

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
Unofficial Document

Amend printed copy of **HB 497/HCS 1**

On page 1, line 3, to page 11, line 25, delete all language of the bill in its entirety and insert the following in lieu thereof:

"➔Section 1. KRS 164.515 is amended to read as follows:

- (1) The spouse, regardless of age, and any child or, ~~stepchild, or orphan,~~ under the age of twenty-six (26), of a permanently and totally disabled member of the Kentucky National Guard or Reserve Component injured while on state active duty, active duty for training, or inactive duty training, or a permanently and totally disabled war veteran, or a one hundred percent (100%) service-connected disabled veteran regardless of wartime service, or prisoner of war or member of the Armed Services declared missing in action shall not be required to pay any matriculation or tuition fees upon his or her admission to any state-supported institution of higher education, community college, or vocational training institution for up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction ~~or to any state-supported vocational training school for a period not in excess of forty-five (45) months in order to obtain a diploma, nor in excess of the lesser number of months required for a certificate of completion.~~
- (2) To be entitled to benefits under this section, the parent or stepparent of the child claiming benefits, if living, must be rated permanently and totally disabled for pension purposes or one hundred percent (100%) disabled for compensation purposes by the United States

Amendment No. HFA

Rep. Rep. James Tipton

Committee Amendment

Signed: _____

Floor Amendment

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

Department of Veterans Affairs or the Department of Defense. If the veteran is deceased, the claim to benefits is to be based on the rating held by the veteran at the time of death, or if a prisoner of war or missing in action, must have been declared as such by the Department of Defense. Members of the Kentucky National Guard must be rated permanently and totally disabled as provided in KRS Chapter 342. The parent's, stepparent's, or spouse's service and rating must be evidenced by certification from the records of the Kentucky Department of Military Affairs, United States Department of Veterans Affairs, or the Department of Defense of the United States.

- (3) The parent-child relationship must be shown by birth certificate, legal adoption papers, marriage certificate, or other documentary evidence. A stepchild must be a member of the veteran's household. The spousal relationship must be shown by a marriage certificate or other documentary evidence.
- (4) To entitle a spouse, child, or stepchild~~[, or orphan]~~ to benefit under this section, the disabled member of the National Guard or Reserve Component veteran living or deceased must:
 - (a) Have served on state active duty, active duty for training, or inactive duty training or active duty with the Armed Forces of the United States;~~[, and his discharge must]~~
 - (b) Have been discharged under honorable conditions; and~~[, He must]~~
 - (c) Be a resident or, if deceased, have been a resident of the Commonwealth of Kentucky upon becoming a member of the Kentucky National Guard or Reserve Component.
- (5) The expiration of a child's or stepchild's age eligibility under subsection (1) of this section shall be extended by the number of academic terms the institution determines the student was unable to enroll for or complete due to serving:
 - (a) On active duty status in the United States Armed Forces;
 - (b) As an officer in the Commissioned Corps of the United States Public Health

Service; or

(c) On active service in the Peace Corps Act or the Americorps.

The original age limitation of twenty-six (26) shall be extended by the total number of years during which the child or stepchild was in service. The number of months served shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

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

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

(7) The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The amount waived under this section shall not exceed the cost of tuition and mandatory fees at the institution less any state or federal grants received, which shall be credited first to the student's tuition and fees.

➔Section 2. KRS 164.284 is amended to read as follows:

- (1) ~~[When]~~Any person sixty-five (65) years of age or older, who is a resident of the Commonwealth and~~[,]~~ is admitted and enrolls as a student in any state-supported institution of higher education, community college, or vocational training institution shall not be required to pay any matriculation or tuition fees for up to a maximum of eight (8) credit hours per semester~~[of higher learning in this Commonwealth, the board of trustees of the institution or other appropriate institution officials shall waive all tuition~~

~~charges and fees for such student~~, except as provided in subsection (2) of this section.

