

1 AN ACT relating to veterans with qualifying conditions and LGBTQ veterans.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 40.010 is amended to read as follows:

4 As used in this chapter, the following terms have the following respective meanings,
5 unless another meaning is clearly required by the context:

6 (1) "Administrator" means the adjutant general of the Commonwealth;

7 (2) "Veteran" means a person who:

8 **(a)** Served in the active Armed Forces of the United States, during the Spanish
9 American War, World War I, World War II, or the Korean conflict, for a
10 period of ninety (90) days or more (exclusive of time spent AWOL; or in
11 penal confinement as a result of a sentence imposed by court-martial; or in
12 service for which no allowance is made according to KRS 40.040), with some
13 portion of service within the respective hereinafter prescribed dates, who is
14 still in the Armed Forces, or was released, separated, discharged, or retired
15 therefrom under honorable conditions;

16 **(b)** *Is a discharged LGBTQ veteran, as defined in this section, and has received*
17 *a discharge other than bad conduct or dishonorable from such service; or*

18 **(c)** *Has a qualifying condition, as defined in this section, and has received a*
19 *discharge other than bad conduct or dishonorable from such service;*

20 (3) "Duty in active Armed Forces" includes active duty, and any period of inactive duty
21 training during which the individual concerned was disabled; and if a person in the
22 active Armed Forces was released, separated, or discharged therefrom by reason of
23 disability incurred in line of duty before serving as much as ninety (90) days, such
24 person shall be qualified for entitlement to a bonus payment under this chapter,
25 notwithstanding failure to remain in service for the minimum time otherwise
26 prescribed;

27 (4) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force,

- 1 and Coast Guard, including the reserve components thereof on active duty;
- 2 (5) "Qualified veteran" means a person answering to the specifications set forth in
3 subsections (2) and (3), and who
- 4 (a) Was a resident of the Commonwealth at the time of entry into active service in
5 the Armed Forces and for at least six (6) months prior thereto; and
- 6 (b) Who has not received a bonus or like compensation from another state; and
- 7 (c) Who is not subject to the forfeiture provisions of this chapter;
- 8 (6) "Resident of the Commonwealth at the time of entry into the active service" means
9 any person who gave the Commonwealth of Kentucky, or any specific place in this
10 Commonwealth, as his or her place of residence at such time of entry, without
11 regard to the place of enlistment, commission, or induction. Conclusive and
12 exclusive evidence of such giving of place of residence shall be the official records
13 on file in the Department of Defense of the United States, or any official record
14 thereof in the files of the United States Department of Veterans Affairs; but if it be
15 shown to the satisfaction of the administrator that for any reason no such record was
16 made, or that the same has been lost, misplaced, or destroyed, or that an
17 authenticated copy thereof cannot be obtained within a reasonable time, other
18 evidence of bona fide residence may be accepted if deemed sufficient by the
19 administrator;
- 20 (7) "Resident," in any context other than as in subsection (6), means a legal resident as
21 determined by generally established principles of law, as may be defined, and
22 subject to proof, according to such regulations as the administrator may promulgate;
- 23 (8) "Beneficiary" means, in this order, widow, child or children (sharing equally),
24 mother, father, and no other;
- 25 (9) (a) "Widow" means a woman who was the wife of a veteran at the time of his
26 death, and who had not deserted him (except where there was a separation
27 which was due to the misconduct of, or procured by, the veteran without the

1 fault of the wife), and who had not remarried, (unless the purported
2 remarriage was void or had been annulled);

3 (b) The term "widow" also includes "widower" in the case of a man who was the
4 husband of a female veteran at the time of her death;

5 (10) "Child" means a person:

6 (a) Who is under the age of eighteen (18); or

7 (b) Who, before attaining the age of eighteen (18) years, became permanently
8 incapable of self-support; or

9 (c) Who, after attaining the age of eighteen (18) years and until completion of
10 education or training (but not after attaining the age of twenty-one (21) years)
11 is pursuing a course of instruction at a bona fide educational institution; and
12 who, in relationship to the veteran, is a child born in lawful wedlock; a legally
13 adopted child; a stepchild who is a member of a veteran's household or was a
14 member at the time of the veteran's death; or a child born out of wedlock, but,
15 as to the alleged father, only if acknowledged in writing signed by him, or if
16 he had, before his death, been judicially decreed to be the father of such child;

17 (11) "Mother" means a mother, a mother through adoption, or a woman who for a period
18 of not less than one (1) year stood in the relationship of a mother to a qualified
19 veteran before his or her entry into active service in the Armed Forces, or if two (2)
20 persons stood in such relationship for one (1) year or more, the person who last
21 stood in such relationship before the veteran's last entry into active service in the
22 Armed Forces;

23 (12) "Father" means a father, a father through adoption, or a man who for a period of not
24 less than one (1) year stood in the relationship of a father to a qualified veteran
25 before his or her entry into active service in the Armed Forces, or if two (2) persons
26 stood in such relationship for one (1) year or more, the person who last stood in
27 such relationship before the veteran's last entry into active service in the Armed

- 1 Forces;
- 2 (13) "In the continental United States" means any place in the District of Columbia and
3 the states of the United States which are on the North American continent,
4 exclusive of Alaska;
- 5 (14) "Outside the continental United States" means any place elsewhere than as defined
6 in subsection (13);
- 7 (15) "Spanish-American War":
- 8 (a) Means the period beginning on April 21, 1898, and ending on July 4, 1902;
- 9 (b) Includes the Philippine Insurrection and the Boxer Rebellion; and
- 10 (c) In the case of a veteran who served with the United States military forces
11 engaged in hostilities in the Moro Province, means the period beginning on
12 April 21, 1898, and ending on July 15, 1903;
- 13 (16) "World War I":
- 14 (a) Means the period beginning on April 6, 1917, and ending on November 11,
15 1918; and
- 16 (b) In the case of a veteran who served with the United States military forces in
17 Russia, means the period beginning on April 6, 1917, and ending on April 1,
18 1920; and
- 19 (c) Any service between April 6, 1917, and July 1, 1921, if some part thereof was
20 between April 6, 1917, and November 11, 1918, both dates being inclusive;
- 21 (17) "World War II" means the period beginning December 7, 1941, and ending
22 December 31, 1946;
- 23 (18) "Korean conflict" means the period beginning on June 27, 1950, and ending January
24 31, 1955;
- 25 (19) "Bonus" and "veterans' bonus" means the compensation authorized by this chapter;
- 26 (20) "Bonus claim" means a claim or potential claim for a veterans' bonus;
- 27 (21) "Claimant" means one who seeks to obtain payment of a bonus claim;[-]

1 (22) "Discharged LGBTQ veteran" means:

2 (a) A veteran who was discharged less than honorably from military or naval
 3 service due to his or her actual or perceived sexual orientation or gender
 4 identity or expression, or statements, consensual sexual conduct, or
 5 consensual acts relating to sexual orientation, gender identity or expression,
 6 or the disclosure of such statements, conduct, or acts, that were prohibited
 7 by the military or naval service at the time of discharge; or

8 (b) A veteran who was discharged from military or naval service with a
 9 diagnosis or character of discharge meant to conceal that the discharge was
 10 solely due to his or her actual or perceived sexual orientation or gender
 11 identity or expression, or statements, consensual sexual conduct, or
 12 consensual acts relating to sexual orientation, gender identity or expression,
 13 or the disclosure of such statements, conduct, or acts, that were prohibited
 14 by the military or naval service at the time of discharge; and

15 (23) "Qualifying condition" means a diagnosis of post-traumatic stress disorder or
 16 traumatic brain injury made by, or an experience of military sexual trauma
 17 disclosed to, an individual licensed to provide healthcare services at a United
 18 States Department of Veterans Affairs facility.

19 ➔Section 2. KRS 40.310 is amended to read as follows:

- 20 (1) The Department of Veterans' Affairs shall collect all necessary data and information
 21 regarding facilities and services available to veterans, their families, and
 22 dependents, and shall cooperate with all information or service agencies throughout
 23 the state in informing such persons regarding the existence or availability of all
 24 educational, training, and retraining facilities; health, medical, rehabilitation, and
 25 housing services and facilities; employment and reemployment services; provisions
 26 of federal, state, and local laws affording rights, privileges, and benefits to said
 27 persons, their families, and dependents, and all other matters of similar related or

1 appropriate nature. It shall likewise be the duty of the department to assist veterans
2 and their families and dependents in the presentation, proof, and establishment of
3 all claims, privileges, rights, and other benefits which they may have under federal,
4 state, or local laws, and to cooperate with all national, state, and local government
5 and private agencies securing services or any benefits to veterans, their families, and
6 dependents.

7 (2) The commissioner of the Department of Veterans' Affairs shall prepare and submit
8 to the Governor and each member of the board an annual report with reference to
9 claims presented on behalf of veterans and to otherwise report the activities and
10 accomplishments of the department.

