

HB233 ENROLLED



1 HB233

2 2J92USI-3

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

4 RFD: Ways and Means Education

5 First Read: 14-Jan-26



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1 Enrolled, An Act,

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3 Relating to the National Guard; to amend Sections
4 31-10-2, 31-10-3, and 31-10-4, Code of Alabama 1975; to
5 authorize tuition assistance for workforce development
6 programs through the National Guard Educational Assistance
7 Program; to authorize assistance payments through the program
8 earlier in the academic term; to authorize the State Military
9 Department and Alabama Commission on Higher Education to
10 jointly administer the program; and to repeal Section
11 31-10-4.1, Code of Alabama 1975, relating to qualifications
12 for the National Guard Educational Assistance Program.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 "§31-10-2

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

19 ~~(1) ACADEMIC EXCELLENCE BENEFITS. Additional funds for~~
20 ~~guard members who are enrolled undergraduate students who~~
21 ~~graduated from high school with a cumulative GPA greater than~~
22 ~~3.5 and, while enrolled in an institution of higher education~~
23 ~~in this state, have maintained a 3.0 collegiate cumulative~~
24 ~~GPA. These funds may be used for tuition, fees, or ancillary~~
25 ~~costs.~~

26 ~~(2)~~ (1) ACTIVE MEMBER. A member of a federally
27 recognized unit of the Alabama National Guard meeting the
28 minimum requirements for satisfactory membership as defined in



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29 the Department of the Army and Department of the Air Force
30 regulations.

31 ~~(3)~~ (2) ALABAMA NATIONAL GUARD. Federally recognized
32 units of the Alabama National Guard.

33 ~~(4)~~ (3) ANCILLARY COSTS. Expenses incurred outside of
34 tuition related to educational costs, including textbooks,
35 additional course fees, differential tuition, or other ~~course~~
36 ~~related~~ course-related or training program costs.

37 (4) EDUCATIONAL EXPENSES. The per term cost of required
38 on-campus living expenses, such as the cost of living in a
39 residence hall or dormitory, and per term cost of required
40 on-campus meal plans.

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

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

47 ~~(5)~~ (7) QUALIFYING ACADEMIC PATHWAY. A postsecondary
48 program at an institution of higher education in the state
49 that is one of the following:

50 a. A program that has been identified as a Pell Grant
51 eligible program for which the student earns credits required
52 for a postsecondary degree at the undergraduate level.

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

55 c. A workforce development program.

56 ~~(6)~~ (8) TUITION. The per term cost of instruction and



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

68 (9) WORKFORCE DEVELOPMENT PROGRAM. A professional or
69 workforce development program that includes accredited and
70 nonaccredited certification or stand-alone training that leads
71 to an industry-recognized credential and is approved pursuant
72 to Section 31-10-3(c)."

73 "§31-10-3

74 (a) Subject to the annual appropriation to the Alabama
75 National Guard Educational Assistance Program in the annual
76 Education Trust Fund Appropriation Act, ~~provided the annual~~
77 ~~appropriations shall not exceed ten million dollars~~
78 ~~(\$10,000,000),~~ the Alabama Commission on Higher Education may
79 pay or reimburse the qualifying tuition for any active member
80 of the Alabama National Guard who is one of the following:

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

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



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

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

98 (c) (1) The Adjutant General and the Executive Director
99 of the Alabama Commission on Higher Education shall mutually
100 determine to which workforce development programs tuition
101 assistance may be applied. Any entity program seeking to be a
102 workforce development program shall be registered as a vendor
103 with this state.

104 (2) The Adjutant General and the Executive Director of
105 the Alabama Commission on Higher Education shall mutually
106 determine how assistance may be applied to each workforce
107 development program.

108 ~~(b)~~ (d) (1) The payments or reimbursements assistance
109 shall be: (i) made ~~timely at the end~~ within 90 days after the
110 beginning of the academic period of each academic quarter or
111 semester for all tuition ~~reimbursements~~ assistance payments
112 depending on the availability of funding, and shall be; (ii)



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113 made on the basis of certified ~~invoices~~institutional roster or
114 other documentation approved by the Alabama Commission on
115 Higher Education verifying enrollment, eligibility, and
116 allowable charges for each participating member submitted by
117 the institution to the Alabama Commission on Higher
118 Education, ~~;~~ and ~~shall be~~ (iii) supported by names of the
119 students receiving the ~~benefits~~assistance, together with the
120 amounts claimed for each student. The tuition
121 ~~reimbursement~~assistance authorized under this article may be
122 used for undergraduate or graduate studies.

