

1 HB327
2 116684-1
3 By Representative Sanderford
4 RFD: Education Policy
5 First Read: 19-JAN-10

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8 SYNOPSIS: Currently, to be eligible for veterans'
9 educational benefits, the veteran must have been a
10 permanent resident of Alabama for at least one year
11 prior to entrance into service. The wife or child
12 of a permanently and totally disabled veteran who
13 was a resident for at least one year prior to
14 entering the service or immediately prior to his or
15 her death may also be eligible for education
16 benefits.

17 This bill would allow a veteran who has been
18 a resident for five years prior to application for
19 benefits to be eligible to receive the benefits.

20 This bill would allow the spouse of or child
21 of any veteran who has been a resident for five
22 years prior to application for benefits to be
23 eligible to receive benefits or if the veteran was
24 a resident immediately prior to his or her death.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To amend Section 31-6-11, Code of Alabama 1975,
4 relating to veterans' educational benefits, to allow a veteran
5 who has been a resident for five years prior to application
6 for benefits to be eligible to receive the benefits; and to
7 allow the spouse or child of a disabled veteran who has been a
8 resident for five years prior to application for benefits to
9 be eligible to receive the benefits.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 31-6-11, Code of Alabama 1975, is
12 amended to read as follows:

13 "§31-6-11.

14 "(a) Before an application of any veteran for
15 benefits under this chapter can be approved, ~~such~~ the veteran
16 shall submit proof, satisfactory to the State Department of
17 Veterans' Affairs, of:

18 "(1) Identification~~7~~.

19 "(2) Having been a permanent resident of the State
20 of Alabama for at least one year immediately prior to his or
21 her entrance into service or having been a permanent resident
22 of the State of Alabama for at least five years immediately
23 prior to his or her application for benefits~~7~~ and.

24 "(3) An honorable discharge or other proof of
25 honorable termination of at least 24 months of service in the
26 armed forces, or if ~~such~~ the veteran was discharged or
27 released by reason of service-connected disability then proof

1 of honorable termination of less than 24 months of service is
2 acceptable.

3 "(b) Before the application of a wife, widow or
4 child of a disabled veteran or a deceased veteran or
5 serviceman for educational benefits under this chapter is
6 approved, proof, satisfactory to the State Department of
7 Veterans' Affairs, ~~must~~ shall be submitted:

8 "(1) Establishing the identification of ~~such~~ the
9 wife, widow or child as the wife, widow or child of the
10 veteran or serviceman, as the case may be~~;~~.

11 "(2) Of ~~such~~ the veteran or serviceman having been a
12 permanent resident of the State of Alabama for at least one
13 year immediately prior to his or her entrance into service~~, or~~
14 ~~if the applicant is the wife, widow or child of a totally and~~
15 ~~permanently disabled veteran, then proof either of the~~
16 ~~veteran's having been a permanent resident of the State of~~
17 ~~Alabama for at least one year prior to his entrance into~~
18 ~~service~~ or proof that ~~such~~ the veteran has been a bona fide
19 resident of this state for at least five years immediately
20 prior to the filing of the application for benefits under this
21 chapter or immediately prior to his or her death if the
22 veteran is deceased~~; and~~.

23 "(3) An honorable discharge or other proof of
24 honorable termination of service of the veteran or serviceman
25 in the armed forces for a period of at least 90 days between
26 the dates mentioned in this chapter, or service of less than

1 90 days if the veteran or serviceman was discharged or
2 released by reason of service-connected disability.

3 "(c) The service upon which any benefits are awarded
4 under this chapter shall have been rendered during wartime or
5 under extrahazardous conditions; and this condition of
6 eligibility shall be established by the State Department of
7 Veterans' Affairs."

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.