11 (3) The Department of Veterans' Affairs shall be authorized to apply for and accept
12 gifts, grants, and other contributions from the federal government, or from any other
13 governmental unit which funds shall be administered by the department through use
14 of trust and agency accounts.

15 (4) Veterans, as used in KRS 40.305 to 40.310 include any individual who served on
16 active duty during peace or war in the Armed Forces of the United States, and who
17 has received an honorable discharge from such service, or separated from service
18 with a qualifying condition, with other than a bad conduct or dishonorable
19 discharge, or a discharged LGBTQ veteran with other than a bad conduct or
20 dishonorable discharge.

21 (5) The Department of Veterans' Affairs shall maintain full, adequate, and complete
22 copies of all records pertaining to claims of veterans who file said claims for
23 benefits through the department.

24 (6) The commissioner of the Department of Veterans' Affairs may purchase liability
25 insurance for the protection of employees of the Department of Veterans' Affairs to
26 protect them from liability for acts, omissions, and claims arising in the course and
27 scope of their employment or service to the department.

1 (7) The Department of Veterans' Affairs shall manage the veterans' program trust fund
2 established by KRS 40.460 by hosting all board meetings, providing logistical
3 support, recording the minutes of each meeting, and authorizing expenditures once
4 the board has approved a request for funds.

5 **(8) The Department of Veterans' Affairs shall promulgate administrative regulations**
6 **to establish a consistent and uniform process to determine whether a veteran**
7 **qualifies as a discharged LGBTQ veteran, including, at a minimum, standards**
8 **for verifying a veteran's status as a discharge LGBTQ veteran, and a method of**
9 **demonstrating eligibility as a discharged LGBTQ veteran and shall develop a**
10 **standardized form used to confirm that a veteran has a qualifying condition.**

11 ➔Section 3. KRS 12.245 is amended to read as follows:

12 (1) An administrative body that issues a license, permit, certificate, or other document
13 required to operate within a business, profession, or other occupation in the
14 Commonwealth shall issue within thirty (30) days of receipt of a completed
15 application a license, permit, certificate, or other document to a member of the
16 United States military, Reserves, or National Guard, or to his or her spouse, or to a
17 veteran or the spouse of a veteran, who is seeking a license, permit, certificate, or
18 other document and currently holds or recently held equivalent documentation
19 issued by another state, the District of Columbia, or any possession or territory of
20 the United States unless:

21 (a) The license, permit, certificate, or other document issued by another state, the
22 District of Columbia, or any possession or territory of the United States has
23 been expired for more than two (2) years;

24 (b) The license, permit, certificate, or other documentation is not in good
25 standing;

26 (c) The holder of the license, permit, certificate, or other document has had the
27 license, permit, certificate, or other document suspended for disciplinary

1 reasons; or

2 (d) The board can show substantive evidence of significant statutory deficiency in
3 the training, education, or experience of the United States military service
4 member, Reserves or National Guard member, veteran, or spouse, which
5 could cause a health or safety risk to the public.

6 (2) The United States military service member, Reserves or National Guard member,
7 veteran, or spouse shall submit:

8 (a) Proof of issuance of a valid license, permit, certificate, or other document
9 issued by another state, the District of Columbia, or any possession or territory
10 of the United States that is active or has been expired for less than two (2)
11 years;

12 (b) Proof that the valid license, permit, certificate, or other document issued by
13 another state, the District of Columbia, or any possession or territory of the
14 United States is in good standing or was upon the date of expiration; and

15 (c) His or her DD-214 form or other proof of active or prior military service with:
16 1. An honorable discharge, discharge under honorable conditions, or a
17 general discharge under honorable conditions; or

18 2. Evidence of a qualifying condition as defined in Section 1 of this Act,
19 and a discharge other than bad conduct or dishonorable; or

20 3. Evidence of status as a discharged LGBTQ veteran as defined in
21 Section 1 of this Act, with a discharge other than bad conduct or
22 dishonorable.

23 (3) A United States military service member, Reserves or National Guard member,
24 veteran, or spouse who holds a license, permit, certificate, or other document issued
25 by another state, the District of Columbia, or any possession or territory of the
26 United States who applies for a license, permit, certificate, or other document
27 pursuant to subsection (1) of this section and is denied shall have the right to appeal

1 the decision in accordance with KRS Chapter 13B.

2 ➔Section 4. KRS 12.354 is amended to read as follows:

3 (1) As used in this section, "administrative body" has the same meaning as in KRS
4 12.010.

5 (2) Each administrative body that issues a license, permit, certificate, or other document
6 that is required to operate within any business, profession, or occupation in the
7 Commonwealth may issue a license, permit, certificate, or other document, or a
8 temporary license, permit, certificate, or other document to a United States military
9 service member or veteran who is seeking a license, permit, certificate, or other
10 document under this section and has:

11 (a) Separated from the military *within two (2) years preceding the date of*
12 *applying for the license, permit, certificate, or other document*, with:

13 *1.* An honorable discharge, discharge under honorable conditions, or a
14 general discharge under honorable conditions~~[within two (2) years~~
15 ~~preceding the date of applying for the license, permit, certificate, or~~
16 ~~other document]~~; *or*

17 *2. A qualifying condition as defined in Section 1 of this Act, with a*
18 *discharge other than bad conduct or dishonorable; or*

19 *3. Status as a discharged LGBTQ veteran as defined in Section 1 of this*
20 *Act, with a discharge other than bad conduct or dishonorable;*

21 (b) Received training, education, or experience during active, National Guard, or
22 federal reserve military service to the extent that such training, education, or
23 experience satisfies the requirements established by law and administrative
24 regulations of the respective board for the issuance of any license, permit,
25 certificate, or other document, however styled or denominated, required for
26 the practice of any business, profession, or occupation in the Commonwealth;
27 and

1 (c) Submitted his or her DD 214 form or other proof of satisfactory completion of
2 military training to the administrative body as part of the license or certificate
3 application.

4 (3) Nothing in subsection (2) of this section shall require an administrative body to
5 issue a license, permit, certificate, or other document if the administrative body
6 determines that the military training or experience does not meet the requirements
7 established by the administrative body for the issuance of a license, permit,
8 certificate, or other document to operate within a business, profession, or
9 occupation in the Commonwealth.

10 (4) Administrative bodies that receive multiple requests under this section are directed
11 to publish clear guidelines to clarify requirements. These guidelines may be
12 published electronically, in print, or by the promulgation of administrative
13 regulations.

14 (5) Military training and experience submitted under subsection (2) of this section shall
15 not be used as a substitute or in lieu of:

16 (a) A postsecondary school degree when a degree is a prerequisite for a license,
17 permit, certificate, or other document; or

18 (b) A specified examination when passage of an examination is a prerequisite for
19 a license, permit, certificate, or other document.

20 ➔Section 5. KRS 14A.1-070 is amended to read as follows:

21 As used in this chapter, unless the context otherwise requires:

22 (1) "Business" includes every trade, occupation, and profession;

23 (2) "Corporation" means a business corporation governed as to its internal affairs by
24 KRS Chapter 271B, a cooperative or association governed as to its internal affairs
25 by KRS Chapter 272, a nonprofit corporation governed as to its internal affairs by
26 KRS Chapter 273, and a rural electric or rural telephone cooperative corporation
27 governed as to its internal affairs by KRS Chapter 279;

- 1 (3) "Business trust" means a business trust governed as to its internal affairs by KRS
2 Chapter 386 or a statutory trust governed as to its internal affairs by KRS Chapter
3 386A;
- 4 (4) "Debtor in bankruptcy" means a person who is the subject of:
5 (a) An order for relief under Title 11 of the United States Code or a comparable
6 order under a successor statute of general application; or
7 (b) A comparable order under federal, state, or foreign law governing insolvency;
- 8 (5) "Deliver" or "delivery" means any method of delivery used in conventional
9 commercial practice, including delivery by hand, mail, commercial delivery, and
10 electronic transmission;
- 11 (6) "Electronic transmission" or "electronically transmitted" means any process of
12 communication not directly involving the physical transfer of paper that is suitable
13 for the retention, retrieval, and reproduction of information by the recipient;
- 14 (7) "Entity" means a corporation, business or statutory trust, partnership, limited
15 partnership, limited liability company, limited cooperative association, or
16 unincorporated nonprofit association, governed as to its internal affairs by the laws
17 of the Commonwealth of Kentucky;
- 18 (8) "Foreign business trust" means a business or statutory trust not governed as to its
19 internal affairs by KRS Chapter 386 or 386A;
- 20 (9) "Foreign corporation" means a corporation as defined in subsection (2) of this
21 section that is not:
22 (a) Organized pursuant to the laws of the Commonwealth of Kentucky; or
23 (b) As to its internal affairs, governed by the laws of the Commonwealth of
24 Kentucky;
- 25 (10) "Foreign entity" means a corporation, not-for-profit corporation, cooperative,
26 limited cooperative association, association, business or statutory trust, partnership,
27 limited partnership, limited liability company, or unincorporated nonprofit

