

HOUSE BILL NO. 1219

Introduced by

Representatives Brandenburg, Froseth, Thoreson, Trottier, Wieland

Senators Hogue, Lyson

1 A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2 of the North Dakota
2 Century Code, relating to the qualifications necessary for individuals to be defined as
3 dependents of disabled veterans.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 15-10-18.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 1. "Dependent" for purposes of section 15-10-18.3 means:

8 a. A child, stepchild, spouse, widow, or widower of a resident veteran, as "veteran"
9 is defined in section 37-01-40, who was killed in action or died from wounds or
10 other service-connected causes, has or had at the time of death a fifty to one
11 hundred percent service-connected disability as determined by the department of
12 veterans' affairs, has or had at the time of death an extra-schedular rating to
13 include individual unemployability that brings the veteran's total disability rating to
14 one hundred percent as determined by the department of veterans' affairs, died
15 from service-connected disabilities, was a prisoner of war, or was declared
16 missing in action;

17 b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed
18 in action or died from wounds or other service-connected causes, has or had at
19 the time of death a fifty to one hundred percent service-connected disability as
20 determined by the department of veterans' affairs, has or had at the time of death
21 an extra-schedular rating to include individual unemployability that brings the
22 veteran's total disability rating to one hundred percent as determined by the
23 department of veterans' affairs, died from service-connected disabilities, was a
24 prisoner of war, or was declared missing in action, provided the child's other

1 parent has been a resident of this state and was a resident of this state at the
2 time of death or determination of total disability of the veteran; or
3 c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed
4 in action or died from wounds or other service-connected causes, has or had at
5 the time of death a fifty to one hundred percent service-connected disability as
6 determined by the department of veterans' affairs, has or had at the time of death
7 an extra-schedular rating to include individual unemployability that brings the
8 veteran's total disability rating to one hundred percent as determined by the
9 department of veterans' affairs, died from service-connected disabilities, was a
10 prisoner of war, or was declared missing in action, provided the child's other
11 parent establishes residency in this state and maintains that residency for a
12 period of five years immediately preceding the child's or stepchild's enrollment at
13 an institution under the control of the state board of higher education.