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

135 (3) No ~~guard~~active member shall be eligible for tuition
136 ~~reimbursement or academic excellence benefits~~and fees,
137 educational expenses, or ancillary cost assistance for more
138 than 12 years after the date of the first tuition payment to
139 ~~him or her~~the active member under this article.

140 (4) ~~In the event that~~If requests for tuition



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141 ~~reimbursements~~assistance provided for in this article from the
142 institutions for educational benefits in any fiscal year
143 exceed the appropriated amount, then the
144 ~~reimbursements~~payments shall be prorated equally among the
145 institutions on a percentage basis of the total
146 ~~invoices~~certified institutional rosters received by the
147 Alabama Commission on Higher Education and paid accordingly.
148 The ~~reimbursement~~assistance payments shall be made promptly at
149 ~~the end of each academic quarter or semester~~upon receipt for
150 all certified ~~invoices~~institutional rosters or other
151 documentation approved by the Alabama Commission on Higher
152 Education.

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

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

161 (3) If the benefits were not used by an active member
162 for a bachelor's degree, the program benefits for graduate
163 students under this article shall be claimed for no more than
164 a total of 60 academic hours or until the receipt of the first
165 graduate degree.

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



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

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

178 "§31-10-4

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

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

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

185 ~~(2)~~ (3) The member must be Be a member in good standing
186 with the Alabama National Guard as prescribed by regulations
187 promulgated by the Department of the Army, and the Department
188 of the Air Force, and by rules adopted by the Military
189 Department of the State of Alabama, at the time of application
190 and ~~during the entire~~ before the beginning of the course,
191 training, semester, or quarter for which benefits are
192 received;

193 (4) Comply with the standards of Satisfactory Academic
194 Progress as required for Title IV benefits under the Higher
195 Education Act and as defined by that educational institution,
196 and maintain a 2.0 grade point average or the letter grade



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197 equivalent. Students who are no longer eligible to receive
198 Title IV benefits due to a failure to meet Satisfactory
199 Academic Progress standards shall no longer be eligible to
200 receive benefits under this section until the student
201 sufficiently improves to meet the required standards;

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

206 (6) Sign a promissory note or similar document with
207 provisions for the collection and repayment of assistance in
208 the event that the member is disqualified or otherwise becomes
209 ineligible to continue to receive benefits pursuant to this
210 article.

211 ~~(3)~~ (b) In the event the individual's service in the
212 Alabama National Guard is terminated or his or her service
213 becomes unsatisfactory while receiving assistance or for four
214 years after receiving the ~~benefits~~ assistance afforded by this
215 program, the ~~benefits will~~ assistance shall be terminated and
216 repaid by the individual on a pro rata basis. After
217 ~~termination for the above causes, or after~~ an individual will
218 ~~be ineligible for any further benefits under this article. If~~
219 ~~for any reason an individual~~ is dismissed from any school for
220 academic or disciplinary reasons, ~~he is~~ the individual shall be
221 ineligible for further ~~benefits~~ assistance from this program.
222 ~~The~~ With consultation of the Alabama National Guard Education
223 Services Officer and the Adjutant General of the State of
224 Alabama, the Alabama Commission on Higher Education shall be



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225 the final authority for making such determinations.

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

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

243 ~~(5) The Adjutant General of the State of Alabama shall~~
244 ~~serve as an advisor to the Alabama Commission on Higher~~
245 ~~Education for the purpose of determining the eligibility of~~
246 ~~members of the Alabama National Guard to receive benefits~~
247 ~~under this article.~~

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

252 (f) (1) At the end of any fiscal year, any unexpended or



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253 unencumbered monies contributed to or deposited in the fund
254 from any source, except appropriations from other state funds,
255 shall remain in the fund.

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

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

263 Section 3. This act shall become effective on October
264 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 10-Mar-26.

John Treadwell
Clerk

Senate

09-Apr-26

Passed