

HB315 INTRODUCED



1 AY2I7Q-1

2 By Representatives Starnes, Paschal, Rehm, Pettus, Plump,

3 Robertson, Bolton, Gidley, Harrison

4 RFD: Ways and Means Education

5 First Read: 13-Apr-23

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SYNOPSIS:

Under existing law, educational benefits are available to spouses of deceased or totally disabled veterans or those who were a prisoner of war while serving as a member of the United States Armed Forces.

This bill would expand benefits to include the spouses of those who were killed while on state active duty status or whose death results proximately and within three years of an injury sustained while on state active duty status.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Department of Veterans Affairs; to amend Section 31-6-5, as last amended by Act 2022-91, 2022 Regular Session, Code of Alabama 1975; to expand eligibility for educational benefits to spouses of those who were killed while on active state duty status or whose death results proximately and within three years of an injury sustained while on state active duty status.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 31-6-5, as last amended by Act



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29 2022-91, 2022 Regular Session, Code of Alabama 1975, is
30 amended to read as follows:

31 "§31-6-5

32 (a) Any spouse or widow whose spouse, during their
33 marriage:

34 (1) Was killed or died in the line of duty or is
35 listed as missing in action or is or was a prisoner of war
36 while serving as a member of the armed forces;

37 (2) Died from a disability incurred from military
38 service; ~~or~~

39 (3) Was killed or died while on state active duty
40 status as defined in Section 31-12-1, or whose death results
41 proximately and within three years from an injury sustained
42 while on state active duty status; or

43 ~~(3)~~ (4) Is 100 percent permanently and totally
44 disabled, whose permanent and total disabilities were
45 service-connected; shall be entitled to training in any
46 qualifying school for a period of five standard academic
47 years, not to exceed 45 months, or to training for the
48 equivalent of 45 months if enrolled part-time, pursuant to the
49 tuition reimbursement guidelines as provided in subsection
50 (c). One change of program will be allowed without counseling.
51 All training received under this section must be completed
52 within eight years after its initiation. This section shall
53 not apply to the spouse of any deceased serviceman or veteran
54 who has remarried prior to applying for and obtaining
55 educational benefits under this section, and should any spouse
56 of the deceased serviceman or veteran remarry during the time



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57 he or she is in attendance upon any of the qualifying schools
58 mentioned in this section, then he or she shall pay tuition
59 and fees for the course of study or attendance upon the
60 qualifying school from the time of the remarriage.

61 (b) The educational benefits provided by this section
62 to spouses and widows making application for benefits for the
63 first time beginning with the fall term of the 2014-2015
64 academic year, and thereafter, shall be limited to
65 undergraduate courses of study only, and the value of tuition
66 paid shall be limited to the in-state tuition rate of the
67 qualifying school attended.

68 (c) For those first filing for benefits under this
69 chapter on or after July 31, 2017, and for those attending a
70 qualifying private school, the educational benefit shall be
71 for tuition reimbursement and books and fees reimbursement.
72 The value of tuition paid per semester hour (or equivalent)
73 shall be limited to the rate of the Department of Defense
74 Tuition Assistance Cap. The value of the books and fees paid
75 per semester shall be limited to one thousand dollars (\$1,000)
76 per student."

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