

SENATE BILL 1102

By Stewart

AN ACT to amend Tennessee Code Annotated, Section 49-7-102, relative to tuition exemptions for veterans.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-102 (a), is amended by deleting the language "under twenty-three (23) years of age,".

SECTION 2. Tennessee Code Annotated, Section 49-7-102(e), is amended by deleting the subsection in its entirety and by adding the following as a new, appropriately designated subsection:

() Once declared eligible for the educational assistance benefits established by this section, a dependent child shall remain eligible until one (1) of the following events has occurred:

(1) The dependent child has accumulated one hundred fifty (150) semester hours, or the equivalent; or

(2) The dependent child has maintained a full-time enrollment of at least fifteen (15) semester hours, or the equivalent, for ten (10) semesters, or the equivalent.

SECTION 3. Tennessee Code Annotated, Section 49-7-102, is amended by designating the following as subsections (b) and (c) and by redesignating the remaining subsections accordingly:

(b) Except as provided in subsection (g), every dependent child in this state whose parent (father or mother) or legal guardian served in the armed forces of the United States, and received the Purple Heart decoration or was wounded as a result of

enemy action, and received a discharge or separation from the armed forces other than a dishonorable discharge, or the spouse of such a veteran, is entitled to a waiver of tuition, maintenance fees, student activity fees and required registration or maintenance fees, and shall be admitted without cost to any of the institutions of higher education owned and operated by the state.

(c) Except as provided in subsection (g), every dependent child in this state whose parent (father or mother) or legal guardian served before July 1, 1999, in the armed forces of the United States during any war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States and suffered a service connected death or disability as determined by the United States department of veterans affairs, or the spouse of such a veteran or person, is entitled to a waiver of tuition, maintenance fees, student activity fees and required registration or maintenance fees, and shall be admitted without cost to any of the institutions of higher education owned and operated by the state.

SECTION 4. Tennessee Code Annotated, Section 49-7-102, is further amended by adding the following as a new, appropriately designated subsection:

() Determination of eligibility for higher education benefits authorized under this section is vested exclusively in the Tennessee department of veterans' affairs. Any applicant for these benefits may make a written request for a determination of eligibility by the Tennessee department of veterans' affairs. The director or deputy director of the department shall make a written determination of eligibility in response to each request.

SECTION 5. This act shall take effect July 1, 2009, the public welfare requiring it.