- 1 association not:
- 2 (a) Organized pursuant to the laws of the Commonwealth of Kentucky; or
- 3 (b) As to its internal affairs, governed by the laws of the Commonwealth of
- 4 Kentucky;
- 5 (11) "Foreign limited cooperative association" means a limited cooperative association
- 6 that is not:
- 7 (a) Organized pursuant to the laws of the Commonwealth of Kentucky; or
- 8 (b) As to its internal affairs, governed by the laws of the Commonwealth of
- 9 Kentucky;
- 10 (12) "Foreign limited liability partnership" means a partnership that:
- 11 (a) Is formed under laws other than the laws of this Commonwealth; and
- 12 (b) Has the status of a limited liability partnership under those laws;
- 13 (13) "Foreign professional service corporation" has the same meaning as in KRS
- 14 274.005;
- 15 (14) "Foreign rural electric cooperative" means a rural electric cooperative organized
- 16 otherwise than under KRS 279.010 to 279.210;
- 17 (15) "Foreign rural telephone cooperative" means a rural telephone cooperative
- 18 organized otherwise than under KRS 279.310 to 279.990 excepting 279.570;
- 19 (16) "Foreign unincorporated nonprofit association" means an unincorporated nonprofit
- 20 association that is not:
- 21 (a) Organized in accordance with the laws of the Commonwealth of Kentucky; or
- 22 (b) As to its internal affairs, governed by the laws of the Commonwealth of
- 23 Kentucky;
- 24 (17) "Good standing" means that all annual reports which are required to be received
- 25 from an entity or foreign entity have been delivered to and filed by the Secretary of
- 26 State, that all other lawfully required statutory documentation has been received and
- 27 filed, and that all fees, costs, and expenses, including penalties incurred in

- 1 connection therewith, have been paid;
- 2 (18) "Limited cooperative association" means a limited cooperative association governed
3 as to its internal affairs by KRS Chapter 272A;
- 4 (19) "Limited liability company" has the same meaning as in KRS 275.015;
- 5 (20) "Limited liability partnership" means a partnership that has filed a statement of
6 qualification under KRS 362.1-931 or a registration as a registered limited liability
7 partnership under KRS 362.555 and does not have a similar statement or
8 registration in effect in any other jurisdiction;
- 9 (21) "Name of record with the Secretary of State" means any real, fictitious, reserved,
10 registered, or assumed name of an entity or foreign entity;
- 11 (22) "Nonprofit corporation," other than in the term "foreign nonprofit corporation,"
12 means a nonprofit corporation incorporated pursuant to and governed as to its
13 internal affairs by KRS Chapter 273 or predecessor law;
- 14 (23) "Organic act" means the law of a state or other jurisdiction governing the
15 organization and internal affairs of an entity or foreign entity;
- 16 (24) "Organized" means organized, incorporated, or formed;
- 17 (25) "Organizational filing" means a filing made with the Secretary of State as a
18 precondition to the formation, organization, or incorporation of an entity, including
19 articles of incorporation, articles of organization, articles of association, certificates
20 of trust, and certificates of limited partnership. A statement of qualification filed
21 pursuant to KRS 362.1-931 or a registration as a limited liability partnership filed
22 pursuant to KRS 362.555 is not an organizational filing;
- 23 (26) "Partnership" means an association of two (2) or more persons to carry on as co-
24 owners a business for profit formed under KRS 362.1-202, predecessor law, or
25 comparable law of another jurisdiction;
- 26 (27) "Partnership agreement" means the agreement, whether written, oral, or implied,
27 among the partners concerning the partnership, including amendments to the

- 1 partnership agreement;
- 2 (28) "Person" means an individual, an entity, a foreign entity, or any other legal or
3 commercial entity;
- 4 (29) "Principal office" means the address required by this chapter or the organic act to be
5 of record with the Secretary of State as the principal office, the principal place of
6 business address, the designated office of a limited partnership, or the chief
7 executive office of a limited liability partnership;
- 8 (30) "Professional service corporation" has the same meaning as in KRS 274.005;
- 9 (31) "Professional services" means the personal services rendered by physicians,
10 osteopaths, optometrists, podiatrists, chiropractors, dentists, nurses, pharmacists,
11 psychologists, occupational therapists, veterinarians, engineers, architects,
12 landscape architects, certified public accountants, public accountants, physical
13 therapists, and attorneys;
- 14 (32) "Property" means all property, real, personal, or mixed, tangible or intangible, or
15 any interest therein;
- 16 (33) "Qualified person" has the same meaning as in KRS 274.005;
- 17 (34) "Registered agent" means a registered agent appointed in accordance with KRS
18 14A.4-010 or predecessor law, and is synonymous with agent for service of process;
- 19 (35) "Registered office" means the registered office identified in accordance with and
20 satisfying the requirements of KRS 14A.4-010(1)(b). The registered office address
21 must be a street address;
- 22 (36) "Regulatory board" means the agency that is charged by law with the licensing and
23 regulation of the practice of the profession which the entity is organized to provide;
- 24 (37) "Rural electric cooperative" means a rural electric cooperative governed as to its
25 internal affairs by KRS 279.010 to 279.210;
- 26 (38) "Rural telephone cooperative" means a rural telephone cooperative governed as to
27 its internal affairs by KRS 279.310 to 279.990 excepting KRS 279.570;

- 1 (39) "Series entity" means an entity or a foreign entity authorized and enabled by its
2 organic act and organizational filing to create series having separate rights, powers,
3 or duties with respect to specific property or obligations of the series entity, or the
4 profits and losses associated with specific property or obligations;
- 5 (40) "Sign" or "signature" includes any manual, facsimile, conformed, or electronic
6 signature;
- 7 (41) "State" means a state of the United States, the District of Columbia, the
8 Commonwealth of Puerto Rico, or any territory or insular possession subject to the
9 jurisdiction of the United States;
- 10 (42) "Statutory trust" means a trust governed as to its internal affairs by KRS Chapter
11 386A;
- 12 (43) "Unincorporated nonprofit association" means an unincorporated nonprofit
13 association governed as to its internal affairs by KRS Chapter 273A;
- 14 (44) "Veteran" means any person who served in the United States Armed Forces,
15 Reserves, or National Guard and:
- 16 (a) Was separated or released therefrom with an honorable discharge, discharge
17 under honorable conditions, or general discharge under honorable conditions
18 or any person who currently serves in the United States Armed Forces,
19 Reserves, or National Guard;
- 20 (b) Was separated or released therefrom with a qualifying condition as defined
21 in Section 1 of this Act, with a discharge other than bad conduct or
22 dishonorable; or
- 23 (c) Is a discharged LGBTQ veteran as defined in Section 1 of this Act, with a
24 discharge other than bad conduct or dishonorable; and
- 25 (45) "Veteran-owned business" means a business:
- 26 (a) That is at least fifty-one percent (51%) unconditionally owned by one (1) or
27 more veterans; or

1 (b) In the case of a publicly owned business, in which at least fifty-one percent
2 (51%) of the stock is unconditionally owned by one (1) or more veterans.

3 ➔Section 6. KRS 16.040 is amended to read as follows:

4 (1) The department shall consist of the commissioner and the number of officers,
5 individuals employed as a Trooper R Class, CVE R Class, and civilians, and shall
6 be organized in the manner as the commissioner from time to time determines.

7 (2) All persons appointed as officers shall at the time of their appointment:

8 (a) Be not less than twenty-one (21) years of age;

9 (b) Be of good moral character, and in good health;

10 (c) Be citizens of the United States and residents of the Commonwealth; and

11 (d) Possess;

12 1. A minimum of sixty (60) hours of credit, or an associate degree, from an
13 accredited college or university;

14 2. A high school diploma with at least two (2) years' experience in the
15 military or in law enforcement; or

16 3. A high school diploma or General Educational Development (GED)
17 diploma with additional experience established by the commissioner by
18 administrative regulation promulgated pursuant to KRS Chapter 13A.
19 However, any person appointed under this subparagraph who has not
20 completed the requirements of subparagraph 1. of this paragraph prior to
21 the end of probation as described in KRS 16.140(11) shall be
22 discharged.

23 (3) The commissioner shall prescribe minimum physical requirements for appointment
24 as an officer of the department and for individuals employed as a Trooper R Class
25 or CVE R Class, and shall conduct such tests and require such physical
26 examinations as deemed necessary to determine the fitness and qualification of each
27 applicant. All other qualifications being equal, preference shall be given to veterans

1 of the Armed Forces of the United States in time of war, who were honorably
 2 discharged or who have a qualifying condition as defined in Section 1 of this Act,
 3 with a discharge other than bad conduct or dishonorable, or who are discharged
 4 LGBTQ veterans as defined in Section 1 of this Act, with a discharge other than
 5 bad conduct or dishonorable.