- (2) In the event that classes are full or the granting of free admission requires additional units, the institution shall~~may~~ deny admission under this section.

- (3) *The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The amount waived under this section shall not exceed the cost of tuition and mandatory fees at the institution less any state or federal grants received, which shall be credited first to the student's tuition and fees.*

➔Section 3. KRS 164.2841 is amended to read as follows:

- (1) (a) *The surviving spouse who has not remarried, regardless of age, and any surviving child or stepchild under the age of twenty-six (26), of any person who*~~[Any person whose parent or any nonmarried widow or widower whose spouse]~~ was a resident of the Commonwealth of Kentucky upon becoming a law enforcement officer, firefighter, ~~for~~ volunteer firefighter, *or emergency medical services personnel* and who was killed while in active service or training for active service or who died as a result of a service-connected disability shall not be required to pay any matriculation or tuition fee upon admission to any state-supported *institution of higher education*~~[university]~~, community college, or vocational training institution *for up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction.* The provisions of this subsection shall apply to:
- 1.* Any firefighter or volunteer firefighter who is killed or dies under the conditions covered in this subsection on *or after* July 1, 1989; *and*~~[, or thereafter]~~
 - 2. Any emergency medical services personnel who was killed or died under the conditions covered in this subsection on or after July 1, 2000.*

(b) In order to obtain the benefits conferred by paragraph (a) of this subsection, the parent-child relationship shall be shown by birth certificate, adoption papers, or other documentary evidence. The spousal relationship shall be shown by a marriage certificate or other documentary evidence. The parent's or spouse's service and the cause of death shall be evidenced by certification from the records of:

1. The Kentucky Justice and Public Safety Cabinet;~~;~~
2. The appropriate city or county law enforcement agency which employed the deceased;~~;~~
3. The administrative agency for the fire department or fire protection district recognized for funding under KRS 95A.262;~~;~~~~or~~
4. The administrative agency having jurisdiction over any paid firefighters of all counties and cities of all classes;or
5. *The county, city, or administrative agency employing the emergency medical services personnel.*

(2) (a) Any surviving spouse who has not remarried or surviving child or stepchild under the age of twenty-six (26) of~~person whose parent or any nonmarried widow or widower whose spouse was~~ an employee participating in a state-administered retirement system, who is~~and~~ not otherwise covered by subsection (1) of this section, and whose spouse or parent~~who~~ died as a result of a duty-related injury as described in KRS 61.621 shall not be required to pay any matriculation or tuition fee upon admission to any state-supported institution of higher education~~university~~, community college, or vocational training institution for up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction.

(b) In order to obtain the benefits conferred by paragraph (a) of this subsection, the parent-child relationship shall be shown by birth certificate, adoption papers, or other

Unofficial Document

documentary evidence. The spousal relationship shall be shown by a marriage certificate or other documentary evidence. The parent's or spouse's service and the cause of death shall be evidenced by certification from the records of the employing agency or the appropriate retirement system.

- (3) *The expiration of a child's or stepchild's age eligibility under subsection (1) or (2) of this section shall be extended by the number of academic terms the institution determines the student was unable to enroll for or complete due to serving:*

(a) On active duty status in the United States Armed Forces;

(b) As an officer in the Commissioned Corps of the United States Public Health Service; or

(c) On active service in the Peace Corps Act or the Americorps.

The original age limitation of twenty-six (26) shall be extended by the total number of years during which the child or stepchild was in service. The number of months served shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

- (4) *The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The amount waived under this section shall not exceed the cost of tuition and mandatory fees at the institution less any state or federal grants received, which shall be credited first to the student's tuition and fees.*

- (5) *As used in this section, "emergency medical services personnel" has the same meaning as in KRS 61.315*~~[If one so admitted to a state supported university, community college, or vocational training institution under the provisions of this section shall have obtained a cash scholarship paid or payable to the institution, from whatever source, the amount of the scholarship shall be applied to the credit of the applicant in the payment of incidental~~

