



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Existing law allows qualifying schools under the Alabama G.I. and Dependents Educational Benefit Act either to waive unpaid fees or to bill students for educational fees remaining unpaid after applying tuition reimbursement benefits from third parties.

Existing law provides that the paid tuition each semester is limited to the Department of Defense tuition assistant cap.

This bill would remove the Department of Defense tuition assistance cap and replace it with a tuition cap of four hundred dollars (\$400) per semester hour.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama G.I. and Dependents Educational Benefit Act; to amend Sections 31-6-4, 31-6-5, as last amended by Act 2023-350, 2023 Regular Session, 31-6-6, and 31-6-11, Code of Alabama 1975, to remove the Department of Defense tuition assistance cap and in lieu thereof provide a tuition cap of four hundred dollars (\$400) per semester hour.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



29 Section 1. Sections 31-6-4, 31-6-5, as last amended by
30 Act 2023-350, 2023 Regular Session, 31-6-6, and 31-6-11, Code
31 of Alabama 1975, are amended to read as follows:

32 "§31-6-4

33 (a) Any child whose father or mother:

34 (1) Was killed or died in line of duty or is listed as
35 missing in action or is or was a prisoner of war or whose
36 death or permanent total disabilities were service-connected
37 while serving as a member of the armed forces;

38 (2) Died from a disability incurred from military
39 service, as established by the State Department of Veterans'
40 Affairs, after having been discharged under conditions other
41 than dishonorable and after having served at least 90 days
42 consecutively in the armed forces prior to and/or subsequent
43 to the date on which the disability occurred, or who was
44 honorably discharged by reason of a qualifying
45 service-connected disability after serving less than 90 days;

46 (3) Was killed or died while on state active duty
47 status as defined in Section 31-12-1, or whose death results
48 proximately and within three years from an injury received
49 while on state active duty status; or

50 (4) Has been assigned 100 percent permanent or total
51 disability rated by the United States Veterans'
52 Administration, or was discharged or retired from the armed
53 forces with a 40 percent or more disability and maintained
54 that percentage;

55 may attend any qualifying school for a period of five
56 standard academic years, not to exceed 45 months or the



57 equivalent of 45 months if enrolled part-time, pursuant to the
58 tuition reimbursement guidelines as provided in subsection
59 (c). Training under this section must be initiated prior to
60 the child's thirtieth birthday, and must be completed within
61 eight years after its initiation, except for delays caused by
62 military service during the training period, and in no case
63 may training be received under this chapter beyond the
64 thirty-eighth birthday of the child.

65 (b) The educational benefits provided by this section
66 to children making application for benefits for the first time
67 beginning with the fall term of the 2014-2015 academic year,
68 and thereafter, shall be limited to undergraduate courses of
69 study only, and the value of tuition paid shall be limited to
70 the in-state tuition rate of the qualifying school attended.

71 (c) For those first filing for benefits under this
72 chapter on or after July 31, 2017, and for those attending a
73 qualifying private school, the educational benefit shall be
74 for tuition reimbursement and books and fees reimbursement.
75 The value of tuition paid per semester hour (or equivalent)
76 shall be limited to ~~the rate of the Department of Defense~~
77 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
78 of the books and fees paid per semester shall be limited to
79 one thousand dollars (\$1,000) per student.

80 (d) For the purpose of the minimum disability
81 requirement provided for in subdivision (a)(4), the dependent
82 of any veteran whose disability rating as of July 31, 2017, is
83 at least 20 percent but less than 40 percent shall qualify for
84 the benefits of this chapter, provided that the dependent



85 shall file application for the benefits before July 31, 2023,
86 and the dependent is reasonably expected to be eligible to
87 attend a qualifying school in the next academic year."

88 "§31-6-5

89 (a) Any spouse or widow whose spouse, during their
90 marriage:

91 (1) Was killed or died in the line of duty or is listed
92 as missing in action or is or was a prisoner of war while
93 serving as a member of the armed forces;

94 (2) Died from a disability incurred from military
95 service;

96 (3) Was killed or died while on state active duty
97 status as defined in Section 31-12-1, or whose death results
98 proximately and within three years from an injury sustained
99 while on state active duty status; or

100 (4) Is 100 percent permanently and totally disabled,
101 whose permanent and total disabilities were service-connected;
102 shall be entitled to training in any qualifying school for a
103 period of five standard academic years, not to exceed 45
104 months, or to training for the equivalent of 45 months if
105 enrolled part-time, pursuant to the tuition reimbursement
106 guidelines as provided in subsection (c). One change of
107 program will be allowed without counseling. All training
108 received under this section must be completed within eight
109 years after its initiation. This section shall not apply to
110 the spouse of any deceased serviceman or veteran who has
111 remarried prior to applying for and obtaining educational
112 benefits under this section, and should any spouse of the



113 deceased serviceman or veteran remarry during the time he or
114 she is in attendance upon any of the qualifying schools
115 mentioned in this section, then he or she shall pay tuition
116 and fees for the course of study or attendance upon the
117 qualifying school from the time of the remarriage.

118 (b) The educational benefits provided by this section
119 to spouses and widows making application for benefits for the
120 first time beginning with the fall term of the 2014-2015
121 academic year, and thereafter, shall be limited to
122 undergraduate courses of study only, and the value of tuition
123 paid shall be limited to the in-state tuition rate of the
124 qualifying school attended.

125 (c) For those first filing for benefits under this
126 chapter on or after July 31, 2017, and for those attending a
127 qualifying private school, the educational benefit shall be
128 for tuition reimbursement and books and fees reimbursement.
129 The value of tuition paid per semester hour (or equivalent)
130 shall be limited to ~~the rate of the Department of Defense~~
131 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
132 of the books and fees paid per semester shall be limited to
133 one thousand dollars (\$1,000) per student."