6 (4) The commissioner shall direct an investigation to be conducted in order to
 7 determine an applicant's suitability for employment as an officer. The contents of
 8 the investigation shall be subject to the Open Records Act, KRS 61.870 to 61.884
 9 and KRS 61.991, except that the identity of any witness or informant involving
 10 information relative to this investigation shall remain confidential. The identity of
 11 any witness or informant shall be subject to the subpoena power of a court of
 12 competent jurisdiction.

13 ➔Section 7. KRS 40.400 is amended to read as follows:

14 As used in KRS 40.410 to 40.560, the following terms have the following respective
 15 meanings, unless another meaning is clearly required by the context:

16 (1) "Department of Military Affairs" means the office of the adjutant general,
 17 Commonwealth of Kentucky;

18 (2) "Administrator" means the individual designated by the adjutant general to carry out
 19 the responsibilities of KRS 40.410 to 40.560;

20 (3) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force,
 21 and Coast Guard, including the reserve components thereof on active duty, other
 22 than for training, and shall not include the merchant marine;

23 (4) "Qualified veteran" means any person whose period of active duty service meets the
 24 criteria set forth in subsection (5) or (6) of this section;

25 (5) "Qualifying Vietnam service" means service by any person who:

26 (a) Served as a member of the Armed Forces of the United States in Vietnam or
 27 its contiguous waters or airspace, as defined in United States Department of

1 Defense Directive 1348.15, October 1, 1965, for a period of at least thirty (30)
2 days, unless such period was lessened as a result of death or medical
3 evacuation, during the period July 1, 1958, through May 15, 1975; or served
4 as a member of the Armed Forces of the United States in the Dominican
5 Republic, Congo, Thailand, Laos, or Cambodia, or participated in aerial
6 missions in the airspace over same, for a period of at least thirty (30) days,
7 unless such period was lessened as a result of death or medical evacuation,
8 during the period July 3, 1965, through May 15, 1975; or served as a member
9 of the Armed Forces of the United States and was awarded, or was eligible for
10 award of, the Vietnam Service Medal established by United States Department
11 of Defense Directive 1348.15, October 1, 1965;

12 (b) Was released, separated, or discharged from the Armed Forces;

13 1. Under other than dishonorable conditions;

14 2. *With a qualifying condition, with a discharge other than bad conduct*
15 *or dishonorable;*

16 3. *As a discharged LGBTQ veteran, with a discharge other than bad*
17 *conduct or dishonorable;* or

18 4. Who is presently serving on active duty;

19 (c) Was a resident of the Commonwealth at the time of entry into active service in
20 the Armed Forces and for at least six (6) months prior thereto; and

21 (d) Has not received a similar bonus for such service from any other state;

22 (6) "Qualifying Vietnam era service" means service by any person who:

23 (a) Served in the Armed Forces of the United States on active duty, including
24 service in a reserve component thereof other than for training, for at least
25 ninety (90) consecutive days, exclusive of time lost as AWOL or in penal
26 confinement, during the period August 5, 1964, to May 15, 1975, but whose
27 service was in a location not included in subsection (5)(a) of this section;

- 1 (b) Was released, separated, or discharged from the Armed Forces;
- 2 1. Under other than dishonorable conditions;
- 3 2. *With a qualifying condition;*
- 4 3. *As a discharged LGBTQ veteran;* or
- 5 4. Is still serving on active duty;
- 6 (c) Was a resident of the Commonwealth at the time of his entry into active
- 7 service in the Armed Forces and for at least six (6) months prior thereto; and
- 8 (d) Has not received a similar bonus for such service from any other state;
- 9 (7) "Resident of the Commonwealth at the time of entry into the active service" means
- 10 any person who gave the Commonwealth of Kentucky, or any specific place in this
- 11 Commonwealth, as his place of residence at the time of entry. Conclusive and
- 12 exclusive evidence of the giving of place of residence shall be the official records
- 13 on file in the Department of Defense of the United States, or any official record
- 14 thereof in the files of the United States Department of Veterans Affairs; but if it be
- 15 shown to the satisfaction of the administrator that for any reason no such record was
- 16 made, or that it has been lost, misplaced, destroyed, or was in error, or that an
- 17 authenticated copy thereof cannot be obtained within a reasonable time, other
- 18 evidence of bona fide residence may be accepted if deemed sufficient by the
- 19 administrator;
- 20 (8) "Resident," in any context other than as in subsections (5) and (6) of this section,
- 21 means a legal resident as determined by generally established principles of law, as
- 22 may be defined, and subject to proof, according to the regulations the administrator
- 23 promulgates;
- 24 (9) "Beneficiary" means the following persons who were alive at the time of
- 25 application, in this order: widow, if none to the child or children equally, if none to
- 26 the mother and father equally, but if the father is dead, the mother, if living, shall
- 27 take the whole amount; but if the mother is dead, the father, if living, shall take the

1 whole amount;

2 (10) (a) "Widow" means a woman who was the wife of a qualified veteran at the time
3 of his death;

4 (b) The term "widow" also includes "widower" in the case of a man who was the
5 husband of a female qualified veteran at the time of her death;

6 (11) "Child" means a person:

7 (a) Who is under the age of eighteen (18) at the time application is made or who
8 was under the age of eighteen (18) at the time of the veteran's death;

9 (b) Who, before attaining the age of eighteen (18), became permanently incapable
10 of self-support; or

11 (c) Who, after attaining the age of eighteen (18) and until completion of
12 education or training, but not after attaining the age of twenty-three (23), is
13 pursuing a course of instruction at a bona fide educational institution; and
14 who, in relationship to the veteran, is a legitimate child; a legally adopted
15 child; a stepchild who is a member of a qualified veteran's household or was a
16 member at the time of the veteran's death; or an illegitimate child, but, as to
17 the alleged father, only if acknowledged in writing signed by him or if he had,
18 before his death, been judicially decreed to be the father of such child;

19 (12) "Mother" means a mother, a mother through adoption, or a woman who for a period
20 of not less than one (1) year stood in the relationship of a mother to a qualified
21 veteran before his or her entry into active service in the Armed Forces, or if two (2)
22 persons stood in such relationship for one (1) year or more, the person who last
23 stood in such relationship before the veteran's last entry into active service in the
24 Armed Forces;

25 (13) "Father" means a father, a father through adoption, or a man who for a period of not
26 less than one (1) year stood in the relationship of a father to a qualified veteran
27 before his or her entry into active service in the Armed Forces, or if two (2) persons

1 stood in such relationship for one (1) year or more, the person who last stood in
 2 such relationship before the veteran's last entry into active service in the Armed
 3 Forces;

4 (14) "In the continental United States" means any place in the District of Columbia and
 5 the states of the United States which are on the North American continent,
 6 exclusive of Alaska;

7 (15) "Outside the continental United States" means any place elsewhere than as defined
 8 in subsection (14) of this section;

9 (16) "Bonus" and "Vietnam veterans' bonus" mean the compensation authorized by KRS
 10 40.410 to 40.560;

11 (17) "Bonus claim" means a claim or potential claim for a Vietnam veterans' bonus; and

12 (18) "Claimant" means one who seeks to obtain payment of a bonus claim.

13 ➔Section 8. KRS 40.650 is amended to read as follows:

14 (1) As used in this section:

15 (a) "Department" means the Department of Veterans' Affairs; and

16 (b) "Veteran" means a person who served in the active Armed Forces of the
 17 United States, including the Coast Guard of the United States, and was
 18 released, separated, discharged, or retired therefrom;

19 1. Under honorable or general conditions;

20 2. *With a qualifying condition, with other than a bad conduct or*
 21 *dishonorable discharge; or*

22 3. *As a discharged LGBTQ veteran, with other than a bad conduct or*
 23 *dishonorable discharge.*

24 (2) A veterans' personal loan program trust fund is established to oversee and
 25 administer funds under the Veterans' Personal Loan Program.

26 (3) (a) To be eligible for a loan under the Veterans' Personal Loan Program, an
 27 applicant shall be a resident of, and living in, the Commonwealth on the date

1 of the application.

2 (b) 1. As used in this paragraph, "qualified" means having met loan conditions
3 established by an administrative regulation promulgated by the
4 department. However, the term of a loan shall not exceed ten (10) years.

5 2. The department shall cause the veterans' personal loan program trust
6 fund to lend a qualified veteran or deceased veteran's unremarried
7 spouse not more than ten thousand dollars (\$10,000), or a lesser amount
8 established by an administrative regulation promulgated by the
9 department, for:

10 a. The purchase of a home, business, or business property;

11 b. The education of the loan applicant or the loan applicant's spouse;

12 c. The payment of family medical or funeral expenses; or

13 d. The consolidation of debt.

14 3. The department shall cause the veterans' personal loan trust fund to lend
15 a qualified child of a veteran or parent or guardian of that child not more
16 than ten thousand dollars (\$10,000), or a lesser amount established by an
17 administrative regulation promulgated by the department, for the
18 education of that child, who is under the age of twenty-seven (27), at a
19 university, junior college, vocational training institute, or nonpublic
20 school admitting children in preschool through grade twelve (12).

