

1 SB547  
2 140541-2  
3 By Senator Pittman  
4 RFD: Finance and Taxation Education  
5 First Read: 19-APR-12

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the Alabama G.I.  
9 Dependents' Scholarship is available to all  
10 dependents of certain veterans and provides for  
11 tuition, fees, and books for these dependents.

12 This bill would specify which dependents are  
13 entitled to benefits and limit the benefits to  
14 tuition only for those dependents who apply for and  
15 first receive benefits after August 1, 2012.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 Relating to veterans' educational benefits; to amend  
22 Sections 31-6-2, 31-6-4, 31-6-5, 31-6-6, 31-6-7, and 31-6-15,  
23 Code of Alabama 1975; to specify which dependents are entitled  
24 to benefits and to limit benefits to tuition only for  
25 dependents who apply for and first receive benefits after  
26 August 1, 2012.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Sections 31-6-2, 31-6-4, 31-6-5, 31-6-6,  
2           31-6-7, and 31-6-15, Code of Alabama 1975, are hereby amended  
3           to read as follows:

4           "§31-6-2.

5           "For the purposes of this chapter, the following  
6           terms shall have the meanings ascribed to them by this  
7           section:

8           "(1) ARMED FORCES. Such term shall include the  
9           United States Army, Air Force, Navy, Marine Corps, and Coast  
10          Guard, and such term shall also include the units of those  
11          branches of the services having women troops. It shall also  
12          include the Army, Navy, Marine Corps, and Coast Guard Nurse  
13          Corps.

14          "(2) TUITION AND FEES. All fees known and classed as  
15          instructional fees.

16          "(3) TUITION. Fees for instruction.

17          "(34) WIFE. Such term shall mean spouse.

18          "(45) HUSBAND. Such term shall mean spouse.

19          "(56) WIDOW. Such term shall mean widow or widower.

20          "§31-6-4.

21          "(a) Any child whose father or mother:

22          "(1) Was killed or died in line of duty or is listed  
23          as missing in action or is/was a prisoner of war or whose  
24          death or permanent total disabilities were service-connected  
25          while serving as a member of the armed forces; or

26          "(2) Died from a disability incurred from military  
27          service, as established by the State Department of Veterans'

1 Affairs, after having been discharged under conditions other  
2 than dishonorable and after having served at least 90 days  
3 consecutively in the armed forces prior to and/or subsequent  
4 to the date on which such disability occurred, or who was  
5 honorably discharged by reason of wartime, service-connected  
6 disability after serving less than 90 days; or

7 "(3) Has been assigned 100 percent permanent or  
8 total disability rated by the United States Veterans'  
9 Administration, or was discharged or retired from the armed  
10 forces with a 20 percent or more disability and maintained  
11 that percentage (such person to be deemed to be a disabled  
12 veteran) may attend any Alabama state institution of higher  
13 learning, college, or university for a period of five standard  
14 academic years, not to exceed 45 months or the equivalent of  
15 45 months if enrolled part-time, without paying any tuition,  
16 fees, or books whatsoever for such college or university  
17 attendance, or any such child may take a prescribed course in  
18 any Alabama state trade school for the length of any  
19 prescribed course of study of his or her choosing, and if such  
20 course does not require the full 45 months, then training for  
21 the remainder of such 45 months' entitlement may be taken at a  
22 state-supported college or university only, without the  
23 payment of any tuition, fees, or books whatsoever. Training  
24 under this section must be initiated prior to the child's  
25 thirtieth birthday, and must be completed within eight years  
26 after its initiation, except for delays caused by military  
27 service during the training period, and in no case may

1 training be received under this chapter beyond the  
2 thirty-eighth birthday of such child.

3 "(b) The educational benefits received pursuant to  
4 subsection (a) shall be limited to tuition only for children  
5 who apply for and are granted educational benefits for the  
6 first time by the Department of Veterans' Affairs after August  
7 1, 2012.

8 "§31-6-5.

9 "(a) Any wife or husband or unmarried widow or  
10 widower whose spouse, during their marriage:

11 "(1) Was killed or died in the line of duty or is  
12 listed as missing in action or is/was a prisoner of war while  
13 serving as a member of the armed forces;

14 "(2) Died from a disability incurred from military  
15 service; or

16 "(3) Is 100 percent permanently and totally  
17 disabled, whose permanent and total disabilities were  
18 service-connected; shall be entitled to training in any  
19 Alabama state-supported college or university for a period of  
20 five standard academic years , not to exceed 45 months or to  
21 training for the equivalent of 45 months if enrolled part-time  
22 or to training in a prescribed course in a state-supported  
23 trade school, and if such course does not require the full 45  
24 months, then training for the remainder of such 45 months'  
25 entitlement may be taken at a state-supported college or  
26 university only, without the payment of any tuition, fees, or  
27 books, whatsoever. One change of program will be allowed

