

1 AN ACT relating to appropriations.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 199 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) There is hereby established in the State Treasury a trust and agency account to be*  
6 *known as the refugee support fund. The fund shall consist of moneys received*  
7 *from state appropriations.*

8 *(2) The fund shall be administered by the Department for Community Based*  
9 *Services.*

10 *(3) Amounts deposited in the fund shall be:*

11 *(a) Immediately allocated to the Kentucky Office for Refugees;*

12 *(b) Used by the Kentucky Office for Refugees to provide a grant of up to ten*  
13 *thousand dollars (\$10,000) to each refugee family that is fleeing an*  
14 *international armed conflict; and*

15 *(c) Used by the refugee family for relocation costs.*

16 *(4) Beginning on July 1, 2023, and each July 1 thereafter, the Kentucky Office for*  
17 *Refugees shall report the following information to the Interim Joint Committee*  
18 *on Appropriations and Revenue:*

19 *(a) The number of people within each family receiving moneys from the fund;*  
20 *and*

21 *(b) The country of origin of the family.*

22 *(5) (a) Notwithstanding KRS 45.229, moneys in the fund not expended at the close*  
23 *of a fiscal year shall not lapse but shall be carried forward into the next*  
24 *fiscal year.*

25 *(b) Any interest earning of the fund shall become a part of the fund and shall*  
26 *not lapse.*

27 *(c) Moneys deposited in the fund are hereby appropriated for the purposes*

1                   *under this section.*

2                   ➔Section 2. KRS 164.2847 is amended to read as follows:

- 3           (1) Tuition and mandatory student fees for any undergraduate or graduate program of  
4           any Kentucky public postsecondary institution, including all four (4) year  
5           universities and colleges and institutions of the Kentucky Community and  
6           Technical College System, shall be waived for a Kentucky foster or adopted child  
7           who is a full-time or part-time student if the student meets all entrance requirements  
8           and maintains academic eligibility while enrolled at the postsecondary institution,  
9           and if:
- 10           (a) The student's family receives state-funded adoption assistance under KRS  
11           199.555;
- 12           (b) The student is currently committed to the Cabinet for Health and Family  
13           Services under KRS 610.010(5) and placed in a family foster home or is  
14           placed in accordance with KRS 605.090(3);
- 15           (c) The student is in an independent living program and the placement is funded  
16           by the Cabinet for Health and Family Services;
- 17           (d) The student who is an adopted child was in the permanent legal custody of  
18           and placed for adoption by the Cabinet for Health and Family Services. A  
19           student who meets the eligibility criteria of this paragraph and lives outside of  
20           Kentucky at the time of application to a Kentucky postsecondary institution  
21           may apply for the waiver up to the amount of tuition for a Kentucky resident;  
22           or
- 23           (e) The Cabinet for Health and Family Services was the student's legal custodian  
24           on his or her eighteenth birthday.
- 25           (2) Tuition and mandatory student fees for any undergraduate program of any Kentucky  
26           public postsecondary institution, including all four (4) year universities and colleges  
27           and institutions of the Kentucky Community and Technical College System, shall

1 be waived for a Department of Juvenile Justice foster child who is a full-time or  
 2 part-time student if the student meets all entrance requirements and maintains  
 3 academic eligibility while enrolled at the postsecondary institution and obtains a  
 4 recommendation for participation from an official from the Department of Juvenile  
 5 Justice, and if:

- 6 (a) The student has not been sentenced to the Department of Juvenile Justice  
 7 under KRS Chapter 640;
- 8 (b) The student has been committed to the Department of Juvenile Justice for a  
 9 period of at least twelve (12) months;
- 10 (c) The student is in an independent living program and placement is funded by  
 11 the Department of Juvenile Justice;
- 12 (d) The parental rights of the student's biological parents have been terminated; or
- 13 (e) The student was committed to the Cabinet for Health and Family Services  
 14 prior to a commitment to the Department of Juvenile Justice.

