

1 HB554  
2 211836-1  
3 By Representative Rich  
4 RFD: Ways and Means Education  
5 First Read: 18-MAR-21

SYNOPSIS: Existing law provides for tuition reimbursement opportunities for higher education for children of disabled veterans.

This bill would provide that comprehensive transition and postsecondary programs for children of disabled veterans with intellectual disabilities are included in the existing tuition reimbursement provisions for children of disabled veterans.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to higher education; to amend Sections 31-6-2, 31-6-4, and 31-6-6, Code of Alabama 1975; to provide further for tuition reimbursement for higher education for children of disabled veterans.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

1           "§31-6-2.

2           "For the purposes of this chapter, the following  
3 terms shall have the meanings ascribed to them by this  
4 section:

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

11           "(2) COMPREHENSIVE TRANSITION AND POSTSECONDARY  
12 PROGRAM FOR STUDENTS WITH INTELLECTUAL DISABILITIES. Has the  
13 same meaning as in 20 U.S.C. § 1140.

14           "~~(2)~~ (3) HUSBAND. ~~Such term shall mean spouse~~ Spouse.

15           "~~(3)~~ (4) TUITION. Fees for instruction.

16           "~~(4)~~ (5) TUITION AND FEES. All fees known and classed  
17 as instructional fees.

18           "~~(5)~~ (6) WIDOW. ~~Such term shall mean widow or~~  
19 ~~widower.~~ WIDOW or WIDOWER. An individual whose spouse is  
20 deceased and who has not subsequently remarried.

21           "~~(6)~~ (7) WIFE. ~~Such term shall mean spouse~~ Spouse.

22           "§31-6-4.

23           "(a) (1) Any child for whose father or mother any of  
24 the following are true may attend educational programs as  
25 provided in subdivision (2):

26           "~~(1)~~ a. Was killed or died in the line of duty or is  
27 listed as missing in action or ~~is/was~~ is or was a prisoner of

1 war or whose death or permanent total disabilities were  
2 service-connected while serving as a member of the armed  
3 forces; ~~or.~~

4 "~~(2)~~b. Died from a disability incurred from military  
5 service, as established by the State Department of Veterans'  
6 Affairs, after having been discharged under conditions other  
7 than dishonorable and after having served at least 90 days  
8 consecutively in the armed forces prior to ~~and/or~~ or  
9 subsequent to the date on which such disability occurred, or  
10 who was honorably discharged by reason of wartime,  
11 service-connected disability after serving less than 90 days;  
12 ~~or.~~

13 "~~(3)~~c. Has been assigned 100 percent permanent or  
14 total disability rated by the United States Veterans'  
15 Administration, or was discharged or retired from the armed  
16 forces with a 40 percent or more disability and maintained  
17 that percentage ~~(such person to be deemed to be a disabled~~  
18 ~~veteran)~~;.

19 "(2)a. A child described in subdivision (1) may  
20 ~~attend any~~ participate in any of the following educational  
21 opportunities:

22 "1. Attend any Alabama state institution of higher  
23 learning, college, or university for a period of five standard  
24 academic years, not to exceed 45 months or the equivalent of  
25 45 months if enrolled part-time, pursuant to the tuition  
26 reimbursement guidelines as provided in subsection (c), for

1 ~~such college or university attendance, or any such child may~~  
2 ~~take.~~

3 "2. Take a prescribed course in any Alabama  
4 state-supported community or technical college for the length  
5 of any prescribed course of study of his or her choosing, and  
6 if ~~such~~ the course does not require the full 45 months, then  
7 training for the remainder of such 45 months' entitlement may  
8 be taken at a state-supported college or university only,  
9 pursuant to the tuition reimbursement guidelines as provided  
10 in subsection (c).

11 "3. Attend any comprehensive transition and  
12 postsecondary program for students with intellectual  
13 disabilities at an Alabama state institution of higher  
14 learning, college, or university.

15 "b. Training under this section must be initiated  
16 prior to the child's thirtieth birthday, and must be completed  
17 within eight years after its initiation, except for delays  
18 caused by military service during the training period, and in  
19 no case may training be received under this chapter beyond the  
20 thirty-eighth birthday of ~~such~~ the child.

21 "(b) Except as provided in Section 31-6-11(e), the  
22 educational benefits provided by this section to children  
23 making application for benefits for the first time beginning  
24 with the fall term of the 2014-2015 academic year, and  
25 thereafter, shall be limited to ~~undergraduate courses of study~~  
26 ~~only~~ the educational opportunities described in subdivision  
27 (a) (2), and the value of tuition paid shall be limited to the

1 in-state tuition rate of the Alabama state institution of  
2 higher learning, college, or university attended.

3 "(c) For those first filing for benefits under this  
4 chapter on or after July 31, 2017, the educational benefit  
5 shall be for tuition reimbursement and books and fees  
6 reimbursement. The value of tuition paid per semester hour (or  
7 equivalent) shall be limited to the rate of the Department of  
8 Defense Tuition Assistance Cap. The value of the books and  
9 fees paid per semester shall be limited to one thousand  
10 dollars (\$1,000) per student.