134 "§31-6-6

135 (a) The spouse and children of any veteran who is
136 suffering from 40 to 90 percent service-connected disability
137 brought about from service in the Armed Forces of the United
138 States, or the widow and children of a deceased veteran who
139 was suffering from 40 percent or more of service-connected
140 disability at the time of death, as established by the State



141 Department of Veterans' Affairs, shall be entitled to the
142 following educational advantages and opportunities:

143 (1) The spouse or widow shall be entitled to up to 27
144 months of schooling, or the equivalent of 27 months if
145 enrolled part-time, in any qualifying school, pursuant to the
146 tuition reimbursement guidelines as provided in subsection
147 (d). One change of program will be allowed without counseling.
148 All training received at qualifying schools under this
149 subdivision must be completed within a period of six years
150 after its initiation.

151 (2) Each child of a disabled veteran shall be entitled
152 to five standard academic years, or the equivalent of 45
153 months if enrolled part-time, in any qualifying school
154 pursuant to the tuition reimbursement guidelines as provided
155 in subsection (d). One change of program will be allowed
156 without counseling. Training under this subdivision must be
157 initiated prior to the child's twenty-sixth birthday, and must
158 be completed within eight years after its initiation, except
159 for delays caused by military service during the training
160 period, and in no case may training be received under this
161 section beyond the thirty-fourth birthday of the child.

162 (b) For the purpose of the minimum disability
163 requirement provided for in subsection (a), the dependent of
164 any veteran whose disability rating as of July 31, 2017, is at
165 least 20 percent but less than 40 percent shall qualify for
166 the benefits of this chapter, provided that the dependent
167 shall file application for benefits before July 31, 2023, and
168 the dependent is reasonably expected to be eligible to attend



169 a qualifying school in the next academic year.

170 (c) The educational benefits provided by this section
171 to spouses, children, and widows making application for
172 benefits for the first time beginning with the fall term of
173 the 2014-2015 academic year, and thereafter, shall be limited
174 to undergraduate courses of study only, and the value of
175 tuition paid shall be limited to the in-state tuition rate of
176 the qualifying school attended.

177 (d) For those first filing for benefits under this
178 chapter on or after July 31, 2017, and for those attending a
179 qualifying private school, the educational benefit shall be
180 for tuition reimbursement and books and fees reimbursement.
181 The value of tuition paid per semester hour (or equivalent)
182 shall be limited to ~~the rate of the Department of Defense~~
183 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
184 of the books and fees paid per semester shall be limited to
185 one thousand dollars (\$1,000) per student."

186 "§31-6-11

187 (a) Before the application of a spouse, widow, or child
188 of a disabled veteran or a deceased veteran ~~or serviceman~~ for
189 educational benefits under this chapter is approved, proof,
190 satisfactory to the State Department of Veterans' Affairs,
191 must be submitted of all of the following:

192 (1) Establishing the identification of the spouse,
193 widow, or child as the spouse, widow, or child of the veteran
194 or serviceman, as the case may be.

195 (2) Of the veteran or serviceman having been a
196 permanent resident of the State of Alabama for at least one



197 year immediately prior to his or her entrance into service, or
198 if the applicant is the spouse, widow, or child of a totally
199 and permanently disabled veteran, then proof either of the
200 veteran's having been a permanent resident of the State of
201 Alabama for at least one year prior to his or her entrance
202 into service or proof that the veteran has been a bona fide
203 resident of this state for at least five years immediately
204 prior to the filing of the application for benefits under this
205 chapter or immediately prior to his or her death if the
206 veteran is deceased.

207 (3) Of the veteran or serviceman having been a
208 permanent resident of the State of Alabama for at least two
209 years immediately prior to the filing of the application for
210 benefits under this chapter or has filed an Alabama income tax
211 return as a resident individual for the previous 10 years or
212 is a current resident and was discharged from active duty
213 within the prior 12 months. If the veteran or serviceman is
214 deceased, his or her dependent may still qualify if the
215 veteran or serviceman met this residency requirement at the
216 time of his or her death. Alabama income tax return
217 information, including, but not limited to, the type of return
218 filed, necessary to show the residency requirements under this
219 chapter have been met is hereby exempted from the
220 confidentiality provisions of Section 40-2A-10, and shall be
221 provided by the Department of Revenue to the State Department
222 of Veterans' Affairs upon request. Such requests and the
223 significance of the information provided shall be requested by
224 the State Department of Veterans' Affairs as necessary when



225 other residency information is not available, and the
226 department shall adopt rules and procedures to effect the
227 provisions of this section as needed.

228 (4) Of the spouse, widow, or child being a current
229 resident of the State of Alabama.

230 (5) An honorable discharge or other proof of honorable
231 termination of service of the veteran or serviceman in the
232 armed forces for a period of at least 90 days, or service of
233 less than 90 days if the veteran or serviceman was discharged
234 or released by reason of a qualifying service-connected
235 disability.

236 (b) For those first filing for benefits under this
237 chapter on or after July 31, 2017, and for those attending a
238 qualifying private school, the educational benefit shall be
239 for tuition reimbursement and books and fees reimbursement.
240 The value of tuition paid per semester hour (or equivalent)
241 shall be limited to ~~the rate of the Department of Defense~~
242 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
243 of the books and fees paid per semester shall be limited to
244 one thousand dollars (\$1,000) per student."

245 Section 2. This act shall become effective on July 31,
246 2024.