~~expenses of his attendance at the institution, and any balance, if the terms of the scholarship permit, shall be returned to the applicant}.~~

➔Section 4. KRS 164.2842 is amended to read as follows:

- (1) (a) The spouse, regardless of age, and any child **or stepchild, under the age of twenty-six (26),** of a permanently and totally disabled law enforcement officer, firefighter, ~~{or }~~volunteer firefighter, **or emergency medical services personnel** injured while in active service or in training for active service~~[-, who is over the age of seventeen (17) and under the age of twenty three (23)]~~ shall not be required to pay any matriculation or tuition fee upon his **or her** admission to any state-supported **institution of higher education**~~[university]~~, community college, or vocational training institution for **up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction**~~[a period not in excess of thirty six (36) months in order to obtain a diploma, nor in excess of the lesser number of months required for a certificate of completion]~~.
- (b) For the spouse or child to be entitled to benefits under this section, the disabled law enforcement officer, firefighter, ~~{or }~~volunteer firefighter, **or emergency medical services personnel** shall be rated permanently and totally disabled for pension purposes or one hundred percent (100%) disabled for compensation purposes by the Kentucky Justice and Public Safety Cabinet, the appropriate city or county law enforcement agency which employed the disabled, the administrative agency for the fire department or fire protection district recognized for funding under KRS 95A.262, ~~{or }~~the administrative agency having jurisdiction over any paid firefighters of all counties and cities of all classes, **or the county, city, or administrative agency employing the emergency medical services personnel,** or if deceased, the claim to benefits is to be based on the rating held by the law enforcement officer, firefighter,

Unofficial Document

~~{or}~~ volunteer firefighter, **or emergency medical services personnel** at the time of death. The parent's or spouse's service and rating shall be evidenced by certification from the records of:

- 1.** The Kentucky Justice and Public Safety Cabinet;~~{,}~~
- 2.** The appropriate local law enforcement agency;~~{,}~~
- 3.** The administrative agency for the fire department or fire protection district recognized for funding under KRS 95A.262;~~{, or}~~
- 4.** The administrative agency having jurisdiction over any paid firefighters of all counties and cities of all classes; **or**
- 5. The county, city, or administrative agency employing the emergency medical services personnel.**

- (c) In the absence of certification of permanent and total disability by the Kentucky Department of Workers' Claims, the Kentucky Justice and Public Safety Cabinet, the appropriate local law enforcement agency, the administrative agency for the fire department or fire protection district recognized for funding under KRS 95A.262, ~~{or}~~ ~~{the}~~ administrative agency having jurisdiction over any paid firefighters of all counties and cities of all classes, **or the county, city, or administrative agency employing the emergency medical services personnel,** medical evidence showing permanent and total disability or the existence of permanent and total disability for a period of at least thirty (30) days immediately prior to death may be accepted, if this evidence is signed by a physician licensed to practice or an official of an accredited medical hospital.
- (d) The parent-child relationship shall be shown by birth certificate, legal adoption papers, or other documentary evidence. The spousal relationship shall be shown by a marriage certificate or other documentary evidence.

- (e) To entitle a spouse, ~~or~~ child, **or stepchild** to benefits under this section the disabled law enforcement officer, firefighter, ~~or~~ volunteer firefighter, **or emergency medical services personnel** shall have been a resident of the Commonwealth of Kentucky upon becoming a law enforcement officer, firefighter, ~~or~~ volunteer firefighter, **or emergency medical services personnel**.
- (2) (a) The spouse, regardless of age, and any child **or stepchild** of a person who was an employee participating in a state-administered retirement system and not otherwise covered by subsection (1) of this section and who was disabled as a result of a duty-related injury as described in KRS 61.621~~[, who is over the age of seventeen (17) and under the age of twenty three (23)]~~ shall not be required to pay any matriculation or tuition fee upon his **or her** admission to any state-supported **institution of higher education**~~[university]~~, community college, or vocational training institution for **up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction**~~[a period not in excess of thirty six (36) months in order to obtain a diploma, nor in excess of the lesser number of months required for a certificate of completion]~~.
- (b) The parent-child relationship shall be shown by birth certificate, legal adoption papers, or other documentary evidence. The spousal relationship shall be shown by a marriage certificate or other documentary evidence.
- (3) The marriage of an eligible child shall not serve to deny full entitlement to the benefits provided in this section.
- (4) The expiration of a child or stepchild's age eligibility under subsection (1) or (2) of this section shall be extended by the number of academic terms the institution determines the student was unable to enroll for or complete due to serving:**
- (a) On active duty status in the United States Armed Forces;**