1 without counseling. All training received under this section  
2 must be completed within eight years after the beginning date  
3 of the course. This section shall not apply to the spouse of  
4 any such deceased serviceman or veteran who has remarried  
5 prior to applying for and obtaining educational benefits under  
6 this section, and should any such spouse of such deceased  
7 serviceman or veteran remarry during the time he or she is in  
8 attendance upon any of the schools, colleges, or universities  
9 mentioned in this section, then he or she shall pay tuition  
10 and fees for the course of study or attendance upon such  
11 school, college, or university from the time of the  
12 remarriage. The benefits provided under this section shall be  
13 in addition to federal government benefits.

14 "(b) The educational benefits received pursuant to  
15 subsection (a) shall be limited to tuition only for wives,  
16 husbands, and unmarried widows or widowers who apply for and  
17 are granted educational benefits for the first time by the  
18 Department of Veterans' Affairs after August 1, 2012.

19 "§31-6-6.

20 "(a) The spouse and children of any veteran who is  
21 suffering from 20 to 90 percent service-connected disability  
22 brought about from service in the Armed Forces of the United  
23 States, or the unmarried widow or widower and children of a  
24 deceased veteran who was suffering from 20 percent or more of  
25 service-connected disability at the time of death, provided  
26 such disabilities as are mentioned herein are incurred from  
27 military service, as established by the State Department of

1 Veterans' Affairs, shall be entitled to the following  
2 educational advantages and opportunities:

3 "(1) The spouse or unmarried widow or widower, as  
4 the case may be, shall be entitled to up to 27 months of  
5 schooling or the equivalent of 27 months if enrolled  
6 part-time, in any Alabama state-supported institution of  
7 higher learning, college, or university, or to a prescribed  
8 course in any Alabama state-supported trade school without the  
9 payment of any tuition, fee, or books. One change of program  
10 will be allowed without counseling. It is provided, however,  
11 that all training received at state institutions of higher  
12 learning or state trade schools under this subdivision must be  
13 completed within a period of six years after the beginning  
14 date of such two-year course or such prescribed course.

15 "(2) Each child of such disabled veteran shall be  
16 entitled to five standard academic years, or the equivalent of  
17 45 months if enrolled part-time, in any Alabama  
18 state-supported institution of higher learning, college, or  
19 university, or to a prescribed course at an Alabama  
20 state-supported trade school. If the course of training at the  
21 trade school does not require the full time to which such  
22 child is entitled hereunder, then the remaining entitlement  
23 may be taken in a state-supported college or university only,  
24 without payment of any tuition, fees, or books. One change of  
25 program will be allowed without counseling. Training under  
26 this subdivision must be initiated prior to the child's  
27 twenty-sixth birthday, and must be completed within eight

1 years after its initiation, except for delays caused by  
2 military service during the training period, and in no case  
3 may training be received under this section beyond the  
4 thirty-fourth birthday of such child.

5 "(b) The educational benefits received pursuant to  
6 subsection (a) shall be limited to tuition only for spouses,  
7 children, and unmarried widows or widowers who apply for and  
8 are granted educational benefits for the first time by the  
9 Department of Veterans' Affairs after August 1, 2012.

10 "(b)(c) The benefits provided under this section shall  
11 be available in addition to federal government benefits. Any  
12 child, spouse, or unmarried widow or widower who was denied  
13 full entitlement, 27 or 45 months, whichever the case may be,  
14 shall have the remainder of their entitlement reinstated under  
15 this chapter.

16 "§31-6-7.

17 "The benefits under this chapter shall not extend  
18 beyond the lives of the immediate children of the veteran  
19 concerned. Beginning August 1, 2012, the benefits under this  
20 chapter shall not extend beyond the lives of the immediate  
21 children of the veteran living at the time of the veteran's  
22 service or the spouse of the veteran at the time of the  
23 veteran's service. Upon divorce, entitlement to benefits under  
24 this chapter shall cease.

25 "§31-6-15.

26 There is hereby appropriated from the Education  
27 Trust Fund such an amount as may be necessary to reimburse



1 every Alabama state institution of higher learning, college,  
2 university, or Alabama state trade school or junior college in  
3 which benefits are given to veterans, their wives, widows, or  
4 children under this chapter. Such reimbursement shall be made  
5 at the end of each academic quarter or semester for all fees  
6 or tuition waived by such institution, college, university, or  
7 school under this chapter, and shall be made on the basis of  
8 certified invoices submitted by such institution or school to  
9 the State Department of Veterans' Affairs, and shall be  
10 supported by names of the students receiving such benefits,  
11 together with the amounts claimed for each student."

12 Section 2. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.