

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 **for up to a maximum of one hundred twenty-eight (128)**  
12 **credit hours of undergraduate instruction**. The provisions of this subsection  
13 shall apply to any firefighter or volunteer firefighter who is killed or dies  
14 under the conditions covered in this subsection on July 1, 1989, or thereafter.
- 15 (b) In order to obtain the benefits conferred by paragraph (a) of this subsection,  
16 the parent-child relationship shall be shown by birth certificate, adoption  
17 papers, or other documentary evidence. The spousal relationship shall be  
18 shown by a marriage certificate or other documentary evidence. The parent's  
19 or spouse's service and the cause of death shall be evidenced by certification  
20 from the records of the Kentucky Justice and Public Safety Cabinet, the  
21 appropriate city or county law enforcement agency which employed the  
22 deceased, the administrative agency for the fire department or fire protection  
23 district recognized for funding under KRS 95A.262, ~~or~~ the administrative  
24 agency having jurisdiction over any paid firefighters of all counties and cities  
25 of all classes, **or the county, city, or administrative agency employing or**  
26 **otherwise having jurisdiction over the emergency medical services**  
27 **personnel**.

- 1 (2) (a) Any person whose parent or any nonmarried widow or widower whose spouse  
2 was an employee participating in a state-administered retirement system, and  
3 not otherwise covered by subsection (1) of this section, and who died as a  
4 result of a duty-related injury as described in KRS 61.621 shall not be  
5 required to pay any matriculation or tuition fee upon admission to any state-  
6 supported university, community college, or vocational training institution for  
7 up to a maximum of 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 (4) As used in this section, "emergency medical services personnel" has the same  
23 meaning as in KRS 61.315.
- 24 ➔Section 2. KRS 164.2842 is amended to read as follows:
- 25 (1) (a) The spouse, regardless of age, and any child of a permanently and totally  
26 disabled law enforcement officer, firefighter, ~~or~~ volunteer firefighter, or  
27 emergency medical services personnel injured while in active service or in

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

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

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

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

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

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

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

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

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

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

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