(b) As an officer in the Commissioned Corps of the United States Public Health Service; or

(c) On active service in the Peace Corps Act or the Americorps.

The original age limitation of twenty-six (26) shall be extended by the total number of years during which the child or stepchild was in service. The number of months served shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

(5) The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The amount waived under this section shall not exceed the cost of tuition and mandatory fees at the institution less any state or federal grants received, which shall be credited first to the student's tuition and fees.

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

➔Section 5. KRS 164.507 is amended to read as follows:

(1) The ~~nonremarried~~ spouse who has not remarried, regardless of age, and any child~~[-] or~~ stepchild~~[-, or orphan,]~~ under the age of twenty-six (26), of a deceased veteran shall not be required to pay any matriculation or tuition fees upon admission to any state-supported institution of higher education, community college, or vocational training institution for up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction~~[university, junior college, or vocational training institute for a period not in excess of forty five (45) months in order to obtain a diploma, nor in excess of the lesser number of months required for a certificate of completion]~~, if the deceased parent or spouse:

(a) 1. Served in the Armed Forces of the United States during a national emergency,

Unofficial Document

wars declared by Congress, or actions of the United Nations *and was discharged under honorable conditions*; or

2. Died while on active duty in the Armed Forces of the United States regardless of wartime service; or
 3. Died as a result of a service-connected disability acquired while on active duty with the Armed Forces of the United States regardless of wartime service; and
- (b) 1. Was a resident of the Commonwealth of Kentucky at the time of death; or
2. Was married to a resident of Kentucky at the time of death~~;~~ ~~and~~
 3. ~~If discharged, was under honorable conditions~~.

- (2) In order to obtain the benefits conferred by subsection (1) *of this section*, the parent-child relationship must be shown by birth certificate, adoption papers, marriage certificate, or other documentary evidence. A stepchild must have been a member of the veteran's household at the time of the veteran's death. The spousal relationship must be shown by a marriage certificate or other documentary evidence. The parent's or spouse's service and the cause of death must be evidenced by certification from the records of the Kentucky Department of Military Affairs, the United States Department of Veterans Affairs Records, or the Department of Defense of the United States. In the event one so admitted to a state-supported *institution of higher education, community*~~[university, junior]~~ college, or vocational training institution under this section shall have obtained a cash scholarship paid or payable to the institution, from whatever source, the amount of the scholarship shall be applied to the credit of the applicant in the payment of incidental expenses of attendance at the institution, and any balance, if the terms of the scholarship permit, shall be returned to the applicant.

- (3) *The expiration of a student's age eligibility under subsection (1) of this section shall be extended by the number of academic terms the institution determines the student was*

unable to enroll for or complete due to serving:

(a) On active duty status in the United States Armed Forces;

(b) As an officer in the Commissioned Corps of the United States Public Health Service; or

(c) On active service in the Peace Corps Act or the Americorps.

The original age limitation of twenty-six (26) shall be extended by the total number of years during which the student was in service. The number of months served shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

(4) The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The amount waived under this section shall not exceed the cost of tuition and mandatory fees at the institution less any state or federal grants received, which shall be credited first to the student's tuition and fees.