21 (c) No person shall receive a loan under this section in an amount that, when
22 added to the balance of the person's existing loan or loans under this section,
23 would result in a total indebtedness to the veterans' personal loan program
24 trust fund of more than ten thousand dollars (\$10,000), or a lesser amount
25 established by an administrative regulation promulgated by the department.

26 (4) (a) The veterans' personal loan program trust fund shall:

27 1. Execute necessary instruments; and

- 1 2. Collect principal and interest.
- 2 (b) The veterans' personal loan program trust fund may:
- 3 1. Compromise indebtedness;
- 4 2. Sue and be sued;
- 5 3. Post bonds;
- 6 4. Write off indebtedness that it considers uncollectible;
- 7 5. Exercise the rights of an owner and mortgagee if a loan provided under
- 8 this section is secured by a real estate mortgage;
- 9 6. Charge to a loan applicant loan expenses incurred under this section; and
- 10 7. a. Receive state appropriations, gifts, grants, federal funds, and any
- 11 other funds both public and private.
- 12 b. Funds received, which are not necessary for the operation of the
- 13 veterans' personal loan program trust fund, shall remain with the
- 14 department to finance other department operations.
- 15 (5) The department shall promulgate administrative regulations necessary to carry out
- 16 the provisions of this section.
- 17 ➔Section 9. KRS 42.0146 is amended to read as follows:
- 18 (1) For purposes of this section:
- 19 (a) "Disabled veteran" means an individual, domiciled in Kentucky, who has
- 20 served on active duty in the Armed Forces, has been separated therefrom
- 21 under honorable or general conditions, **with a qualifying condition as defined**
- 22 **in Section 1 of this Act, and other than a bad conduct or dishonorable**
- 23 **discharge, or as a discharged LGBTQ veteran as defined in Section 1 of this**
- 24 **Act, with other than a bad conduct or dishonorable discharge,** and has
- 25 established the present existence of a service-connected disability or is
- 26 receiving compensation, disability retirements benefits, or pension because of
- 27 a public statute administered by the United States Department of Veterans

1 Affairs or Department of Defense, or was terminated from active duty by the
2 Department of Defense because of a disability; and

3 (b) "Disabled veteran-owned business" means a business:

- 4 1. Where a disabled veteran has at least fifty-one percent (51%) ownership;
- 5 2. That is independently owned and operated;
- 6 3. That does not exceed the applicable size standards for its industry, as
7 determined by the United States Small Business Administration;
- 8 4. That has been owned and operated by the disabled veteran for at least a
9 full calendar or fiscal year; and
- 10 5. For which the disabled veteran has filed a business tax return consisting
11 of a full calendar or fiscal year.

12 (2) The Office of Equal Employment Opportunity and Contract Compliance shall
13 oversee a program that provides certification of a disabled veteran-owned business
14 in order to encourage growth among businesses owned by disabled veterans within
15 the state and assist those businesses in competing for work in other states that
16 require certification by a statewide body. This certification does not provide a
17 preference in state procurement, nor does it create a point system or set aside for
18 disabled veteran-owned businesses.

19 (3) In order to apply for certification, a disabled veteran shall provide proof of his or
20 her disability. Proof shall be in the form of Department of Defense Form DD 214,
21 United States Department of Veterans Affairs disability letter, or other United
22 States Department of Veterans Affairs documentation establishing a service-
23 connected disability.

24 (4) The Finance and Administration Cabinet shall promulgate any administrative
25 regulations necessary to create and manage the disabled veteran-owned business
26 certification program, which may include but is not limited to additional
27 certification requirements, the application process, onsite visitation by the Office of

1 Equal Employment Opportunity and Contract Compliance, and recertification.

2 ➔Section 10. KRS 148.0211 is amended to read as follows:

3 (1) Any veteran who has been a prisoner of war, was honorably discharged from the
4 military forces, *or discharged with a qualifying condition as defined in Section 1*
5 *of this Act with other than a bad conduct or dishonorable discharge, or is a*
6 *discharged LGBTQ veteran as defined in Section 1 of this Act, with other than a*
7 *bad conduct or dishonorable discharge,* and is a resident of this state is exempt
8 from camping fees in parks or campgrounds owned or operated by the
9 Commonwealth of Kentucky.

10 (2) To claim the exemption provided for by subsection (1) of this section, a veteran
11 shall forward:

12 (a) A copy of his separation form from military service; or

13 (b) A letter from one (1) of the military forces or the United States Department of
14 Veterans Affairs; and

15 (c) Written proof of residence to the Department of Parks. The department shall
16 mail a card to the veteran certifying that he is exempt from the fees specified
17 in subsection (1) of this section.

18 ➔Section 11. KRS 158.105 is amended to read as follows:

19 Each school district in this state shall admit to its twelve (12) grade school service,
20 without tuition, any veteran of the Armed Forces whose attendance was interrupted,
21 before completing the approved twelve (12) grade school course, because of induction or
22 enlistment in the Armed Forces. The veteran shall apply for reenrollment in the public
23 school system of the district of his residence not later than four (4) years after his *or her*
24 *honorable discharge from the Armed Forces, separation from service with a qualifying*
25 *condition as defined in Section 1 of this Act with other than a bad conduct or*
26 *dishonorable discharge, or separation from service as a discharged LGBTQ veteran as*
27 *defined in Section 1 of this Act, with other than a bad conduct or dishonorable*

1 discharge. However, this is not intended to apply to enrollment by veterans in special
2 courses for which tuition is paid under the provisions of federal laws, or otherwise.

3 →Section 12. KRS 158.140 is amended to read as follows:

4 (1) When a pupil in any public elementary school or any approved private or parochial
5 school completes the prescribed elementary program of studies, he is entitled to a
6 certificate of completion signed by the teacher or teachers under whom the program
7 was completed. The certificate shall entitle the pupil to admission into any public
8 high school. Any promotions or credits earned in attendance in any approved public
9 school are valid in any other public school to which a pupil may go, but the
10 superintendent or principal of a school, as the case may be, may assign the pupil to
11 the class or grade to which the pupil is best suited. In case a pupil transfers from the
12 school of one (1) district to the school of another district, an assignment to a lower
13 grade or course shall not be made until the pupil has demonstrated that he is not
14 suited for the work in the grade or course to which he has been promoted.

15 (2) Upon successful completion of all state and local board requirements, the student
16 shall receive:

17 (a) A diploma indicating graduation from high school; or

18 (b) An alternative high school diploma if the student has a disability and has
19 completed a modified curriculum and an individualized course of study
20 pursuant to requirements established by the Kentucky Board of Education in
21 accordance with KRS 156.160.

22 (3) (a) The Gatton Academy of Mathematics and Science in Kentucky, located at
23 Western Kentucky University, and the Craft Academy for Excellence in
24 Science and Mathematics, located at Morehead State University, may award a
25 diploma to any student who completes his or her high school program at the
26 respective academy. If the academy issues a diploma, the board of regents of
27 the host university shall provide to the commissioner of education a letter of

1 assurance that the program of study completed by its students, in combination
2 with previously earned secondary credits, meets the minimum high school
3 graduation requirements established by the Kentucky Board of Education
4 under KRS 156.160(1)(d).

5 (b) A local school district may award a joint diploma with the Gatton Academy of
6 Mathematics and Science in Kentucky or the Craft Academy for Excellence in
7 Science and Mathematics to any student who was enrolled in a district high
8 school and completed his or her high school program at the respective
9 academy.

10 (c) The respective academy and the home school district shall ensure that student
11 transcripts from each institution accurately reflect the dual credit coursework.

12 (4) A local school board may award a diploma indicating graduation from high school
13 to any student posthumously with the high school class the student was expected to
14 graduate.

15 (5) (a) A local board of education shall award an authentic high school diploma to an
16 honorably discharged veteran, *a veteran with a qualifying condition as*
17 *defined in Section 1 of this Act, with other than a bad conduct or*
18 *dishonorable discharge, or a discharged LGBTQ veteran as defined in*
19 *Section 1 of this Act, with other than a bad conduct or dishonorable*
20 *discharge*, who did not complete high school prior to being inducted into the
21 United States Armed Forces during:

- 22 1. World War II, as defined in KRS 40.010;
- 23 2. The Korean conflict, as defined in KRS 40.010; or
- 24 3. The Vietnam War. As used in this paragraph, "Vietnam War" means the
25 period beginning August 5, 1964, and ending May 7, 1975. However,
26 for a member of the United States Armed Forces serving in Vietnam
27 prior to August 5, 1964, the period shall begin February 28, 1961.

1 (b) Upon recommendation of the commissioner, the Kentucky Board of
2 Education in consultation with the Kentucky Department of Veterans' Affairs
3 shall promulgate administrative regulations to establish the guidelines for
4 awarding the authentic diplomas referred to in paragraph (a) of this
5 subsection.

