

HB233 ENGROSSED



1 HB233

2 2J92USI-2

3 By Representatives Oliver, Rehm, Robertson, Paschal, Starnes

4 RFD: Ways and Means Education

5 First Read: 14-Jan-26



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A BILL
TO BE ENTITLED
AN ACT

Relating to the National Guard; to amend Sections 31-10-2, 31-10-3, and 31-10-4, Code of Alabama 1975; to authorize tuition assistance for workforce development programs through the National Guard Educational Assistance Program; to authorize assistance payments through the program earlier in the academic term; to authorize the State Military Department and Alabama Commission on Higher Education to jointly administer the program; and to repeal Section 31-10-4.1, Code of Alabama 1975, relating to qualifications for the National Guard Educational Assistance Program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 31-10-2, 31-10-3, and 31-10-4, Code of Alabama 1975, are amended to read as follows:

"§31-10-2

The following words used in this article have the following meanings:

~~(1) ACADEMIC EXCELLENCE BENEFITS. Additional funds for guard members who are enrolled undergraduate students who graduated from high school with a cumulative GPA greater than 3.5 and, while enrolled in an institution of higher education~~



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29 ~~in this state, have maintained a 3.0 collegiate cumulative~~
30 ~~GPA. These funds may be used for tuition, fees, or ancillary~~
31 ~~costs.~~

32 ~~(2)~~ (1) ACTIVE MEMBER. A member of a federally
33 recognized unit of the Alabama National Guard meeting the
34 minimum requirements for satisfactory membership as defined in
35 the Department of the Army and Department of the Air Force
36 regulations.

37 ~~(3)~~ (2) ALABAMA NATIONAL GUARD. Federally recognized
38 units of the Alabama National Guard.

39 ~~(4)~~ (3) ANCILLARY COSTS. Expenses incurred outside of
40 tuition related to educational costs, including textbooks,
41 additional course fees, differential tuition, or other ~~course~~
42 ~~related~~ course-related or training program costs.

43 (4) EDUCATIONAL EXPENSES. The per term cost of required
44 on-campus living expenses, such as the cost of living in a
45 residence hall or dormitory, and per term cost of required
46 on-campus meal plans.

47 (5) DIFFERENTIAL TUITION. The amount, in addition to
48 regular tuition, which is charged to students to support
49 services and programming at institutions of higher education.

50 (6) INSTITUTION OF HIGHER EDUCATION. A public or
51 private two-year or four-year college or university, community
52 college, or junior college located within the state.

53 ~~(5)~~ (7) QUALIFYING ACADEMIC PATHWAY. A postsecondary
54 program at an institution of higher education in the state
55 that is one of the following:

56 a. A program that has been identified as a Pell Grant



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57 eligible program for which the student earns credits required
58 for a postsecondary degree at the undergraduate level.

59 b. A graduate program that is the individual's first
60 degree sought at that level.

61 c. A workforce development program.

62 ~~(6)~~ (8) TUITION. The per term cost of instruction and
63 mandatory instructional fees to the public or private
64 postsecondary student not to exceed the median cost of tuition
65 per term, such as quarter or semester, of all public four-year
66 institutions of higher education in this state as reported to
67 the Alabama Commission on Higher Education by state-supported
68 institutions of higher education and appearing on the tuition
69 plus required fees report of the commission, for classes or
70 courses that count ~~towards~~ toward the individual's degree or
71 certificate plan ~~as designed and approved by the college or~~
72 ~~institution attended for the individual's declared program of~~
73 ~~study. Differential tuition is not included.~~

74 (9) WORKFORCE DEVELOPMENT PROGRAM. A professional or
75 workforce development program that includes accredited and
76 nonaccredited certification or stand-alone training that leads
77 to an industry-recognized credential and is approved pursuant
78 to Section 31-10-3(c)."

79 "§31-10-3

80 (a) Subject to the annual appropriation to the Alabama
81 National Guard Educational Assistance Program in the annual
82 Education Trust Fund Appropriation Act, ~~provided the annual~~
83 ~~appropriations shall not exceed ten million dollars~~
84 ~~(\$10,000,000),~~ the Alabama Commission on Higher Education may



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85 pay or reimburse the qualifying tuition for any active member
86 of the Alabama National Guard who is one of the following:

87 (1) A student dually or concurrently enrolled in high
88 school and an institution of higher education.

89 (2) A postsecondary student who is enrolled in an
90 institution of higher education.

