

1 AN ACT relating to tuition benefits and making an appropriation therefor.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 164.2841 is amended to read as follows:

- 4 (1) (a) Any person *who is over the age of seventeen (17) and under the age of*
5 *twenty-six (26)* whose parent or any nonmarried widow or widower,
6 *regardless of age,* whose spouse was a resident of the Commonwealth of
7 Kentucky upon becoming a law enforcement officer, firefighter, ~~or~~ volunteer
8 firefighter, *or emergency medical services personnel* and who was killed
9 while in active service or training for active service or who died as a result of
10 a service-connected disability shall not be required to pay any matriculation or
11 tuition fee upon admission to any state-supported university, community
12 college, or vocational training institution *for up to one hundred twenty-eight*
13 *(128) credit hours of undergraduate instruction.* The provisions of this
14 subsection shall apply to any firefighter or volunteer firefighter who is killed
15 or dies under the conditions covered in this subsection on July 1, 1989, or
16 thereafter.
- 17 (b) In order to obtain the benefits conferred by paragraph (a) of this subsection,
18 the parent-child relationship shall be shown by birth certificate, adoption
19 papers, or other documentary evidence. The spousal relationship shall be
20 shown by a marriage certificate or other documentary evidence. The parent's
21 or spouse's service and the cause of death shall be evidenced by certification
22 from the records of the Kentucky Justice and Public Safety Cabinet, the
23 appropriate city or county law enforcement agency which employed the
24 deceased, the administrative agency for the fire department or fire protection
25 district recognized for funding under KRS 95A.262, ~~or~~ the administrative
26 agency having jurisdiction over any paid firefighters of all counties and cities
27 of all classes, *or the county, city, or administrative agency employing or*

1 otherwise having jurisdiction over the emergency medical services
2 personnel.

3 (2) (a) Any person who is over the age of seventeen (17) and under the age of
4 twenty-six (26) whose parent or any nonmarried widow or widower,
5 regardless of age, whose spouse was an employee participating in a state-
6 administered retirement system, and not otherwise covered by subsection (1)
7 of this section, and who died as a result of a duty-related injury as described in
8 KRS 61.621 shall not be required to pay any matriculation or tuition fee upon
9 admission to any state-supported university, community college, or vocational
10 training institution for up to one hundred twenty-eight (128) credit hours of
11 undergraduate instruction.

12 (b) In order to obtain the benefits conferred by paragraph (a) of this subsection,
13 the parent-child relationship shall be shown by birth certificate, adoption
14 papers, or other documentary evidence. The spousal relationship shall be
15 shown by a marriage certificate or other documentary evidence. The parent's
16 or spouse's service and the cause of death shall be evidenced by certification
17 from the records of the employing agency or the appropriate retirement
18 system.

19 (3) If one so admitted to a state-supported university, community college, or vocational
20 training institution under the provisions of this section shall have obtained a cash
21 scholarship paid or payable to the institution, from whatever source, the amount of
22 the scholarship shall be applied to the credit of the applicant in the payment of
23 incidental expenses of his attendance at the institution, and any balance, if the terms
24 of the scholarship permit, shall be returned to the applicant.

25 (4) As used in this section, "emergency medical services personnel" has the same
26 meaning as in KRS 61.315.

27 ➔Section 2. KRS 164.2842 is amended to read as follows:

