

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

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7 RFD: Veterans, Military Affairs and Public Safety

8 First Read: 13-Jan-26



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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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30 A BILL
31 TO BE ENTITLED
32 AN ACT

34 Relating to the National Guard; to amend Sections
35 31-10-2, 31-10-3, and 31-10-4, Code of Alabama 1975; to
36 authorize tuition assistance for workforce development
37 programs through the National Guard Educational Assistance
38 Program; to authorize assistance payments through the program
39 at the beginning of an academic term; and to repeal Section
40 31-10-4.1, Code of Alabama 1975, relating to qualifications
41 for the National Guard Educational Assistance Program.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

45 "§31-10-2

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

48 (1) ACADEMIC EXCELLENCE BENEFITS. Additional funds for
49 guard members who are enrolled undergraduate students who
50 graduated from high school with a cumulative GPA greater than
51 3.5 and, while enrolled in an institution of higher education
52 in this state, have maintained a 3.0 collegiate cumulative
53 GPA. These funds may be used for tuition, fees, or ancillary
54 costs.

55 ~~(2)~~ (1) ACTIVE MEMBER. A member of a federally
56 recognized unit of the Alabama National Guard meeting the



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

60 ~~(3)~~(2) ALABAMA NATIONAL GUARD. Federally recognized
61 units of the Alabama National Guard.

62 ~~(4)~~(3) ANCILLARY COSTS. Expenses incurred outside of
63 tuition related to educational costs, including textbooks,
64 additional course fees, or other ~~course related~~course-related
65 costs.

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

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

73 ~~(5)~~(6) QUALIFYING ACADEMIC PATHWAY. A postsecondary
74 program at an institution of higher education in the state
75 that is one of the following:

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

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

81 c. A workforce development program.

82 ~~(6)~~(7) TUITION. The per term cost of instruction and
83 mandatory instructional fees to the public or private
84 postsecondary student not to exceed the median cost of tuition

SB108 INTRODUCED



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

96 (8) WORKFORCE DEVELOPMENT PROGRAM. A professional or
97 workforce development program that includes accredited and
98 nonaccredited certification or stand-alone training. A
99 nonaccredited course may only be classified as a workforce
100 development program if the program complies with Section
101 31-10-3."

102 "§31-10-3

103 (a) Subject to the annual appropriation to the Alabama
104 National Guard Educational Assistance Program in the annual
105 Education Trust Fund Appropriation Act, ~~provided the annual~~
106 ~~appropriations shall not exceed ten million dollars~~
107 ~~(+\$10,000,000)~~, the Alabama Commission on Higher Education may
108 pay or reimburse the qualifying tuition for any active member
109 of the Alabama National Guard who is one of the following:

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

112 (2) A postsecondary student who is enrolled in an



113 institution of higher education.

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

124 (b) The annual appropriation to the National Guard
125 Educational Assistance Program shall be ten million dollars
126 (\$10,000,000). This amount shall be reevaluated annually in
127 order to correspond with the average change in the costs of
128 higher education.

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

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



141 to the Alabama Commission on Higher Education~~r~~i and~~s~~h
142 ~~be~~(iii) supported by names of the students receiving the
143 ~~benefits~~assistance, together with the amounts claimed for each
144 student. The tuition ~~reimbursement~~assistance authorized under
145 this article may be used for undergraduate or graduate
146 studies.

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

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

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



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

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

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

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

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

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

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



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

199 "§31-10-4

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

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

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

206 ~~(2)~~(3) The member must be Be a member in good standing
207 with the Alabama National Guard as prescribed by regulations
208 promulgated by the Department of the Army and the Department
209 of the Air Force, and by rules adopted by the Military
210 Department of the State of Alabama, at the time of application
211 and ~~during the entire~~before the beginning of the course,
212 training, semester or quarter for which benefits are
213 received;

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

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



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

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

232 (3) (b) In the event the individual's service in the
233 Alabama National Guard is terminated or his or her service
234 becomes unsatisfactory while receiving assistance or for four
235 years after receiving the benefitsassistance afforded by this
236 program, the benefits willassistance shall be terminated and
237 repaid by the individual on a pro rata basis. After
238 terminationfor the above causes, or after an individualwill
239 be ineligible for any further benefits under this article. If
240 for any reason an individual is dismissed from any school for
241 academic or disciplinary reasons, he is the individual shall be
242 ineligible for further benefitsassistance from this program.

243 TheWith consultation of the Alabama National Guard Education
244 Services Officer and the Adjutant General of the State of
245 Alabama, the Alabama Commission on Higher Education shall be
246 the final authority for making such determinations.

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

252 (4) (d) The Alabama Commission on Higher Education of



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

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

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

271 Section 3. This act shall become effective on October
272 1, 2026.