

1 AN ACT relating to benefits for Kentucky National Guard members.

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

3 ➔Section 1. KRS 164.5161 is amended to read as follows:

4 (1) **As used in this section:**

5 (a) "~~Education~~~~[Educational]~~ institution" means an in-state public or private  
6 postsecondary ~~education~~~~[educational]~~ institution; **and**

7 (b) "**Spouse**" means an individual who is married to a member of the **Kentucky**  
8 **National Guard and verified in the Defense Enrollment Eligibility**  
9 **Reporting System database.**

10 (2) (a) The General Assembly of the Commonwealth of Kentucky establishes the  
11 National Guard Tuition ~~Scholarship~~~~[Award]~~ Program to provide members of  
12 the Kentucky National Guard **and their spouses** the opportunity to attend an  
13 in-state ~~education~~~~[educational]~~ institution.

14 (b) The ~~amount of the scholarship awarded~~~~[tuition paid]~~ shall be up to or equal  
15 to the in-state full or part-time tuition ~~rate and mandatory student fees~~~~[rate]~~  
16 of the ~~education~~ institution the member **or his or her spouse** attends.

17 (c) ~~The amount of the scholarship awarded~~~~[except that tuition paid]~~ in support  
18 of a member **or his or her spouse** attending a private postsecondary  
19 educational institution shall be up to or equal to the average in-state full or  
20 part-time tuition rate **and fees** of a public university or community college.  
21 Until the appropriation for the tuition ~~scholarship~~~~[assistance]~~ program of the  
22 Department of Military Affairs is first fully funded by the General Assembly,  
23 **a scholarship**~~[tuition for a member]~~ to attend a private institution **under this**  
24 **section** shall not be ~~awarded~~~~[paid]~~.

25 (d) The tuition ~~scholarship~~~~[award]~~ program shall be established in the Kentucky  
26 Higher Education Assistance Authority, **and moneys shall be available for all**  
27 **education institution programs that lead to a postsecondary credential,**

1           certificate, license, or degree, including graduate and postgraduate degree  
2           programs, offered by the institutions set out in this subsection.

3       (3) (a) Each member of the Kentucky National Guard and the member's spouse  
4           shall collectively be entitled to a scholarship award for not more than one  
5           hundred thirty (130) hours of tuition under the tuition scholarship program.  
6       (b) The total number of credit hours available for the member and the  
7           member's spouse may be transferred between the member and his or her  
8           spouse and used concurrently until depleted.  
9       (c) A member of the Kentucky National Guard or the member's spouse shall  
10           not use the National Guard Scholarship Program concurrently with the  
11           Work Ready Kentucky Scholarship Program established in KRS 164.787.

12       (4) (a) The adjutant general may grant a current member of the Kentucky National  
13           Guard up to forty-five (45) paid credit hours in addition to the scholarship  
14           described in subsection (3) of this section at any postsecondary institution  
15           for an area of study that will have material benefits to the operations of the  
16           National Guard.

17       (b) The additional hours awarded under this subsection shall not be  
18           transferable.

19       (5) The Kentucky Higher Education Assistance Authority pursuant to KRS Chapter  
20           13A, shall promulgate administrative regulations necessary to the financial  
21           management of the tuition scholarship<sup>[award]</sup> program.

22       ~~(6)~~<sup>(4)</sup> The Department of Military Affairs~~[, pursuant to KRS Chapter 13A]~~, shall  
23           promulgate administrative regulations in accordance with KRS Chapter 13A  
24           concerning:

25       (a) The eligibility of members and their spouses to participate in the tuition  
26           scholarship<sup>[award]</sup> program established in this section; and

27       (b) The areas of study eligible for the award of additional hours under

1                   subsection (4) of this section.

2                   ➔Section 2. KRS 164.5165 is amended to read as follows:

3       Any active member of the Kentucky National Guard who is not a Kentucky resident shall  
4       qualify for the tuition ***scholarship program***~~[award]~~ benefits provided by KRS 164.516 to  
5       164.5169 subject to the following conditions:

6       (1)   The member enrolls in an ***education***~~[educational]~~ institution within this state; and

7       (2)   The tuition ***scholarship program***~~[award]~~ benefits provided to the out-of-state  
8       member shall not exceed an amount equivalent to the in-state tuition amount the  
9       member would have received if the member were a Kentucky resident.

10                  ➔Section 3. KRS 164.5169 is amended to read as follows:

11       Upon certification by the Department of Military Affairs that the member is eligible, the  
12       Kentucky Higher Education Assistance Authority shall, to the extent that funds have been  
13       appropriated and are available to the National Guard Tuition ***Scholarship***~~[Award]~~  
14       Program, pay to the ***education***~~[educational]~~ institution an amount up to or equal to the in-  
15       state tuition costs of full-time or part-time study.