

1           AN ACT relating to disabled and deceased veteran 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       community college, or vocational training institution for up to a maximum of one  
8       hundred twenty-eight (128) credit hours of undergraduate instruction~~junior~~  
9       ~~college, or vocational training institute for a period not in excess of forty five (45)~~  
10      ~~months in order to obtain a diploma, nor in excess of the lesser number of months~~  
11      ~~required for a certificate of completion~~~~], if the deceased parent or spouse:~~

12     (a)    1. Served in the Armed Forces of the United States during a national  
13            emergency, wars declared by Congress, or actions of the United  
14            Nations; or

15     2. Died while on active duty in the Armed Forces of the United States  
16            regardless of wartime service; or

17     3. Died as a result of a service-connected disability acquired while on  
18            active duty with the Armed Forces of the United States regardless of  
19            wartime service; and

20     (b)    1. Was a resident of the Commonwealth of Kentucky at the time of death;  
21            or

22     2. Was married to a resident of Kentucky at the time of death; and  
23     3. If discharged, was under honorable conditions.

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

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

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

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

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

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

14      (4) To entitle a spouse, child, stepchild, or orphan to benefit under this section the  
15       disabled member of the National Guard or Reserve Component veteran living or  
16       deceased must have served on state active duty, active duty for training, or inactive  
17       duty training or active duty with the Armed Forces of the United States, and his  
18       discharge must have been under honorable conditions. He must be a resident or, if  
19       deceased, have been a resident of the Commonwealth of Kentucky.

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

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