6 (6) The Department of Education shall establish the requirements for a vocational
7 certificate of completion. A student who has returned to school after dropping out
8 shall receive counseling concerning the vocational program. A student who has
9 completed the requirements established for a vocational program shall receive a
10 vocational certificate of completion specifying the areas of competence.

11 ➔Section 13. KRS 161.048 is amended to read as follows:

12 (1) The General Assembly hereby finds that:

13 (a) 1. There are persons who have distinguished themselves through a variety
14 of work and educational experiences that could enrich teaching in
15 Kentucky schools;

16 2. There are distinguished scholars who wish to become teachers in
17 Kentucky's public schools, but who did not pursue a teacher preparation
18 program;

19 3. There are persons who should be recruited to teach in Kentucky's public
20 schools as they have academic majors, strong verbal skills as shown by a
21 verbal ability test, and deep knowledge of content, characteristics that
22 empirical research identifies as important attributes of quality teachers;

23 4. There are persons who need to be recruited to teach in Kentucky schools
24 to meet the diverse cultural and educational needs of students; and

25 5. There should be alternative procedures to the traditional teacher
26 preparation programs that qualify persons as teachers;

27 (b) There are hereby established alternative certification program options as

1 described in subsections (2) to (9) of this section;

2 (c) It is the intent of the General Assembly that the Education Professional
3 Standards Board inform scholars, persons with exceptional work experience,
4 and persons with diverse backgrounds who have potential as teachers of these
5 options and assist local boards of education in implementing these options and
6 recruitment of individuals who can enhance the education system in
7 Kentucky;

8 (d) The Education Professional Standards Board may reject the application of any
9 candidate who is judged as not meeting academic requirements comparable to
10 those for students enrolled in Kentucky teacher preparation programs; and

11 (e) The Education Professional Standards Board shall promulgate administrative
12 regulations establishing standards and procedures for the alternative
13 certification options described in this section.

14 (2) Option 1: Certification of a person with exceptional work experience. An individual
15 who has exceptional work experience and has been offered employment in a local
16 school district shall receive a one (1) year provisional certificate with approval by
17 the Education Professional Standards Board of a joint application by the individual
18 and the employing school district under the following conditions:

19 (a) The application contains documentation of all education and work experience;

20 (b) The candidate has documented exceptional work experience in the area in
21 which certification is being sought; and

22 (c) The candidate possesses:

23 1. A bachelor's degree or a graduate degree;

24 2. A minimum cumulative grade point average of two and seventy-five
25 hundredths (2.75) on a four (4) point scale or a minimum grade point
26 average of three (3.0) on a four (4) point scale on the last thirty (30)
27 hours of credit completed, including undergraduate and graduate

1 coursework from a nationally or regionally accredited postsecondary
2 institution; and

3 3. An academic major or a passing score on the academic content
4 assessment in the area in which certification is being sought by the
5 applicant as designated by the Education Professional Standards Board.

6 The candidate shall participate in the teacher internship program under KRS
7 161.030. After successful completion of the internship program, the candidate shall
8 receive a professional certificate and shall be subject to certificate renewal
9 requirements the same as other teachers with a professional certificate.

10 (3) Option 2: Certification through a local school district training program. A local
11 school district or group of school districts may seek approval for a training program.
12 The state-approved local school district training program is an alternative to the
13 college teacher preparation program as a means of acquiring teacher certification for
14 a teacher at any grade level. The training program may be offered for all teaching
15 certificates approved by the Education Professional Standards Board, including
16 interdisciplinary early childhood education, except for specific certificates for
17 teachers of exceptional children. To participate in a state-approved local school
18 district alternative training program, the candidate shall possess:

19 (a) A bachelor's degree or a graduate degree;

20 (b) A minimum cumulative grade point average of two and seventy-five
21 hundredths (2.75) on a four (4) point scale or a minimum grade point average
22 of three (3) on a four (4) point scale on the last thirty (30) hours of credit
23 completed, including undergraduate and graduate coursework from a
24 nationally or regionally accredited postsecondary institution;

25 (c) A passing score on the academic content assessment in the area in which
26 certification is being sought by the applicant as designated by the Education
27 Professional Standards Board. To be eligible to take an academic content

1 assessment, the applicant shall have completed a thirty (30) hour major in the
2 academic content area or five (5) years of experience in the academic content
3 area as approved by the Education Professional Standards Board; and

4 (d) An offer of employment in a school district which has a training program
5 approved by the Education Professional Standards Board.

6 Upon meeting the participation requirements as established in this subsection, the
7 candidate shall be issued a one (1) year provisional certificate by the Education
8 Professional Standards Board. The candidate shall participate in the teacher
9 internship program under KRS 161.030. After successful completion of the
10 internship program, the candidate shall receive a professional certificate and shall
11 be subject to certificate renewal requirements the same as other teachers with a
12 professional certificate.

13 (4) Option 3: Certification of a professional from a postsecondary institution: A
14 candidate who possesses the following qualifications may receive a one (1) year
15 provisional certificate for teaching at any level:

16 (a) A master's degree or doctoral degree in the academic content area for which
17 certification is sought;

18 (b) A minimum of five (5) years of full-time teaching experience, or its
19 equivalent, in the academic content area for which certification is sought in a
20 regionally or nationally accredited institution of higher education; and

21 (c) An offer of employment in a school district which has been approved by the
22 Education Professional Standards Board.

23 The candidate shall participate in the teacher internship program under KRS
24 161.030. After successful completion of the internship program, the candidate shall
25 receive a professional certificate and shall be subject to certificate renewal
26 requirements the same as other teachers with professional certificates.

27 (5) Option 4: Certification of an adjunct instructor. A person who has expertise in areas

1 such as art, music, foreign language, drama, science, computer science, and other
2 specialty areas may be employed as an adjunct instructor in a part-time position by a
3 local board of education under KRS 161.046.

4 (6) Option 5: Certification of a veteran of the Armed Forces. The Education
5 Professional Standards Board shall issue a statement of eligibility, valid for five (5)
6 years, for teaching at the elementary, secondary, and secondary career technical
7 education levels to a veteran of the Armed Forces who was honorably discharged
8 from active duty as evidenced by Defense Department Form 214 (DD 214) or
9 National Guard Bureau Form 22 or to a member of the Armed Services currently
10 serving with six (6) or more years of honorable service, including Reserves,
11 National Guard, or active duty or a veteran with a qualifying condition as defined
12 in Section 1 of this Act, with other than a bad conduct or dishonorable discharge,
13 or a discharged LGBTQ veteran as defined in Section 1 of this Act with other
14 than a bad conduct or dishonorable discharge. The candidate shall possess:

- 15 (a) A bachelor's degree or graduate degree;
- 16 (b) A minimum cumulative grade point average of two and seventy-five
17 hundredths (2.75) on a four (4) point scale or a minimum grade point average
18 of three (3) on a four (4) point scale on the last thirty (30) hours of credit
19 completed, including undergraduate and graduate coursework from a
20 nationally or regionally accredited postsecondary institution; and
- 21 (c) An academic major or a passing score on the academic content assessment in
22 the area in which certification is being sought by the applicant as designated
23 by the Education Professional Standards Board.

24 Upon an offer of employment by a school district, the eligible veteran shall receive
25 a one (1) year provisional certificate with approval by the Education Professional
26 Standards Board of a joint application by the veteran and the employing school
27 district. During this year, the veteran shall participate in the teacher internship

1 program under KRS 161.030. After successful completion of the internship
2 program, the veteran shall receive a professional certificate.

3 (7) Option 6: University alternative program. With approval of the Education
4 Professional Standards Board, a university may provide an alternative program that
5 enrolls students in a postbaccalaureate teacher preparation program concurrently
6 with employment as a teacher in a local school district. A student in the alternative
7 program shall be granted a one (1) year provisional certificate and shall participate
8 in the Kentucky teacher internship program, notwithstanding provisions of KRS
9 161.030. A student may not participate in the internship program until the student
10 has successfully completed the assessments required by the board. The one (1) year
11 provisional certificate may be renewed two (2) additional years, and shall be
12 contingent upon the candidate's continued enrollment in the preparation program
13 and compliance with all requirements established by the board. A professional
14 certificate shall be issued upon the teacher candidate's successful completion of the
15 program, the internship program requirements, and all academic content
16 assessments in the specific teaching field of the applicant as designated by the
17 Education Professional Standards Board.

18 (8) Option 7: Certification of a person in a field other than education to teach in
19 elementary, middle, or secondary programs. This option shall not be limited to
20 teaching in shortage areas. An individual certified under provisions of this
21 subsection shall be issued a one (1) year provisional certificate, renewable for a
22 maximum of two (2) additional years with approval of the Education Professional
23 Standards Board.