91 (3) A postsecondary student who is dually or
92 concurrently enrolled in more than one institution of higher
93 education and is enrolled in a program leading to a qualifying
94 academic pathway, including a ~~short certificate or long~~
95 ~~certificate, or workforce development program,~~ associate
96 degree, baccalaureate bachelor's degree, masters master's
97 degree, or doctorate degree in an accredited institution of
98 higher learning, including a community or technical college or
99 an approved nonaccredited course or certificate program within
100 this state.

101 (b) The annual appropriation to the National Guard
102 Educational Assistance Program shall not exceed ten million
103 dollars (\$10,000,000).

104 (c) (1) The Adjutant General and the Executive Director
105 of the Alabama Commission on Higher Education shall mutually
106 determine to which workforce development programs tuition
107 assistance may be applied. Any entity program seeking to be a
108 workforce development program shall be registered as a vendor
109 with this state.

110 (2) The Adjutant General and the Executive Director of
111 the Alabama Commission on Higher Education shall mutually
112 determine how assistance may be applied to each workforce



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113 development program.

114 ~~(b)~~ (d) (1) The payments or ~~reimbursements~~ assistance
115 shall be: (i) made timely at the end within 90 days after the
116 beginning of the academic period of each academic quarter or
117 semester for all tuition ~~reimbursements~~ assistance payments
118 depending on the availability of funding, and shall be; (ii)
119 made on the basis of certified ~~invoices~~ institutional roster or
120 other documentation approved by the Alabama Commission on
121 Higher Education verifying enrollment, eligibility, and
122 allowable charges for each participating member submitted by
123 the institution to the Alabama Commission on Higher
124 Education, ~~and shall be~~ (iii) supported by names of the
125 students receiving the ~~benefits~~ assistance, together with the
126 amounts claimed for each student. The tuition
127 ~~reimbursement~~ assistance authorized under this article may be
128 used for undergraduate or graduate studies.

129 (2) In no event shall payments ~~of the~~ toward tuition and
130 fees, reimbursement ancillary costs, or educational expenses
131 under the Alabama National Guard Educational Assistance
132 Program amount to more than ~~100 percent of qualified tuition~~
133 ~~and fees~~ the median cost of tuition per term of all public
134 four-year institutions of higher education in this state as
135 reported to the Alabama Commission on Higher Education. ~~An~~
136 ~~undergraduate student that qualifies for the Academic~~
137 ~~Excellence Benefit shall receive an amount equivalent to 100~~
138 ~~percent of qualified tuition and fees. Undergraduate students~~
139 ~~with this benefit may use these funds for tuition and fee~~
140 ~~reimbursement or ancillary costs.~~



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141 (3) No ~~guard~~active member shall be eligible for tuition
142 ~~reimbursement or academic excellence benefits~~and fees,
143 educational expenses, or ancillary cost assistance for more
144 than 12 years after the date of the first tuition payment to
145 him or herthe active member under this article.

146 (4) ~~In the event that~~If requests for tuition
147 ~~reimbursements~~assistance provided for in this article from the
148 institutions for educational benefits in any fiscal year
149 exceed the appropriated amount, then the
150 ~~reimbursements~~payments shall be prorated equally among the
151 institutions on a percentage basis of the total
152 ~~invoices~~certified institutional rosters received by the
153 Alabama Commission on Higher Education and paid accordingly.
154 The ~~reimbursement~~assistance payments shall be made promptly at
155 ~~the end of each academic quarter or semester~~upon receipt for
156 all certified ~~invoices~~institutional rosters or other
157 documentation approved by the Alabama Commission on Higher
158 Education.

159 (e) (1) The assistance under this article shall be
160 claimed for no more than a total of 120 academic hours or
161 until receipt of the first bachelor's degree, whichever occurs
162 first. The 120 academic hours shall not include more than 72
163 academic hours earned at a community college.

164 (2) An active member who has already obtained a
165 bachelor's degree is not eligible to receive assistance from
166 this program leading to a second bachelor's degree.

167 (3) If the benefits were not used by an active member
168 for a bachelor's degree, the program benefits for graduate



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169 students under this article shall be claimed for no more than
170 a total of 60 academic hours or until the receipt of the first
171 graduate degree.

172 (4) An active member who has already obtained a
173 graduate degree is not eligible to receive assistance from
174 this program leading to a second graduate degree.

175 (f) To the extent permitted by law, the assistance
176 provided for under this article shall be applied in a
177 last-dollar manner to maximize all of the active member's
178 educational benefits to include educational expenses and
179 ancillary costs.

180 (g) No public institution of higher education in the
181 state may impose a nonresident tuition rate or differential
182 out-of-state resident fee on an active member in good standing
183 who meets the requirements of Section 31-10-4."

