

1 SB54  
2 188532-1  
3 By Senator Chambliss  
4 RFD: Finance and Taxation Education  
5 First Read: 09-JAN-18  
6 PFD: 01/05/2018

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the dependent of any  
9 veteran whose disability rating as of July 31,  
10 2017, is at least 20 percent but less than 40  
11 percent shall qualify for benefits provided under  
12 the Alabama G.I. Dependents' Educational Benefit  
13 Act provided the dependent files an application for  
14 the benefits under the act before July 31, 2023,  
15 and the dependent is reasonably expected to be  
16 eligible to attend an Alabama institution of higher  
17 learning, college, or university in the next  
18 academic year.

19 This bill would remove the requirement for  
20 dependents of veterans with a disability rating of  
21 at least 20 percent but less than 40 percent as of  
22 July 31, 2017, to apply for benefits under the act  
23 before July 31, 2023, to be eligible to receive  
24 benefits under the act.

25 This bill would also require that a  
26 dependent of a veteran with a disability rating of  
27 at least 20 percent but less than 40 percent as of

1 July 31, 2017, to have been born on or before July  
2 31, 2017, to be eligible to receive benefits under  
3 the act.

4  
5 A BILL  
6 TO BE ENTITLED  
7 AN ACT  
8

9 Relating to veteran's benefits; to remove the  
10 requirement for dependents of veterans with a disability  
11 rating of at least 20 percent but less than 40 percent as of  
12 July 31, 2017, to apply for benefits under the Alabama G.I.  
13 Dependents' Educational Benefit Act before July 31, 2023, and  
14 require that any dependent of a veteran that fits the above  
15 criteria to have been born on or before July 31, 2017, to be  
16 eligible to receive benefits under the act.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Sections 31-6-4 and 31-6-6 of the Code of  
19 Alabama 1975, are amended to read as follows:

20 "§31-6-4.

21 "(a) Any child whose father or mother:

22 "(1) Was killed or died in line of duty or is listed  
23 as missing in action or is/was a prisoner of war or whose  
24 death or permanent total disabilities were service-connected  
25 while serving as a member of the armed forces; or

26 "(2) Died from a disability incurred from military  
27 service, as established by the State Department of Veterans'

1 Affairs, after having been discharged under conditions other  
2 than dishonorable and after having served at least 90 days  
3 consecutively in the armed forces prior to and/or subsequent  
4 to the date on which such disability occurred, or who was  
5 honorably discharged by reason of wartime, service-connected  
6 disability after serving less than 90 days; or

7 "(3) Has been assigned 100 percent permanent or  
8 total disability rated by the United States Veterans'  
9 Administration, or was discharged or retired from the armed  
10 forces with a 40 percent or more disability and maintained  
11 that percentage (such person to be deemed to be a disabled  
12 veteran); may attend any Alabama state institution of higher  
13 learning, college, or university for a period of five standard  
14 academic years, not to exceed 45 months or the equivalent of  
15 45 months if enrolled part-time, pursuant to the tuition  
16 reimbursement guidelines as provided in subsection (c) for  
17 such college or university attendance, or any such child may  
18 take a prescribed course in any Alabama state-supported  
19 community or technical college for the length of any  
20 prescribed course of study of his or her choosing, and if such  
21 course does not require the full 45 months, then training for  
22 the remainder of such 45 months' entitlement may be taken at a  
23 state-supported college or university only, pursuant to the  
24 tuition reimbursement guidelines as provided in subsection  
25 (c),. Training under this section must be initiated prior to  
26 the child's thirtieth birthday, and must be completed within  
27 eight years after its initiation, except for delays caused by

1 military service during the training period, and in no case  
2 may training be received under this chapter beyond the  
3 thirty-eighth birthday of such child.

4 "(b) Except as provided in Section 31-6-11(e), the  
5 educational benefits provided by this section to children  
6 making application for benefits for the first time beginning  
7 with the fall term of the 2014-2015 academic year, and  
8 thereafter, shall be limited to undergraduate courses of study  
9 only, and the value of tuition paid shall be limited to the  
10 in-state tuition rate of the Alabama state institution of  
11 higher learning, college, or university attended.

12 "(c) For those first filing for benefits under this  
13 chapter on or after July 31, 2017, the educational benefit  
14 shall be for tuition reimbursement and books and fees  
15 reimbursement. The value of tuition paid per semester hour (or  
16 equivalent) shall be limited to the rate of the Department of  
17 Defense Tuition Assistance Cap. The value of the books and  
18 fees paid per semester shall be limited to \$1,000 per student.