- 1 (1) (a) The spouse, regardless of age, and any child of a permanently and totally
2 disabled law enforcement officer, firefighter, ~~{or}~~ volunteer firefighter, or
3 emergency medical services personnel injured while in active service or in
4 training for active service, who is over the age of seventeen (17) and under the
5 age of twenty-six (26)~~{twenty-three (23)}~~ shall not be required to pay any
6 matriculation or tuition fee upon his admission to any state-supported
7 university, community college, or vocational training institution for up to one
8 hundred twenty-eight (128) credit hours of undergraduate instruction~~{a~~
9 ~~period not in excess of thirty-six (36) months in order to obtain a diploma, nor~~
10 ~~in excess of the lesser number of months required for a certificate of~~
11 ~~completion}~~.
- 12 (b) For the spouse or child to be entitled to benefits under this section, the
13 disabled law enforcement officer, firefighter, ~~{or}~~ volunteer firefighter, or
14 emergency medical services personnel shall be rated permanently and totally
15 disabled for pension purposes or one hundred percent (100%) disabled for
16 compensation purposes by the Kentucky Justice and Public Safety Cabinet,
17 the appropriate city or county law enforcement agency which employed the
18 disabled, the administrative agency for the fire department or fire protection
19 district recognized for funding under KRS 95A.262, ~~{or}~~ the administrative
20 agency having jurisdiction over any paid firefighters of all counties and cities
21 of all classes, or the county, city, or administrative agency employing or
22 otherwise having jurisdiction over the emergency medical services
23 personnel, or if deceased, the claim to benefits is to be based on the rating
24 held by the law enforcement officer, firefighter, ~~{or}~~ volunteer firefighter, or
25 emergency medical services personnel at the time of death. The parent's or
26 spouse's service and rating shall be evidenced by certification from the records
27 of the Kentucky Justice and Public Safety Cabinet, the appropriate local law

1 enforcement agency, the administrative agency for the fire department or fire
 2 protection district recognized for funding under KRS 95A.262, ~~{or}~~the
 3 administrative agency having jurisdiction over any paid firefighters of all
 4 counties and cities of all classes, *or the county, city, or administrative agency*
 5 *employing or otherwise having jurisdiction over the emergency medical*
 6 *services personnel.*

7 (c) In the absence of certification of permanent and total disability by the
 8 Kentucky Department of Workers' Claims, the Kentucky Justice and Public
 9 Safety Cabinet, the appropriate local law enforcement agency, the
 10 administrative agency for the fire department or fire protection district
 11 recognized for funding under KRS 95A.262, ~~{or}~~the administrative agency
 12 having jurisdiction over any paid firefighters of all counties and cities of all
 13 classes, *or the county, city, or administrative agency employing or otherwise*
 14 *having jurisdiction over the emergency medical services personnel,* medical
 15 evidence showing permanent and total disability or the existence of permanent
 16 and total disability for a period of at least thirty (30) days immediately prior to
 17 death may be accepted, if this evidence is signed by a physician licensed to
 18 practice or an official of an accredited medical hospital.

19 (d) The parent-child relationship shall be shown by birth certificate, legal
 20 adoption papers, or other documentary evidence. The spousal relationship
 21 shall be shown by a marriage certificate or other documentary evidence.

22 (e) To entitle a spouse or child to benefits under this section the disabled law
 23 enforcement officer, firefighter, ~~{or}~~volunteer firefighter, *or emergency*
 24 *medical services personnel* shall have been a resident of the Commonwealth
 25 of Kentucky upon becoming a law enforcement officer, firefighter, ~~{or}~~
 26 ~~{or}~~volunteer firefighter, *or emergency medical services personnel.*

27 (2) (a) The spouse, regardless of age, and any child of a person who was an employee

1 participating in a state-administered retirement system and not otherwise
2 covered by subsection (1) of this section and who was disabled as a result of a
3 duty-related injury as described in KRS 61.621, who is over the age of
4 seventeen (17) and under the age of **twenty-six (26)**~~twenty-three (23)~~ shall
5 not be required to pay any matriculation or tuition fee upon his admission to
6 any state-supported university, community college, or vocational training
7 institution for **up to one hundred twenty-eight (128) credit hours of**
8 **undergraduate instruction**~~[a period not in excess of thirty-six (36) months in~~
9 ~~order to obtain a diploma, nor in excess of the lesser number of months~~
10 ~~required for a certificate of completion].~~

11 (b) The parent-child relationship shall be shown by birth certificate, legal
12 adoption papers, or other documentary evidence. The spousal relationship
13 shall be shown by a marriage certificate or other documentary evidence.

14 (3) The marriage of an eligible child shall not serve to deny full entitlement to the
15 benefits provided in this section.

16 **(4) As used in this section, "emergency medical services personnel" has the same**
17 **meaning as in KRS 61.315.**