limited to tuition only for wives,
24 husbands, and unmarried widows or widowers who apply for and
25 are granted educational benefits for the first time by the
26 Department of Veterans' Affairs after August 1, 2013.

1 "(c) 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 wives, husbands, and
5 unmarried widows or widowers who apply for and are granted
6 educational benefits for the first time by the Department of
7 Veterans' Affairs after August 1, 2013.

8 "§31-6-6.

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

19 "(1) The spouse or unmarried widow or widower, as
20 the case may be, shall be entitled to up to 27 months of
21 schooling or the equivalent of 27 months if enrolled
22 part-time, in any Alabama state-supported institution of
23 higher learning, college, or university, or to a prescribed
24 course in any Alabama state-supported trade school without the
25 payment of any tuition, fee, or books. One change of program
26 will be allowed without counseling. It is provided, however,
27 that all training received at state institutions of higher

1 learning or state trade schools under this subdivision must be
2 completed within a period of six years after the beginning
3 date of such two-year course or such prescribed course.

4 "(2) Each child of such disabled veteran shall be
5 entitled to five standard academic years, or the equivalent of
6 45 months if enrolled part-time, in any Alabama
7 state-supported institution of higher learning, college, or
8 university, or to a prescribed course at an Alabama
9 state-supported trade school. If the course of training at the
10 trade school does not require the full time to which such
11 child is entitled hereunder, then the remaining entitlement
12 may be taken in a state-supported college or university only,
13 without payment of any tuition, fees, or books. One change of
14 program will be allowed without counseling. Training under
15 this subdivision must be initiated prior to the child's
16 twenty-sixth birthday, and must be completed within eight
17 years after its initiation, except for delays caused by
18 military service during the training period, and in no case
19 may training be received under this section beyond the
20 thirty-fourth birthday of such child.

21 "(b) The educational benefits received pursuant to
22 subsection (a) shall be limited to tuition only for spouses,
23 children, and unmarried widows or widowers who apply for and
24 are granted educational benefits for the first time by the
25 Department of Veterans' Affairs after August 1, 2013.

26 "(c) The educational benefits received pursuant to
27 subsection (a) for use at any Alabama state institution of

1 higher learning, college, or university shall be limited to
2 undergraduate courses of study only for spouses, children, and
3 unmarried widows and widowers who apply for and are granted
4 educational benefits for the first time by the Department of
5 Veterans' Affairs after August 1, 2013.

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

12 "§31-6-15.

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

1 value of tuition for individuals who are residents of the
2 state and who apply for and are granted educational benefits
3 for the first time by the Department of Veterans' Affairs
4 after August 1, 2013."

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