

HB284 ENROLLED



1 HB284

2 E4UF92C-2

3 By Representatives Starnes, Oliver, Brown, Paschal, Robertson

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5 RFD: Ways and Means Education

6 First Read: 05-Mar-24



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1 Enrolled, An Act,

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3 Relating to the Alabama G.I. and Dependents Educational
4 Benefit Act; to amend Sections 31-6-4, 31-6-5, as last amended
5 by Act 2023-350, 2023 Regular Session, 31-6-6, and 31-6-11,
6 Code of Alabama 1975, to remove the Department of Defense
7 tuition assistance cap and in lieu thereof provide a tuition
8 cap of four hundred dollars (\$400) per semester hour.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 31-6-4, 31-6-5, as last amended by
11 Act 2023-350, 2023 Regular Session, 31-6-6, and 31-6-11, Code
12 of Alabama 1975, are amended to read as follows:

13 "§31-6-4

14 (a) Any child whose father or mother:

15 (1) Was killed or died in line of duty or is listed as
16 missing in action or is or was a prisoner of war or whose
17 death or permanent total disabilities were service-connected
18 while serving as a member of the armed forces;

19 (2) Died from a disability incurred from military
20 service, as established by the State Department of Veterans'
21 Affairs, after having been discharged under conditions other
22 than dishonorable and after having served at least 90 days
23 consecutively in the armed forces prior to and/or subsequent
24 to the date on which the disability occurred, or who was
25 honorably discharged by reason of a qualifying
26 service-connected disability after serving less than 90 days;

27 (3) Was killed or died while on state active duty
28 status as defined in Section 31-12-1, or whose death results



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29 proximately and within three years from an injury received
30 while on state active duty status; or

31 (4) Has been assigned 100 percent permanent or total
32 disability rated by the United States Veterans'
33 Administration, or was discharged or retired from the armed
34 forces with a 40 percent or more disability and maintained
35 that percentage;

36 may attend any qualifying school for a period of five
37 standard academic years, not to exceed 45 months or the
38 equivalent of 45 months if enrolled part-time, pursuant to the
39 tuition reimbursement guidelines as provided in subsection
40 (c). Training under this section must be initiated prior to
41 the child's thirtieth birthday, and must be completed within
42 eight years after its initiation, except for delays caused by
43 military service during the training period, and in no case
44 may training be received under this chapter beyond the
45 thirty-eighth birthday of the child.

46 (b) The educational benefits provided by this section
47 to children making application for benefits for the first time
48 beginning with the fall term of the 2014-2015 academic year,
49 and thereafter, shall be limited to undergraduate courses of
50 study only, and the value of tuition paid shall be limited to
51 the in-state tuition rate of the qualifying school attended.

52 (c) For those first filing for benefits under this
53 chapter on or after July 31, 2017, and for those attending a
54 qualifying private school, the educational benefit shall be
55 for tuition reimbursement and books and fees reimbursement.
56 The value of tuition paid per semester hour (or equivalent)



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57 shall be limited to ~~the rate of the Department of Defense~~
58 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
59 of the books and fees paid per semester shall be limited to
60 one thousand dollars (\$1,000) per student.

61 (d) For the purpose of the minimum disability
62 requirement provided for in subdivision (a)(4), the dependent
63 of any veteran whose disability rating as of July 31, 2017, is
64 at least 20 percent but less than 40 percent shall qualify for
65 the benefits of this chapter, provided that the dependent
66 shall file application for the benefits before July 31, 2023,
67 and the dependent is reasonably expected to be eligible to
68 attend a qualifying school in the next academic year."

69 "§31-6-5

70 (a) Any spouse or widow whose spouse, during their
71 marriage:

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

75 (2) Died from a disability incurred from military
76 service;

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

81 (4) Is 100 percent permanently and totally disabled,
82 whose permanent and total disabilities were service-connected;
83 shall be entitled to training in any qualifying school for a
84 period of five standard academic years, not to exceed 45



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85 months, or to training for the equivalent of 45 months if
86 enrolled part-time, pursuant to the tuition reimbursement
87 guidelines as provided in subsection (c). One change of
88 program will be allowed without counseling. All training
89 received under this section must be completed within eight
90 years after its initiation. This section shall not apply to
91 the spouse of any deceased serviceman or veteran who has
92 remarried prior to applying for and obtaining educational
93 benefits under this section, and should any spouse of the
94 deceased serviceman or veteran remarry during the time he or
95 she is in attendance upon any of the qualifying schools
96 mentioned in this section, then he or she shall pay tuition
97 and fees for the course of study or attendance upon the
98 qualifying school from the time of the remarriage.

