

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, ~~for~~ 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, ~~for~~ 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.**