24 (a) The candidate shall possess:

25 1. A bachelor's degree with a declared academic major in the area in which
26 certification is sought or a graduate degree in a field related to the area
27 in which certification is sought;

- 1 2. A minimum cumulative grade point average of two and seventy-five
2 hundredths (2.75) on a four (4) point scale or a minimum grade point
3 average of three (3) on a four (4) point scale on the last thirty (30) hours
4 of credit completed, including undergraduate and graduate coursework
5 from a nationally or regionally accredited postsecondary institution;
 - 6 3. A passing score on the GRE or equivalent as designated by the
7 Education Professional Standards Board. A candidate who has a
8 terminal degree shall be exempt from the requirements of this
9 subparagraph; and
 - 10 4. A passing score on the academic content assessment in the area in which
11 certification is being sought as designated by the Education Professional
12 Standards Board.
- 13 (b) Prior to receiving the one (1) year provisional certificate or during the first
14 year of the certificate, the teacher shall complete the following:
- 15 1. For elementary teaching, the individual shall successfully complete the
16 equivalent of a two hundred forty (240) hour institute, based on six (6)
17 hour days for eight (8) weeks. The providers and the content of the
18 institute shall be approved by the Education Professional Standards
19 Board. The content shall include research-based teaching strategies in
20 reading and math, research on child and adolescent growth, knowledge
21 of individual differences, including teaching exceptional children, and
22 methods of classroom management.
 - 23 2. For middle and secondary teaching, the individual shall successfully
24 complete the equivalent of a one hundred eighty (180) hour institute,
25 based on six (6) hour days for six (6) weeks. The providers and the
26 content of the institute shall be approved by the Education Professional
27 Standards Board and shall include research-based teaching strategies,

1 research on child and adolescent growth, knowledge of individual
2 differences, including teaching exceptional children, and methods of
3 classroom management.

4 (c) The candidate shall participate in the teacher internship program under KRS
5 161.030. After successful completion of the internship program, the candidate
6 shall receive a professional certificate and shall be subject to certificate
7 renewal requirements the same as other teachers with a professional
8 certificate.

9 (9) Option 8: Certification of a Teach for America participant to teach in elementary,
10 middle, or high schools. Nothing in this subsection shall conflict with the
11 participation criteria of the Teach for America program. An individual certified
12 under this subsection shall be issued a one (1) year provisional certificate.

13 (a) The candidate shall possess:

- 14 1. An offer of employment from a local school district;
- 15 2. A bachelor's degree;
- 16 3. A successful completion of the summer training institute and ongoing
17 professional development required by Teach for America, including
18 instruction in goal-oriented, standards-based instruction, diagnosing and
19 assessing students, lesson planning and instructional delivery, classroom
20 management, maximizing learning for diverse students, and teaching
21 methodologies; and
- 22 4. A passing score on the academic content assessment in the area in which
23 certification is being sought as designated by the Education Professional
24 Standards Board.

25 (b) The provisional certificate granted under paragraph (a) of this subsection may
26 be renewed two (2) times with a recommendation of the superintendent and
27 approval of the Education Professional Standards Board.

- 1 (c) A Teach for America participant who is approved for a second renewal of his
2 or her provisional certificate under paragraph (b) of this subsection may
3 participate in the teacher internship program under KRS 161.030.
- 4 (d) A Teach for America participant shall be issued a professional certificate upon
5 the participant's successful completion of the internship program and
6 assessments relating to teaching of subject matter required by the Education
7 Professional Standards Board under KRS 161.030.
- 8 (e) Notwithstanding any statute or administrative regulation to the contrary, a
9 teacher certified under this subsection shall have ten (10) years from the date
10 that the teacher successfully completed the internship program to complete a
11 master's degree or fifth year program, or the equivalent as specified by the
12 Education Professional Standards Board in administrative regulation.
- 13 (10) A public school teacher certified under subsections (2) to (9) of this section shall be
14 placed on the local district salary schedule for the rank corresponding to the degree
15 held by the teacher.
- 16 (11) Subsections (1) to (3) of this section notwithstanding, a candidate who possesses the
17 following qualifications may receive certification for teaching programs for
18 exceptional students:
- 19 (a) An out-of-state license to teach exceptional students;
- 20 (b) A bachelor's or master's degree in the certification area or closely related area
21 for which certification is sought; and
- 22 (c) Successful completion of the teacher internship program requirement required
23 under KRS 161.030.
- 24 ➔Section 14. KRS 164.512 is amended to read as follows:
- 25 (1) The child of a veteran, regardless of age, who has acquired a disability as a direct
26 result of the veteran's service shall be eligible to receive a waiver of tuition upon
27 admission to any state-supported university, college, or vocational training institute.

- 1 (2) To be entitled to benefits under this section, the child claiming benefits must have
2 acquired a disability determined by the United States Department of Veterans
3 Affairs as compensable.
- 4 (3) The parent-child relationship must be shown by birth certificate, marriage
5 certificate, or other documentary evidence.
- 6 (4) To entitle a child to benefit under this section the member of the National Guard or
7 Reserve Component veteran living or deceased must have served on state active
8 duty, active duty for training, or inactive duty training or the veteran must have
9 served on active duty with the Armed Forces of the United States, and the discharge
10 must have been under honorable conditions, or the veteran must have separated
11 from service with a qualifying condition as defined in Section 1 of this Act, with
12 other than a bad conduct or dishonorable discharge, or the veteran must have
13 separated from service as a discharged LGBTQ veteran as defined in Section 1 of
14 this Act, with other than a bad conduct or dishonorable discharge. The veteran
15 must be a resident or, if deceased, must have been a resident of the Commonwealth
16 of Kentucky.

17 ➔Section 15. KRS 164.515 is amended to read as follows:

- 18 (1) The spouse, regardless of age, and any child, stepchild, or orphan, under the age of
19 twenty-six (26), of a permanently and totally disabled member of the Kentucky
20 National Guard or Reserve Component injured while on state active duty, active
21 duty for training, or inactive duty training, or a permanently and totally disabled war
22 veteran, or a one hundred percent (100%) service-connected disabled veteran
23 regardless of wartime service, or prisoner of war or member of the Armed Services
24 declared missing in action shall not be required to pay any matriculation or tuition
25 fees upon his admission to any state-supported institution of higher education or to
26 any state-supported vocational training school for a period not in excess of forty-
27 five (45) months in order to obtain a diploma, nor in excess of the lesser number of

- 1 months required for a certificate of completion.
- 2 (2) To be entitled to benefits under this section the parent or stepparent of the child
3 claiming benefits if living must be rated permanently and totally disabled for
4 pension purposes or one hundred percent (100%) disabled for compensation
5 purposes by the United States Department of Veterans Affairs or the Department of
6 Defense. If the veteran is deceased, the claim to benefits is to be based on the rating
7 held by the veteran at the time of death or if a prisoner of war or missing in action,
8 must have been declared as such by the Department of Defense. Members of the
9 Kentucky National Guard must be rated permanently and totally disabled as
10 provided in KRS Chapter 342. The parent's, stepparent's, or spouse's service and
11 rating must be evidenced by certification from the records of the Kentucky
12 Department of Military Affairs, United States Department of Veterans Affairs, or
13 the Department of Defense of the United States.
- 14 (3) The parent-child relationship must be shown by birth certificate, legal adoption
15 papers, marriage certificate, or other documentary evidence. A stepchild must be a
16 member of the veteran's household. The spousal relationship must be shown by a
17 marriage certificate or other documentary evidence.
- 18 (4) To entitle a spouse, child, stepchild, or orphan to benefit under this section the
19 disabled member of the National Guard or Reserve Component veteran living or
20 deceased must have served on state active duty, active duty for training, or inactive
21 duty training or active duty with the Armed Forces of the United States, and his
22 discharge must have been under honorable conditions, or with a qualifying
23 condition as defined in Section 1 of this Act, with other than a bad conduct or
24 dishonorable discharge, or the veteran must have separated from service as a
25 discharged LGBTQ veteran as defined in Section 1 of this Act, with other than a
26 bad conduct or dishonorable discharge. He must be a resident or, if deceased, have
27 been a resident of the Commonwealth of Kentucky.

1 (5) No provision of this section shall serve to deny these benefits to an eligible spouse,
2 child, stepchild, or orphan, who enlists, or who fulfills a military obligation, in the
3 Armed Forces of the United States and is discharged under honorable conditions;
4 the period of time spent in the military service to be compensated by like time,
5 beyond the age of twenty-six (26) years if required, but not in excess of the period
6 of enrollment as set forth in subsection (1) of this section.

7 (6) The marriage of an eligible child, stepchild, or orphan, shall not serve to deny full
8 entitlement to the benefits provided in this section.

