

1 AN ACT relating to military-connected educational benefits.

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

3 ➔Section 1. KRS 164.507 is amended to read as follows:

4 (1) The nonremarried spouse, regardless of age, and any child, stepchild, or orphan,
5 under the age of twenty-six (26), of a deceased veteran shall not be required to pay
6 any matriculation or tuition fees upon admission to any state-supported university,
7 junior college, or vocational training institute for a period not in excess of thirty-six
8 (36)~~[forty five (45)]~~ months~~[in order to obtain a diploma, nor in excess of the~~
9 ~~lesser number of months required for a certificate of completion]~~, if the deceased
10 parent or spouse:

- 11 (a) 1. Served in the Armed Forces of the United States during a national
12 emergency, was declared by Congress, or actions of the United Nations;
13 or
14 2. Died while on active duty in the Armed Forces of the United States
15 regardless of wartime service; or
16 3. Died as a result of a service-connected disability acquired while on
17 active duty with the Armed Forces of the United States regardless of
18 wartime service; and
19 (b) 1. Was a resident of the Commonwealth of Kentucky at the time of death;
20 or
21 2. Was married to a resident of Kentucky at the time of death; and
22 3. If discharged, was under honorable conditions.

23 (2) In order to obtain the benefits conferred by subsection (1), the parent-child
24 relationship must be shown by birth certificate, adoption papers, marriage
25 certificate, or other documentary evidence. A stepchild must have been a member of
26 the veteran's household at the time of the veteran's death. The spousal relationship
27 must be shown by a marriage certificate or other documentary evidence. The

1 parent's or spouse's service and the cause of death must be evidenced by
 2 certification from the records of the Kentucky Department of Military Affairs, the
 3 United States Department of Veterans Affairs Records, or the Department of
 4 Defense of the United States. In the event one so admitted to a state-supported
 5 university, junior college, or vocational training institution under this section shall
 6 have obtained a cash scholarship paid or payable to the institution, from whatever
 7 source, the amount of the scholarship shall be applied to the credit of the applicant
 8 in the payment of incidental expenses of attendance at the institution, and any
 9 balance, if the terms of the scholarship permit, shall be returned to the applicant.

10 **(3) The student entitled to benefits provided in this section shall complete the Free**
 11 **Application for Federal Student Aid to determine the level of need and eligibility**
 12 **for federal financial aid programs. The amount of tuition waived shall not exceed**
 13 **the cost of tuition and mandatory fees at the institution less any federal grants**
 14 **received, which shall be credited first to the student's tuition and fees.**

15 ➔Section 2. KRS 164.515 is amended to read as follows:

16 (1) The spouse, regardless of age, and any child, stepchild, or orphan, under the age of
 17 twenty-six (26), of a:

18 **(a)** Permanently and totally disabled member of the Kentucky National Guard or
 19 Reserve Component injured while on state active duty, active duty for
 20 training, or inactive duty training;~~[- or a]~~

21 **(b)** Permanently and totally disabled war veteran;~~[- or a]~~

22 **(c) Veteran with a seventy percent (70%) or higher**~~one hundred percent~~
 23 ~~(100%)]~~ service-connected **disability rating**~~[disabled veteran]~~ regardless of
 24 wartime service;~~[- or]~~

25 **(d)** Prisoner of war;~~[- or]~~

26 **(e)** Member of the Armed Services declared missing in action;~~[- or]~~

27 shall not be required to pay any matriculation or tuition fees upon his **or her**

1 admission to any state-supported institution of higher education or to any state-
2 supported vocational training school for a period not in excess of **thirty-six**
3 **(36)**~~[forty five (45)]~~ months~~[in order to obtain a diploma, nor in excess of the~~
4 ~~lesser number of months required for a certificate of completion].~~

5 (2) To be entitled to benefits under this section the parent or stepparent of the child
6 claiming benefits if living must be rated permanently and totally disabled for
7 pension purposes or **have a disability rating of seventy percent (70%) or**
8 **higher**~~[one hundred percent (100%) disabled]~~ for compensation purposes by the
9 United States Department of Veterans Affairs or the Department of Defense. If the
10 veteran is deceased, the claim to benefits is to be based on the rating held by the
11 veteran at the time of death or if a prisoner of war or missing in action, must have
12 been declared as such by the Department of Defense. Members of the Kentucky
13 National Guard must be rated **at seventy percent (70%) or higher** permanently ~~and~~
14 ~~totally~~ disabled as provided in KRS Chapter 342. The parent's, stepparent's, or
15 spouse's service and rating must be evidenced by certification from the records of
16 the Kentucky Department of Military Affairs, United States Department of Veterans
17 Affairs, or the Department of Defense of the United States.

18 (3) The parent-child relationship must be shown by birth certificate, legal adoption
19 papers, marriage certificate, or other documentary evidence. A stepchild must be a
20 member of the veteran's household. The spousal relationship must be shown by a
21 marriage certificate or other documentary evidence.

22 (4) To entitle a spouse, child, stepchild, or orphan to benefit under this section the
23 disabled member of the National Guard or Reserve Component veteran living or
24 deceased must have served on state active duty, active duty for training, or inactive
25 duty training or active duty with the Armed Forces of the United States, and his **or**
26 **her** discharge must have been under honorable conditions. He **or she** must be a
27 resident or, if deceased, have 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 (7) *The student entitled to benefits provided in this section shall complete the Free*
10 *Application for Federal Student Aid to determine the level of need and eligibility*
11 *for federal financial aid programs. The amount of tuition waived shall not exceed*
12 *the cost of tuition and mandatory fees at the institution less any federal grants*
13 *received, which shall be credited first to the student's tuition and fees.*