11 "(d) For the purpose of the minimum disability  
12 requirement provided for in ~~subsection (a)(3)~~ paragraph  
13 (a)(1)c., the dependent of any veteran whose disability rating  
14 as of July 31, 2017, is at least 20 percent but less than 40  
15 percent shall qualify for the benefits of this chapter,  
16 provided that the dependent shall file application for ~~such~~  
17 the benefits before July 31, 2023, and the dependent is  
18 reasonably expected to be eligible to attend an ~~Alabama~~  
19 ~~institution of higher learning, college or university~~  
20 educational opportunity described in subdivision (a)(2) in the  
21 next academic year.

22 "§31-6-6.

23 "(a) The spouse and children of any veteran who is  
24 suffering from 40 to 90 percent service-connected disability  
25 brought about from service in the Armed Forces of the United  
26 States, or the ~~unmarried~~ widow or widower and children of a  
27 deceased veteran who was suffering from 40 percent or more of

1 service-connected disability at the time of death, provided  
2 ~~such~~ the disabilities as are mentioned herein are incurred  
3 from military service, as established by the State Department  
4 of Veterans' Affairs, shall be entitled to the following  
5 educational advantages and opportunities:

6 "(1) The spouse or ~~unmarried~~ widow or widower, ~~as~~  
7 ~~the case may be,~~ shall be entitled to up to 27 months of  
8 schooling or the equivalent of 27 months if enrolled  
9 part-time, in any Alabama state-supported institution of  
10 higher learning, college, or university, or to a prescribed  
11 course in any Alabama state-supported community or technical  
12 college, pursuant to the tuition reimbursement guidelines as  
13 provided in subsection (d). One change of program will be  
14 allowed without counseling. It is provided, however, that all  
15 training received at state institutions of higher learning or  
16 state-supported community or technical college under this  
17 subdivision must be completed within a period of six years  
18 after the beginning date of ~~such~~ the two-year course or such  
19 prescribed course.

20 "(2) Each child of ~~such~~ the disabled veteran shall  
21 be entitled to five standard academic years, or the equivalent  
22 of 45 months if enrolled part-time, in any Alabama  
23 state-supported institution of higher learning, college, or  
24 university, or to a prescribed course at an Alabama  
25 state-supported community or technical college, or to a  
26 comprehensive transition and postsecondary program for  
27 students with intellectual disabilities at an Alabama state

1 institution of higher learning, college, or university. If the  
2 course of training at the community or technical college does  
3 not require the full time to which ~~such~~ the child is entitled  
4 hereunder, then the remaining entitlement may be taken in a  
5 state-supported college or university only, pursuant to the  
6 tuition reimbursement guidelines as provided in subsection  
7 (d). One change of program will be allowed without counseling.  
8 Training under this subdivision must be initiated prior to the  
9 child's twenty-sixth birthday, and must be completed within  
10 eight years after its initiation, except for delays caused by  
11 military service during the training period, and in no case  
12 may training be received under this section beyond the  
13 thirty-fourth birthday of ~~such~~ the child.

14 "(b) For the purpose of the minimum disability  
15 requirement provided for in subsection (a), the dependent of  
16 any veteran whose disability rating as of July 31, 2017, is at  
17 least 20 percent, but less than 40 percent, shall qualify for  
18 the benefits of this chapter, provided that the dependent  
19 shall file application for ~~such~~ the benefits before July 31,  
20 2023, and the dependent is reasonably expected to be eligible  
21 to attend an ~~Alabama institution of higher learning, college~~  
22 ~~or university~~ educational opportunity described in subsection  
23 (a) in the next academic year.

24 "(c) Except as provided in Section 31-6-11(e), the  
25 educational benefits provided by this section to spouses,  
26 children, and ~~unmarried~~ widows and widowers making application  
27 for benefits for the first time beginning with the fall term



1 of the 2014-2015 academic year, and thereafter, shall ~~be~~  
2 ~~limited to~~ include undergraduate courses of study ~~only~~, and  
3 comprehensive transition and postsecondary programs for  
4 students with intellectual disabilities, whether or not the  
5 study is to culminate in the earning of a degree, and the  
6 value of tuition paid shall be limited to the in-state tuition  
7 rate of the Alabama state-supported institution of higher  
8 learning, college, or university attended.

9 "(d) For those first filing for benefits under this  
10 chapter on or after July 31, 2017, the educational benefit  
11 shall be for tuition reimbursement and books and fees  
12 reimbursement. The value of tuition paid per semester hour,  
13 ~~(or equivalent)~~, shall be limited to the rate of the  
14 Department of Defense Tuition Assistance Cap. The value of the  
15 books and fees paid per semester shall be limited to one  
16 thousand dollars (\$1,000) per student.

17 "(e) The benefits provided under this section shall  
18 be available in addition to federal government benefits. Any  
19 child, spouse, or ~~unmarried~~ widow or widower who was denied  
20 full entitlement, 27 or 45 months, whichever the case may be,  
21 shall have the remainder of their entitlement reinstated under  
22 this chapter."

23 Section 2. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.