

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 under the age of twenty-six (26)* whose parent or any  
5 nonmarried widow or widower, *regardless of age,* whose spouse was a  
6 resident of the Commonwealth of Kentucky upon becoming a law  
7 enforcement officer, firefighter, ~~or~~ volunteer firefighter, *or emergency*  
8 *medical services personnel* and who was killed while in active service or  
9 training for active service or who died as a result of a service-connected  
10 disability shall not be required to pay any matriculation or tuition fee upon  
11 admission to any state-supported university, community college, or vocational  
12 training institution *for up to one hundred twenty-eight (128) credit hours of*  
13 *undergraduate instruction.* The provisions of this subsection shall apply to  
14 any firefighter or volunteer firefighter who is killed or dies under the  
15 conditions covered in this subsection on July 1, 1989, 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, *or the county, city, or administrative agency employing or*  
27 *otherwise having jurisdiction over the emergency medical services*

1           personnel.

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

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

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

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

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

26       (1) (a) The spouse, regardless of age, and any child who is under the age of twenty-  
27           six (26), of a permanently and totally disabled law enforcement officer,

1 firefighter, ~~{or}~~ volunteer firefighter, or emergency medical services  
2 personnel injured while in active service or in training for active service~~,~~  
3 ~~who is over the age of seventeen (17) and under the age of twenty three (23)}~~  
4 shall not be required to pay any matriculation or tuition fee upon his  
5 admission to any state-supported university, community college, or vocational  
6 training institution for up to one hundred twenty-eight (128) credit hours of  
7 undergraduate instruction~~[ a period not in excess of thirty six (36) months in~~  
8 ~~order to obtain a diploma, nor in excess of the lesser number of months~~  
9 ~~required for a certificate of completion].~~

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

1 administrative agency having jurisdiction over any paid firefighters of all  
 2 counties and cities of all classes, or the county, city, or administrative agency  
 3 employing or otherwise having jurisdiction over the emergency medical  
 4 services personnel.

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

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

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

25 (2) (a) The spouse, regardless of age, and any child who is under the age of twenty-  
 26 six (26), of a person who was an employee participating in a state-  
 27 administered retirement system and not otherwise covered by subsection (1) of

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

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

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

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