15 (3) *Tuition and mandatory student fees for any undergraduate program of any*  
 16 *Kentucky public postsecondary institution, including all four (4) year universities*  
 17 *and colleges and institutions of the Kentucky Community and Technical College*  
 18 *System, shall be waived for a refugee:*

- 19 (a) *Who is a full-time or part-time student if the student meets all entrance*  
 20 *requirements and maintains academic eligibility while enrolled at the*  
 21 *postsecondary institution; and*
- 22 (b) *If the student's family receives reimbursement for relocation costs under*  
 23 *Section 1 of this Act.*

24 (4) Upon request of the postsecondary institution, the Cabinet for Health and Family  
 25 Services shall confirm the eligibility status under subsections~~subsection~~ (1) and  
 26 (3) of this section and the Department of Juvenile Justice shall confirm the  
 27 eligibility status and recommendations under subsection (2) of this section of the

1 student seeking to participate in the waiver program. Release of this information  
2 shall not constitute a breach of confidentiality required by KRS 199.570, 610.320,  
3 or 620.050.

4 ~~(5)~~~~(4)~~ The student shall complete the Free Application for Federal Student Aid to  
5 determine the level of need and eligibility for state and federal financial aid  
6 programs. If the sum of the tuition waiver plus other student financial assistance,  
7 except loans and the work study program under 42 U.S.C. secs. 2751-2756b, from  
8 all sources exceeds the student's total cost of attendance, as defined in 20 U.S.C.  
9 sec. 10871l, the tuition waiver shall be reduced by the amount exceeding the total  
10 cost of attendance.

11 ~~(6)~~~~(5)~~ Except when extended in accordance with subsection ~~(7)~~~~(6)~~ of this section,  
12 the student shall be eligible for the tuition waiver:

- 13 (a) For entrance to the institution for a period of no more than four (4) years after  
14 the date of graduation from high school or obtaining a high school  
15 equivalency diploma; and
- 16 (b) For one hundred fifty (150) consecutive or nonconsecutive credit hours  
17 earned, after first admittance to any Kentucky institution if satisfactory  
18 progress is achieved or maintained up to age twenty-eight (28).

19 ~~(7)~~~~(6)~~ The expiration of a student's eligibility under subsection ~~(6)~~~~(5)~~(a) of this  
20 section shall be extended by the number of academic terms the institution  
21 determines the student was unable to enroll for or complete due to serving:

- 22 (a) On active duty status in the United States Armed Forces;
- 23 (b) As an officer in the Commissioned Corps of the United States Public Health  
24 Service; or
- 25 (c) On active service in the Peace Corps Act or the Americorps.

26 The original age limitation under subsection ~~(6)~~~~(5)~~(b) of this section shall be  
27 extended by the total number of years during which the student was on active duty

1 status. The number of months served on active duty status shall be rounded up to  
2 the next higher year to determine the maximum length of eligibility extension  
3 allowed.

4 ~~(8)~~~~(7)~~ The Council on Postsecondary Education shall report nonidentifying data on  
5 graduation rates of students participating in the tuition waiver program by  
6 November 30 each year to the Legislative Research Commission.

7 ~~(9)~~~~(8)~~ Nothing in this section shall be construed to:

- 8 (a) Guarantee acceptance of or entrance into any postsecondary institution for a  
9 refugee or a foster or adopted child;
- 10 (b) Limit the participation of a refugee or a foster or adopted student in any other  
11 program of financial assistance for postsecondary education;
- 12 (c) Require any postsecondary institution to waive costs or fees relating to room  
13 and board; or
- 14 (d) Restrict any postsecondary institution, the Department of Juvenile Justice, or  
15 the Cabinet for Health and Family Services from accessing other sources of  
16 financial assistance, except loans, that may be available to a refugee or a  
17 foster or adopted student.

18 ➔Section 3. There is hereby appropriated General Fund moneys in the amount of  
19 \$50,000,000 in fiscal year 2022-2023 to the refugee fund created in Section 1 of this Act  
20 for distribution to refugee families. There is hereby appropriated General Fund moneys in  
21 the amount of \$5,000,000 in fiscal year 2022-2023 and \$5,000,000 in fiscal year 2023-  
22 2024 to the refugee fund created in Section 1 of this Act for the administration of the  
23 program by the Kentucky Office for Refugees.

24 ➔Section 4. Whereas there are currently families fleeing other countries because  
25 of an international armed conflict and relocating in the Commonwealth, an emergency is  
26 declared to exist, and this Act takes effect upon its passage and approval by the Governor  
27 or upon its otherwise becoming a law.