

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 whose parent or any nonmarried widow or widower whose spouse
5 was a resident of the Commonwealth of Kentucky upon becoming a law
6 enforcement officer, firefighter, ~~or~~ volunteer firefighter, **or emergency**
7 **medical services personnel** and who was killed while in active service or
8 training for active service or who died as a result of a service-connected
9 disability shall not be required to pay any matriculation or tuition fee upon
10 admission to any state-supported university, community college, or vocational
11 training institution. The provisions of this subsection shall apply to any
12 firefighter or volunteer firefighter who is killed or dies under the conditions
13 covered in this subsection on July 1, 1989, or thereafter.

14 (b) In order to obtain the benefits conferred by paragraph (a) of this subsection,
15 the parent-child relationship shall be shown by birth certificate, adoption
16 papers, or other documentary evidence. The spousal relationship shall be
17 shown by a marriage certificate or other documentary evidence. The parent's
18 or spouse's service and the cause of death shall be evidenced by certification
19 from the records of the Kentucky Justice and Public Safety Cabinet, the
20 appropriate city or county law enforcement agency which employed the
21 deceased, the administrative agency for the fire department or fire protection
22 district recognized for funding under KRS 95A.262, ~~or~~ the administrative
23 agency having jurisdiction over any paid firefighters of all counties and cities
24 of all classes, **or the county, city, or administrative agency employing or**
25 **otherwise having jurisdiction over the emergency medical services**
26 **personnel.**

27 (2) (a) Any person whose parent or any nonmarried widow or widower whose spouse

1 was an employee participating in a state-administered retirement system, and
 2 not otherwise covered by subsection (1) of this section, and who died as a
 3 result of a duty-related injury as described in KRS 61.621 shall not be
 4 required to pay any matriculation or tuition fee upon admission to any state-
 5 supported university, community college, or vocational training institution.

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

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

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

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

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

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

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

1 services personnel.

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

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

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

22 (2) (a) The spouse, regardless of age, and any child, who is over the age of seventeen
23 (17) and under the age of twenty-three (23), of a person who was an
24 employee participating in a state-administered retirement system and not
25 otherwise covered by subsection (1) of this section and who was disabled as a
26 result of a duty-related injury as described in KRS 61.621~~, who is over the~~
27 ~~age of seventeen (17) and under the age of twenty three (23)}~~ shall not be

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

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

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