

1           AN ACT relating to disabled veteran benefits.

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

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

4    (1) The spouse, regardless of age, and any child, stepchild, or orphan, under the age of  
5        twenty-six (26), of a permanently and totally disabled member of the Kentucky  
6        National Guard or Reserve Component injured while on state active duty, active  
7        duty for training, or inactive duty training, or a permanently and totally disabled  
8        war veteran, or a one hundred percent (100%) service-connected disabled veteran  
9        regardless of wartime service, or prisoner of war or member of the Armed Services  
10      declared missing in action shall not be required to pay any matriculation or tuition  
11      fees upon his admission to any state-supported university, community college, or  
12      vocational training institution for up to a maximum of one hundred twenty-eight  
13      (128) credit hours of undergraduate instruction~~institution of higher education or~~  
14      ~~to any state supported vocational training school for a period not in excess of forty~~  
15      ~~five (45) months in order to obtain a diploma, nor in excess of the lesser number of~~  
16      ~~months required for a certificate of completion~~~~].~~

17    (2) To be entitled to benefits under this section the parent or stepparent of the child  
18      claiming benefits if living must be rated permanently and totally disabled for  
19      pension purposes or one hundred percent (100%) disabled for compensation  
20      purposes by the United States Department of Veterans Affairs or the Department of  
21      Defense. If the veteran is deceased, the claim to benefits is to be based on the rating  
22      held by the veteran at the time of death or if a prisoner of war or missing in action,  
23      must have been declared as such by the Department of Defense. Members of the  
24      Kentucky National Guard must be rated permanently and totally disabled as  
25      provided in KRS Chapter 342. The parent's, stepparent's, or spouse's service and  
26      rating must be evidenced by certification from the records of the Kentucky  
27      Department of Military Affairs, United States Department of Veterans Affairs, or

1 the Department of Defense of the United States.

- 2 (3) The parent-child relationship must be shown by birth certificate, legal adoption  
3 papers, marriage certificate, or other documentary evidence. A stepchild must be a  
4 member of the veteran's household. The spousal relationship must be shown by a  
5 marriage certificate or other documentary evidence.
- 6 (4) To entitle a spouse, child, stepchild, or orphan to benefit under this section the  
7 disabled member of the National Guard or Reserve Component veteran living or  
8 deceased must have served on state active duty, active duty for training, or inactive  
9 duty training or active duty with the Armed Forces of the United States, and his  
10 discharge must have been under honorable conditions. He must be a resident or, if  
11 deceased, have been a resident of the Commonwealth of Kentucky.
- 12 (5) No provision of this section shall serve to deny these benefits to an eligible spouse,  
13 child, stepchild, or orphan, who enlists, or who fulfills a military obligation, in the  
14 Armed Forces of the United States and is discharged under honorable conditions;  
15 the period of time spent in the military service to be compensated by like time,  
16 beyond the age of twenty-six (26) years if required, but not in excess of the period  
17 of enrollment as set forth in subsection (1) of this section.
- 18 (6) The marriage of an eligible child, stepchild, or orphan, shall not serve to deny full  
19 entitlement to the benefits provided in this section.