19 "(d) For the purpose of the minimum disability  
20 requirement provided for in subsection (a)(3), the dependent  
21 of any veteran whose disability rating as of July 31, 2017, is  
22 at least 20 percent but less than 40 percent shall qualify for  
23 the benefits of this chapter provided that the dependent ~~shall~~  
24 ~~file application for such benefits before July 31, 2023, and~~  
25 ~~the dependent is reasonably expected to be eligible to attend~~  
26 ~~an Alabama institution of higher learning, college or~~

1 ~~university in the next academic year~~ was born on or before  
2 July 31, 2017.

3 "§31-6-6.

4 "(a) The spouse and children of any veteran who is  
5 suffering from 40 to 90 percent service-connected disability  
6 brought about from service in the Armed Forces of the United  
7 States, or the unmarried widow or widower and children of a  
8 deceased veteran who was suffering from 40 percent or more of  
9 service-connected disability at the time of death, provided  
10 such disabilities as are mentioned herein are incurred from  
11 military service, as established by the State Department of  
12 Veterans' Affairs, shall be entitled to the following  
13 educational advantages and opportunities:

14 "(1) The spouse or unmarried widow or widower, as  
15 the case may be, shall be entitled to up to 27 months of  
16 schooling or the equivalent of 27 months if enrolled  
17 part-time, in any Alabama state-supported institution of  
18 higher learning, college, or university, or to a prescribed  
19 course in any Alabama state-supported community or technical  
20 college, pursuant to the tuition reimbursement guidelines as  
21 provided in subsection (d). One change of program will be  
22 allowed without counseling. It is provided, however, that all  
23 training received at state institutions of higher learning or  
24 state-supported community or technical college under this  
25 subdivision must be completed within a period of six years  
26 after the beginning date of such two-year course or such  
27 prescribed course.

1           "(2) Each child of such disabled veteran shall be  
2 entitled to five standard academic years, or the equivalent of  
3 45 months if enrolled part-time, in any Alabama  
4 state-supported institution of higher learning, college, or  
5 university, or to a prescribed course at an Alabama  
6 state-supported community or technical college. If the course  
7 of training at the community or technical college does not  
8 require the full time to which such child is entitled  
9 hereunder, then the remaining entitlement may be taken in a  
10 state-supported college or university only, pursuant to the  
11 tuition reimbursement guidelines as provided in subsection  
12 (d). One change of program will be allowed without counseling.  
13 Training under this subdivision must be initiated prior to the  
14 child's twenty-sixth birthday, and must be completed within  
15 eight years after its initiation, except for delays caused by  
16 military service during the training period, and in no case  
17 may training be received under this section beyond the  
18 thirty-fourth birthday of such child.

19           "(b) For the purpose of the minimum disability  
20 requirement provided for in subdivision (3) of subsection (a)  
21 of Section 31-6-4, the dependent of any veteran whose  
22 disability rating as of July 31, 2017, is at least 20 percent  
23 but less than 40 percent shall qualify for the benefits of  
24 this chapter provided that the dependent ~~shall file~~  
25 ~~application for such benefits before July 31, 2023, and the~~  
26 ~~dependent is reasonably expected to be eligible to attend an~~

1 ~~Alabama institution of higher learning, college or university~~  
2 ~~in the next academic year~~ was born on or before July 31, 2017.

3 "(c) Except as provided in Section 31-6-11(e), the  
4 educational benefits provided by this section to spouses,  
5 children, and unmarried widows and widowers making application  
6 for benefits for the first time beginning with the fall term  
7 of the 2014-2015 academic year, and thereafter, shall be  
8 limited to undergraduate courses of study only, and the value  
9 of tuition paid shall be limited to the in-state tuition rate  
10 of the Alabama state-supported institution of higher learning,  
11 college, or university attended.

12 "(d) For those first filing for benefits under this  
13 chapter on or after July 31, 2017, the educational benefit  
14 shall be for tuition reimbursement and books and fees  
15 reimbursement. The value of tuition paid per semester hour (or  
16 equivalent) shall be limited to the rate of the Department of  
17 Defense Tuition Assistance Cap. The value of the books and  
18 fees paid per semester shall be limited to \$1,000 per student.

19 "(e) The benefits provided under this section shall  
20 be available in addition to federal government benefits. Any  
21 child, spouse, or unmarried widow or widower who was denied  
22 full entitlement, 27 or 45 months, whichever the case may be,  
23 shall have the remainder of their entitlement reinstated under  
24 this chapter."

25 Section 2. This act shall become effective on the  
26 first day of the third month following its passage and  
27 approval by the Governor, or its otherwise becoming law.