➔Section 6. KRS 164.2847 is amended to read as follows:

- (1) Tuition and mandatory student fees for any undergraduate or graduate program of any Kentucky public postsecondary institution, including all four (4) year universities and colleges and institutions of the Kentucky Community and Technical College System, shall be waived for a Kentucky foster or adopted child who is a full-time or part-time student if the student is under the age of twenty-six (26) and meets all entrance requirements and maintains academic eligibility while enrolled at the postsecondary institution, and if:
 - (a) The student's family receives state-funded adoption assistance under KRS 199.555;
 - (b) The student is currently committed to the Cabinet for Health and Family Services under KRS 610.010(5) and placed in a family foster home or is placed in accordance with KRS 605.090(3);

- (c) The student is in an independent living program and the placement is funded by the Cabinet for Health and Family Services;
- (d) The student who is an adopted child was in the permanent legal custody of and placed for adoption by the Cabinet for Health and Family Services. A student who meets the eligibility criteria of this paragraph and lives outside of Kentucky at the time of application to a Kentucky postsecondary institution may apply for the waiver up to the amount of tuition for a Kentucky resident; or
- (e) The Cabinet for Health and Family Services was the student's legal custodian on his or her eighteenth birthday.
- (2) Tuition and mandatory student fees for any undergraduate program of any Kentucky *institution of higher education, community college, or vocational training institution for up to a maximum of one hundred twenty-eight (128) credit hours of undergraduate instruction*~~[public postsecondary institution, including all four (4) year universities and colleges and institutions of the Kentucky Community and Technical College System,]~~ shall be waived for a Department of Juvenile Justice foster child who is a full-time or part-time student if the student *is under the age of twenty-six (26) and* meets all entrance requirements and maintains academic eligibility while enrolled at the postsecondary institution and obtains a recommendation for participation from an official from the Department of Juvenile Justice, and if:
- (a) The student has not been sentenced to the Department of Juvenile Justice under KRS Chapter 640;
- (b) The student has been committed to the Department of Juvenile Justice for a period of at least twelve (12) months;
- (c) The student is in an independent living program and placement is funded by the Department of Juvenile Justice;

- (d) The parental rights of the student's biological parents have been terminated; or
- (e) The student was committed to the Cabinet for Health and Family Services prior to a commitment to the Department of Juvenile Justice.
- (3) Upon request of the postsecondary institution, the Cabinet for Health and Family Services shall confirm the eligibility status under subsection (1) of this section and the Department of Juvenile Justice shall confirm the eligibility status and recommendations under subsection (2) of this section of the student seeking to participate in the waiver program. Release of this information shall not constitute a breach of confidentiality required by KRS 199.570, 610.320, or 620.050.
- (4) The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. If the sum of the tuition waiver plus other student financial assistance, except loans and the work study program under 42 U.S.C. secs. 2751-2756b, from all sources exceeds the student's total cost of attendance, as defined in 20 U.S.C. sec. 1087ll, the tuition waiver shall be reduced by the amount exceeding the total cost of attendance.
- (5) ~~Except when extended in accordance with subsection (6) of this section, the student shall be eligible for the tuition waiver:~~
- (a) ~~For entrance to the institution for a period of no more than four (4) years after the date of graduation from high school or obtaining a high school equivalency diploma;~~
- and
- (b) ~~For one hundred fifty (150) consecutive or nonconsecutive credit hours earned, after first admittance to any Kentucky institution if satisfactory progress is achieved or maintained up to age twenty eight (28).~~
- (6) ~~The expiration of a student's age eligibility under subsections (1) and (2)~~~~subsection (5)(b)~~ of this section shall be extended by the number of academic terms the institution

determines the student was unable to enroll for or complete due to serving:

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

The original age limitation under subsections (1) and (2)~~[subsection (5)(b)]~~ of this section shall be extended by the total number of years during which the student was on active duty status. The number of months served on active duty status shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

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

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

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