9 ➔Section 16. KRS 186.041 is amended to read as follows:

10 (1) Each initial and renewal application by a person who meets the criteria of paragraph
11 (a) of this section and each initial application by a person who meets the criteria of
12 paragraph (b), (c), or (d) of this section for a special military license plate shall be
13 accompanied by proof that the person is associated with the United States Army,
14 United States Navy, United States Air Force, United States Marine Corps, United
15 States Coast Guard, United States Coast Guard Auxiliary, Kentucky National
16 Guard, Merchant Marines with service between December 7, 1941, and August 15,
17 1945, or Civil Air Patrol in one (1) of the following ways:

18 (a) An active component member;

19 (b) A retired member;

20 (c) A member of the National Guard or Reserve component who has completed
21 his or her term of service, or has retired with a minimum of twenty (20) years
22 of service; or

23 (d) A veteran who received a discharge under honorable conditions, or with a
24 qualifying condition as defined in Section 1 of this Act, with other than a
25 bad conduct or dishonorable discharge, or a discharged LGBTQ veteran as
26 defined in Section 1 of this Act, with other than bad conduct or
27 dishonorable discharge, or the veteran's widow and:

- 1 1. Performed one hundred eighty (180) days of active-duty service;
- 2 2. Received an early release due to injuries or other medical condition, or
- 3 at the convenience of the service;
- 4 3. Received a hardship discharge;
- 5 4. Was separated or retired due to a disability; or
- 6 5. Was determined to have a service-connected disability incurred during
- 7 the enlistment.

8 (2) The member, retired member, veteran, or reservist may purchase an unlimited
9 number of special military-related license plates described in subsection (1) of this
10 section, annually for vehicles they own or lease. A disabled veterans license plate
11 shall expire on July 31.

12 (3) A recipient of the Distinguished Service Cross, Navy Cross, or Air Force Cross
13 shall be eligible for a Service Cross license plate upon submission of an application
14 to the Kentucky Department of Veterans' Affairs. The recipient shall be required to
15 include with the initial application for a Service Cross license plate a copy of the
16 general order that authorized the award and the recipient's Department of Defense
17 form number 214. The Department of Veterans' Affairs shall verify the
18 documentation submitted with the application for a Service Cross license plate, and
19 if the individual applying for the plate is confirmed to be a recipient of the
20 Distinguished Service Cross, Navy Cross, or Air Force Cross, the Department of
21 Veterans' Affairs shall submit the applicant's name to the Transportation Cabinet's
22 Division of Motor Vehicle Licensing not later than September 1 preceding the year
23 that the Service Cross license plate is to be initially issued or renewed. When the
24 Service Cross license plate is ready, the plate shall be sent to the county clerk in the
25 county of the applicant's residence. The Transportation Cabinet's Division of Motor
26 Vehicle Licensing shall inform each applicant in writing that the Service Cross
27 license plate is ready and may be picked up at the county clerk's office. The

1 Transportation Cabinet shall prescribe the type of application form required by this
2 subsection and shall supply the Department of Veterans' Affairs with the application
3 form required by this subsection.

4 (4) A person who is a former prisoner of the enemy during World War I, World War II,
5 the Korean War, or the Vietnam War, or the spouse of a deceased former prisoner
6 of war, shall be eligible for a former prisoner of war license plate by submitting
7 written proof from the United States Department of Veterans Affairs or other
8 appropriate federal agency stating the period of time the person or person's spouse
9 was a prisoner of war. If a former prisoner of war dies with a vehicle licensed as
10 authorized under this section, the person's surviving spouse may retain the license
11 plate for use on the same vehicle or on another vehicle that complies with KRS
12 186.164(7).

13 (5) A person who is certified by the Kentucky chapter of the Pearl Harbor Survivors
14 Association as being a survivor of the attack on Pearl Harbor shall be eligible for a
15 Pearl Harbor license plate and shall be required to attach to the special military-
16 related license plate application written evidence from the Kentucky chapter of the
17 Pearl Harbor Survivors Association that the person:

18 (a) Was a member of the United States Armed Forces on December 7, 1941;

19 (b) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45
20 a.m., Hawaii time, at Pearl Harbor, the island of Oahu, or offshore at a
21 distance not to exceed three (3) miles;

22 (c) Was discharged honorably from the United States Armed Forces; and

23 (d) Is certified by the Kentucky chapter of the Pearl Harbor Survivors
24 Association.

25 (6) A person who is eligible to receive a Gold Star Mothers, Gold Star Fathers, or Gold
26 Star Spouses license plate under KRS 186.164(15)(a) may receive up to two (2)
27 Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses license plates free of

1 charge and may purchase additional license plates by paying the same fee as for
2 special military-related plates issued under KRS 186.162(2)(d) annually for vehicles
3 he or she owns or leases.

4 (7) The surviving spouse of a Purple Heart recipient, or a Kentucky National Guard
5 member or a retired member, who possessed a vehicle licensed with the Purple
6 Heart recipient special license plate or the Kentucky National Guard special license
7 plate, may retain the license plate for use on the same vehicle or another vehicle that
8 complies with KRS 186.164(7). The surviving spouse may renew the license plate
9 indefinitely, provided the appropriate registration fee is paid annually.

10 (8) A person who is attending or who is a graduate of the United States Air Force
11 Academy, the United States Military Academy, the United States Naval Academy,
12 the United States Coast Guard Academy, or the United States Merchant Marine
13 Academy shall be eligible for a special military service academy license plate. A
14 special military service academy license plate under this subsection shall use the
15 same plate template as the standard special military license plate under subsection
16 (1) of this section, with stickers to identify the various service academies. The
17 Transportation Cabinet shall promulgate administrative regulations pursuant to
18 KRS Chapter 13A to establish the proof required to demonstrate current attendance
19 at or graduation from a service academy. An eligible applicant may receive up to
20 two (2) special military service academy license plates.

21 ➔Section 17. KRS 186.416 is amended to read as follows:

22 (1) If a resident of the Commonwealth currently serving in the United States military is
23 stationed or assigned to a base or other location outside the boundaries of the
24 Commonwealth, the resident, or the resident's spouse or dependents, may renew a
25 Class D operator's license issued under this section by mail. If the resident, or his or
26 her spouse or dependents, was issued an "under 21" operator's license, upon the date
27 of the license holder's twenty-first birthday, the "under 21" operator's license may be

1 renewed for an operator's license that no longer contains the outdated reference to
2 being "under 21."

3 (2) A resident of the Commonwealth renewing an operator's license by mail under
4 subsection (1) of this section may have a personal designee apply to the circuit clerk
5 on behalf of the resident to renew the resident's operator's license. An operator's
6 license being renewed by mail under subsection (1) of this section shall be issued a
7 license without a photograph if there is no photo on file. If there is no photo on file,
8 the license shall show in the space provided for the photograph the legend "valid
9 without photo and signature."

10 (3) (a) 1. If a resident of the Commonwealth has been serving in the United States
11 military stationed or assigned to a base or other location outside the
12 boundaries of the Commonwealth and has allowed his or her operator's
13 license to expire, he or she shall, within ninety (90) days of returning to
14 the Commonwealth, be permitted to renew his or her license without
15 having to take a written test or road test.

16 2. The spouse or dependent of a person identified in subparagraph 1. of this
17 paragraph shall be afforded the same consideration identified in that
18 subparagraph regarding the renewal of an expired operator's license.

19 (b) A person who meets the criteria in paragraph (a) of this subsection shall not be
20 convicted or cited for driving on an expired license prior to license renewal
21 during the ninety (90) days after the person's return to the Commonwealth if
22 the person can provide proof of his or her out-of-state service and dates of
23 assignment.

24 (c) A person who meets the criteria in paragraph (a) of this subsection and who
25 does not renew his or her license within ninety (90) days of returning to the
26 Commonwealth shall be required to comply with the provisions of this chapter
27 governing renewal of a license that has expired.

- 1 (d) If a resident of the Commonwealth has been issued an "under 21" or "under 21
2 CDL" operator's license and the person is unable to renew the license on the
3 date of his or her twenty-first birthday, the "under 21" or "under 21 CDL"
4 operator's license shall be valid for ninety (90) days beyond the date of the
5 person's twenty-first birthday.
- 6 (4) (a) Any person who served in the active Armed Forces of the United States,
7 including the Coast Guard, and any member of the National Guard or Reserve
8 Component who completed the member's term of service and was released,
9 separated, discharged, or retired therefrom under either an honorable
10 discharge or a general under honorable conditions discharge, or with a
11 qualifying condition as defined in Section 1 of this Act, with other than a
12 bad conduct or dishonorable discharge, or a discharged LGBTQ veteran as
13 defined in Section 1 of this Act, with other than a bad conduct or
14 dishonorable discharge may, at the time of initial application or application
15 for renewal or duplicate, request that an operator's license or a personal
16 identification card issued under this chapter bear the word "veteran" on the
17 face or the back of the license or personal identification card.
- 18 (b) The designation shall be in a style and format considered appropriate by the
19 Transportation Cabinet. Prior to obtaining a designation requested under this
20 subsection, the applicant shall present the circuit clerk with an original or copy
21 of his or her DD-214, DD-2, or NGB-22 form as proof of veteran status. The
22 circuit clerk shall not be liable for fraudulent or misread forms presented.