

1 AN ACT relating to tuition benefits.

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

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

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

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

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

23 (1) (a) The spouse, regardless of age, and any child of a permanently and totally
24 disabled law enforcement officer, firefighter, or volunteer firefighter injured
25 while in active service or in training for active service, who is over the age of
26 seventeen (17) and under the age of twenty-six (26)~~twenty-three (23)~~ shall
27 not be required to pay any matriculation or tuition fee upon his admission to

1 any state-supported university, community college, or vocational training
2 institution for up to one hundred twenty-eight (128) credit hours of
3 undergraduate instruction~~[a period not in excess of thirty-six (36) months in~~
4 ~~order to obtain a diploma, nor in excess of the lesser number of months~~
5 ~~required for a certificate of completion].~~

6 (b) For the spouse or child to be entitled to benefits under this section, the
7 disabled law enforcement officer, firefighter, or volunteer firefighter shall be
8 rated permanently and totally disabled for pension purposes or one hundred
9 percent (100%) disabled for compensation purposes by the Kentucky Justice
10 and Public Safety Cabinet, the appropriate city or county law enforcement
11 agency which employed the disabled, the administrative agency for the fire
12 department or fire protection district recognized for funding under KRS
13 95A.262, or the administrative agency having jurisdiction over any paid
14 firefighters of all counties and cities of all classes, or if deceased, the claim to
15 benefits is to be based on the rating held by the law enforcement officer,
16 firefighter, or volunteer firefighter at the time of death. The parent's or
17 spouse's service and rating shall be evidenced by certification from the records
18 of the Kentucky Justice and Public Safety Cabinet, the appropriate local law
19 enforcement agency, the administrative agency for the fire department or fire
20 protection district recognized for funding under KRS 95A.262, or the
21 administrative agency having jurisdiction over any paid firefighters of all
22 counties and cities of all classes.

23 (c) In the absence of certification of permanent and total disability by the
24 Kentucky Department of Workers' Claims, the Kentucky Justice and Public
25 Safety Cabinet, the appropriate local law enforcement agency, the
26 administrative agency for the fire department or fire protection district
27 recognized for funding under KRS 95A.262, or the administrative agency

1 having jurisdiction over any paid firefighters of all counties and cities of all
2 classes, medical evidence showing permanent and total disability or the
3 existence of permanent and total disability for a period of at least thirty (30)
4 days immediately prior to death may be accepted, if this evidence is signed by
5 a physician licensed to practice or an official of an accredited medical
6 hospital.

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

10 (e) To entitle a spouse or child to benefits under this section the disabled law
11 enforcement officer, firefighter, or volunteer firefighter shall have been a
12 resident of the Commonwealth of Kentucky upon becoming a law
13 enforcement officer, firefighter, or volunteer firefighter.

14 (2) (a) The spouse, regardless of age, and any child of a person who was an employee
15 participating in a state-administered retirement system and not otherwise
16 covered by subsection (1) of this section and who was disabled as a result of a
17 duty-related injury as described in KRS 61.621, who is over the age of
18 seventeen (17) and under the age of ***twenty-six (26)***~~twenty-three (23)~~ shall
19 not be required to pay any matriculation or tuition fee upon his admission to
20 any state-supported university, community college, or vocational training
21 institution for ***up to one hundred twenty-eight (128) credit hours of***
22 ***undergraduate instruction***~~[a period not in excess of thirty-six (36) months in~~
23 ~~order to obtain a diploma, nor in excess of the lesser number of months~~
24 ~~required for a certificate of completion].~~

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

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