

SB108 INTRODUCED



1 SB108
2 5V1IW3M-1
3 By Senators Jones, Butler, Allen, Givhan, Weaver, Woods,
4 Sessions, Bell, Kelley, Hovey, Kitchens, Shelnutt, Stutts,
5 Elliott, Roberts, Barfoot, Waggoner, Carnley, Price, Chesteen
6
7 RFD: Veterans, Military Affairs and Public Safety
8 First Read: 13-Jan-26



4 SYNOPSIS:

5 Under existing law, certain members of the
6 National Guard may receive tuition reimbursement
7 through the National Guard Educational Assistance
8 Program when seeking a college degree or certain other
9 certifications.

10 This bill would authorize tuition assistance for
11 workforce development programs, in addition to tuition
12 assistance, through the National Guard Educational
13 Assistance Program.

14 This bill would authorize the use of tuition
15 assistance for additional educational expenses, such as
16 on-campus living expenses and meal plans.

17 Under existing law, guard members who achieve a
18 certain grade point average requirement are authorized
19 to receive academic excellence benefits in addition to
20 educational reimbursement through the program.

21 This bill would remove any reference to academic
22 excellence benefits and revises the requirements to
23 qualify for tuition assistance.

24 This bill would repeal a section that provides
25 certain qualifications for the National Guard
26 Educational Assistance Program.



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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 at the beginning of an academic term; 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 in this state, have maintained a 3.0 collegiate cumulative GPA. These funds may be used for tuition, fees, or ancillary costs.~~

~~(2)~~ (1) ACTIVE MEMBER. A member of a federally recognized unit of the Alabama National Guard meeting the



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minimum requirements for satisfactory membership as defined in the Department of the Army and Department of the Air Force regulations.

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

~~(4)~~ (3) ANCILLARY COSTS. Expenses incurred outside of tuition related to educational costs, including textbooks, additional course fees, or other ~~course-related~~ course-related costs.

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

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

~~(5)~~ (6) QUALIFYING ACADEMIC PATHWAY. A postsecondary program at an institution of higher education in the state that is one of the following:

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

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

c. A workforce development program.

~~(6)~~ (7) TUITION. The per term cost of instruction and mandatory instructional fees to the public or private postsecondary student not to exceed the median cost of tuition



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per term, such as quarter or semester, of all public four-year institutions of higher education in this state as reported to the Alabama Commission on Higher Education by state-supported institutions of higher education and appearing on the tuition plus required fees report of the commission, for classes or courses that count ~~towards~~toward the individual's degree or certificate plan as designed and approved by ~~the college~~a workforce development program, technical school, or institution of higher education attended for the individual's declared program of study. Differential tuition is not included.

(8) WORKFORCE DEVELOPMENT PROGRAM. A professional or workforce development program that includes accredited and nonaccredited certification or stand-alone training. A nonaccredited course may only be classified as a workforce development program if the program complies with Section 31-10-3."

"§31-10-3

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

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

(2) A postsecondary student who is enrolled in an



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institution of higher education.

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

(b) The annual appropriation to the National Guard Educational Assistance Program shall be ten million dollars (\$10,000,000). This amount shall be reevaluated annually in order to correspond with the average change in the costs of higher education.

(c) The Alabama National Guard Education Services Officer shall annually approve all nonaccredited workforce development programs that are not associated with a two-year or four-year institution of higher education. Assistance shall not be provided for unapproved nonaccredited workforce development programs.

~~(b)~~ (d) (1) The payments or ~~reimbursements~~ assistance shall be: (i) made ~~timely~~ at the ~~end~~ beginning of the semester or within one month after the beginning of the academic period of each academic quarter or semester for all tuition ~~reimbursements~~ assistance payments, ~~and shall be;~~ (ii) made on the basis of certified invoices submitted by the institution



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to the Alabama Commission on Higher Education~~;~~ and ~~shall~~
~~be~~ (iii) supported by names of the students receiving the
~~benefits~~ assistance, together with the amounts claimed for each
student. The tuition ~~reimbursement~~ assistance authorized under
this article may be used for undergraduate or graduate
studies.

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

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

(4) ~~In the event that~~ If requests for tuition
~~reimbursements~~ assistance provided for in this article from the
institutions for educational benefits in any fiscal year
exceed the appropriated amount, then the
~~reimbursements~~ payments shall be prorated equally among the



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institutions on a percentage basis of the total invoices received by the Alabama Commission on Higher Education and paid accordingly. The ~~reimbursement~~assistance payments shall be made promptly ~~at the end of each academic quarter or semester~~upon receipt for all certified invoices.

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

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

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

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

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

(g) No public institution of higher education in the state may impose a nonresident tuition rate or differential



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out-of-state resident fee on an active member in good standing who meets the requirements of Section 31-10-4."

"§31-10-4

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

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

(2) Be 17 years of age or older;

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

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

(5) Complete a Free Application for Federal Student Aid. This requirement is not applicable for any high school



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students dually or concurrently enrolled in high school and an institution of higher education; and

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

~~+(3)~~ (b) In the event the individual's service in the Alabama National Guard is terminated or his or her service becomes unsatisfactory while receiving assistance or for four years after receiving the ~~benefits~~assistance afforded by this program, the ~~benefits will~~assistance shall be terminated and repaid by the individual on a pro rata basis. After termination ~~for the above causes, or after~~ an individual ~~will be ineligible for any further benefits under this article. If for any reason an individual~~ is dismissed from any school for academic or disciplinary reasons, ~~he is~~the individual shall be ineligible for further ~~benefits~~assistance from this program. ~~The~~With consultation of the Alabama National Guard Education Services Officer and the Adjutant General of the State of Alabama, the Alabama Commission on Higher Education shall be the final authority for making such determinations.

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

~~+(4)~~ (d) The Alabama Commission on Higher Education of



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the State of Alabama and the Alabama State Military Department shall ~~be responsible for the promulgation of~~ jointly adopt rules ~~and regulations for the administration and~~ implementation of to administer, advise, and implement this article including rules ~~and regulations~~ providing for the selection of ~~persons~~ individuals to receive ~~benefits~~ assistance under this article. ~~The Alabama Commission on Higher Education of the State of Alabama shall be the final authority in determining eligible applicants.~~

~~(5)~~ (e) The Adjutant General of the State of Alabama, or his or her delegate, shall ~~serve as an advisor to the Alabama Commission on Higher Education for the purpose of~~ be the final authority in determining the eligibility of members of the Alabama National Guard to receive benefits under this article."

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

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