

1 AN ACT relating to tuition.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 164.2842 is amended to read as follows:

- 4 (1) (a) **Any permanently and totally disabled law enforcement officer, firefighter,**
5 **or volunteer firefighter injured while in active service or in training for**
6 **active service, the disabled individual's**~~[The]~~ spouse, regardless of age, and
7 any **of the disabled individual's children who are**~~[child of a permanently and~~
8 ~~totally disabled law enforcement officer, firefighter, or volunteer firefighter~~
9 ~~injured while in active service or in training for active service, who is]~~ over
10 the age of seventeen (17) and under the age of twenty-three (23) shall not be
11 required to pay any matriculation or tuition fee upon his **or her** admission to
12 any state-supported university, community college, or vocational training
13 institution for a period not in excess of thirty-six (36) months in order to
14 obtain a diploma, nor in excess of the lesser number of months required for a
15 certificate of completion.
- 16 (b) For the **disabled individual, the individual's** spouse, or **the individual's**
17 **children**~~[child]~~ to be entitled to benefits under this section, the disabled law
18 enforcement officer, firefighter, or volunteer firefighter shall be rated
19 permanently and totally disabled for pension purposes or one hundred percent
20 (100%) disabled for compensation purposes by the Kentucky Justice and
21 Public Safety Cabinet, the appropriate city or county law enforcement agency
22 which employed the disabled, the administrative agency for the fire
23 department or fire protection district recognized for funding under KRS
24 95A.262, or the administrative agency having jurisdiction over any paid
25 firefighters of all counties and cities of all classes, or if deceased, the claim to
26 benefits is to be based on the rating held by the law enforcement officer,
27 firefighter, or volunteer firefighter at the time of death. The parent's or

1 spouse's service and rating shall be evidenced by certification from the records
2 of the Kentucky Justice and Public Safety Cabinet, the appropriate local law
3 enforcement agency, the administrative agency for the fire department or fire
4 protection district recognized for funding under KRS 95A.262, or the
5 administrative agency having jurisdiction over any paid firefighters of all
6 counties and cities of all classes.

7 (c) In the absence of certification of permanent and total disability by the
8 Kentucky Department of Workers' Claims, the Kentucky Justice and Public
9 Safety Cabinet, the appropriate local law enforcement agency, the
10 administrative agency for the fire department or fire protection district
11 recognized for funding under KRS 95A.262, or the administrative agency
12 having jurisdiction over any paid firefighters of all counties and cities of all
13 classes, medical evidence showing permanent and total disability or the
14 existence of permanent and total disability for a period of at least thirty (30)
15 days immediately prior to death may be accepted, if this evidence is signed by
16 a physician licensed to practice or an official of an accredited medical
17 hospital.

18 (d) The parent-child relationship shall be shown by birth certificate, legal
19 adoption papers, or other documentary evidence. The spousal relationship
20 shall be shown by a marriage certificate or other documentary evidence.

21 (e) To entitle *the disabled individual*, a spouse, or child to benefits under this
22 section the disabled law enforcement officer, firefighter, or volunteer
23 firefighter shall have been a resident of the Commonwealth of Kentucky upon
24 becoming a law enforcement officer, firefighter, or volunteer firefighter.

25 (2) (a) *Any person who was an employee participating in a state-administered*
26 *retirement system and not otherwise covered by subsection (1) of this section*
27 *and who was disabled as a result of a duty-related injury as described in*

1 **KRS 61.621, the disabled individual's**~~[The]~~ spouse, regardless of age, and **the**
 2 **disabled individual's children who are**~~[any child of a person who was an~~
 3 ~~employee participating in a state administered retirement system and not~~
 4 ~~otherwise covered by subsection (1) of this section and who was disabled as a~~
 5 ~~result of a duty related injury as described in KRS 61.621, who is]~~ over the
 6 age of seventeen (17) and under the age of twenty-three (23) shall not be
 7 required to pay any matriculation or tuition fee upon his **or her** admission to
 8 any state-supported university, community college, or vocational training
 9 institution for a period not in excess of thirty-six (36) months in order to
 10 obtain a diploma, nor in excess of the lesser number of months required for a
 11 certificate of completion.

12 (b) The parent-child relationship shall be shown by birth certificate, legal
 13 adoption papers, or other documentary evidence. The spousal relationship
 14 shall be shown by a marriage certificate or other documentary evidence.

15 (3) The marriage of an eligible child shall not serve to deny full entitlement to the
 16 benefits provided in this section.