184 "§31-10-4

185 (a) In order to be eligible to receive tuition
186 reimbursement assistance under this article, the member student
187 must meet the following minimum requirements:

188 (1) Be an active member of the Alabama National Guard
189 and must have completed basic training;

190 (2) Be 17 years of age or older;

191 ~~(2)~~ (3) The member must be Be a member in good standing
192 with the Alabama National Guard as prescribed by regulations
193 promulgated by the Department of the Army, and the Department
194 of the Air Force, and by rules adopted by the Military
195 Department of the State of Alabama, at the time of application
196 and ~~during the entire~~ before the beginning of the course,



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197 training, semester, or quarter for which benefits are
198 received;

199 (4) Comply with the standards of Satisfactory Academic
200 Progress as required for Title IV benefits under the Higher
201 Education Act and as defined by that educational institution,
202 and maintain a 2.0 grade point average or the letter grade
203 equivalent. Students who are no longer eligible to receive
204 Title IV benefits due to a failure to meet Satisfactory
205 Academic Progress standards shall no longer be eligible to
206 receive benefits under this section until the student
207 sufficiently improves to meet the required standards;

208 (5) Complete a Free Application for Federal Student
209 Aid. This requirement is not applicable for any high school
210 students dually or concurrently enrolled in high school and an
211 institution of higher education; and

212 (6) Sign a promissory note or similar document with
213 provisions for the collection and repayment of assistance in
214 the event that the member is disqualified or otherwise becomes
215 ineligible to continue to receive benefits pursuant to this
216 article.

217 ~~(3)(b)~~ In the event the individual's service in the
218 Alabama National Guard is terminated or his or her service
219 becomes unsatisfactory while receiving assistance or for four
220 years after receiving the ~~benefits~~ assistance afforded by this
221 program, the ~~benefits will~~ assistance shall be terminated and
222 repaid by the individual on a pro rata basis. After
223 ~~termination for the above causes, or after an individual will~~
224 ~~be ineligible for any further benefits under this article. If~~



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225 ~~for any reason an individual~~ is dismissed from any school for
226 academic or disciplinary reasons, ~~he is~~ the individual shall be
227 ineligible for further ~~benefits~~ assistance from this program.
228 ~~The~~ With consultation of the Alabama National Guard Education
229 Services Officer and the Adjutant General of the State of
230 Alabama, the Alabama Commission on Higher Education shall be
231 the final authority for making such determinations.

232 (c) Any member who is disqualified from serving in the
233 Alabama National Guard due solely to medical reasons with a
234 Veterans Administration disability rating of 40 percent or
235 greater shall be exempt from repaying any assistance received
236 under this section.

237 ~~(4)~~ (d) ~~The Alabama Commission on Higher Education of~~
238 ~~the State of Alabama in collaboration with the State Military~~
239 ~~Department shall adopt rules be responsible for the~~
240 ~~promulgation of rules and regulations for the administration~~
241 ~~and implementation of~~ to administer, advise, and implement this
242 article. The Adjutant General shall be the final authority in
243 determining including rules and regulations providing for the
244 selection of ~~persons~~ individuals to receive ~~benefits~~ assistance
245 under this article. The Alabama Commission on Higher Education
246 ~~of the State of Alabama~~ shall be the final authority in
247 determining eligible ~~applicant~~ expenses to which assistance
248 may be applied.

249 ~~(5) The Adjutant General of the State of Alabama shall~~
250 ~~serve as an advisor to the Alabama Commission on Higher~~
251 ~~Education for the purpose of determining the eligibility of~~
252 ~~members of the Alabama National Guard to receive benefits~~



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253 ~~under this article.~~

254 (e) Any member receiving academic excellence assistance
255 prior to August 1, 2026, shall continue to receive the same
256 amount of assistance until he or she completes the course or
257 workforce development program.

258 (f) (1) At the end of any fiscal year, any unexpended or
259 unencumbered monies contributed to or deposited in the fund
260 from any source, except appropriations from other state funds,
261 shall remain in the fund.

262 (2) The Alabama Commission on Higher Education may
263 adopt rules to use monies retained in the fund pursuant to
264 subdivision (1) to disburse assistance earlier in the academic
265 term than required under Section 31-10-3(d)."

266 Section 2. Section 31-10-4.1, Code of Alabama 1975,
267 providing qualifications for tuition reimbursement under the
268 National Guard Educational Assistance Program, is repealed.

269 Section 3. This act shall become effective on October
270 1, 2026.



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House of Representatives

Read for the first time and referred14-Jan-26
to the House of Representatives
committee on Ways and Means
Education
Read for the second time and placed03-Mar-26
on the calendar:
0 amendments
Read for the third time and passed10-Mar-26
as amended
Yeas 105
Nays 0
Abstains 0

John Treadwell
Clerk