99 (b) The educational benefits provided by this section
100 to spouses and widows making application for benefits for the
101 first time beginning with the fall term of the 2014-2015
102 academic year, and thereafter, shall be limited to
103 undergraduate courses of study only, and the value of tuition
104 paid shall be limited to the in-state tuition rate of the
105 qualifying school attended.

106 (c) For those first filing for benefits under this
107 chapter on or after July 31, 2017, and for those attending a
108 qualifying private school, the educational benefit shall be
109 for tuition reimbursement and books and fees reimbursement.
110 The value of tuition paid per semester hour (or equivalent)
111 shall be limited to ~~the rate of the Department of Defense~~
112 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value



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113 of the books and fees paid per semester shall be limited to
114 one thousand dollars (\$1,000) per student."

115 "§31-6-6

116 (a) The spouse and children of any veteran who is
117 suffering from 40 to 90 percent service-connected disability
118 brought about from service in the Armed Forces of the United
119 States, or the widow and children of a deceased veteran who
120 was suffering from 40 percent or more of service-connected
121 disability at the time of death, as established by the State
122 Department of Veterans' Affairs, shall be entitled to the
123 following educational advantages and opportunities:

124 (1) The spouse or widow shall be entitled to up to 27
125 months of schooling, or the equivalent of 27 months if
126 enrolled part-time, in any qualifying school, pursuant to the
127 tuition reimbursement guidelines as provided in subsection
128 (d). One change of program will be allowed without counseling.
129 All training received at qualifying schools under this
130 subdivision must be completed within a period of six years
131 after its initiation.

132 (2) Each child of a disabled veteran shall be entitled
133 to five standard academic years, or the equivalent of 45
134 months if enrolled part-time, in any qualifying school
135 pursuant to the tuition reimbursement guidelines as provided
136 in subsection (d). One change of program will be allowed
137 without counseling. Training under this subdivision must be
138 initiated prior to the child's twenty-sixth birthday, and must
139 be completed within eight years after its initiation, except
140 for delays caused by military service during the training



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141 period, and in no case may training be received under this
142 section beyond the thirty-fourth birthday of the child.

143 (b) For the purpose of the minimum disability
144 requirement provided for in subsection (a), the dependent of
145 any veteran whose disability rating as of July 31, 2017, is at
146 least 20 percent but less than 40 percent shall qualify for
147 the benefits of this chapter, provided that the dependent
148 shall file application for benefits before July 31, 2023, and
149 the dependent is reasonably expected to be eligible to attend
150 a qualifying school in the next academic year.

151 (c) The educational benefits provided by this section
152 to spouses, children, and widows making application for
153 benefits for the first time beginning with the fall term of
154 the 2014-2015 academic year, and thereafter, shall be limited
155 to undergraduate courses of study only, and the value of
156 tuition paid shall be limited to the in-state tuition rate of
157 the qualifying school attended.

158 (d) For those first filing for benefits under this
159 chapter on or after July 31, 2017, and for those attending a
160 qualifying private school, the educational benefit shall be
161 for tuition reimbursement and books and fees reimbursement.
162 The value of tuition paid per semester hour (or equivalent)
163 shall be limited to ~~the rate of the Department of Defense~~
164 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
165 of the books and fees paid per semester shall be limited to
166 one thousand dollars (\$1,000) per student."

167 "§31-6-11

168 (a) Before the application of a spouse, widow, or child



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169 of a disabled veteran or a deceased veteran ~~or serviceman~~ for
170 educational benefits under this chapter is approved, proof,
171 satisfactory to the State Department of Veterans' Affairs,
172 must be submitted of all of the following:

173 (1) Establishing the identification of the spouse,
174 widow, or child as the spouse, widow, or child of the veteran
175 or serviceman, as the case may be.

176 (2) Of the veteran or serviceman having been a
177 permanent resident of the State of Alabama for at least one
178 year immediately prior to his or her entrance into service, or
179 if the applicant is the spouse, widow, or child of a totally
180 and permanently disabled veteran, then proof either of the
181 veteran's having been a permanent resident of the State of
182 Alabama for at least one year prior to his or her entrance
183 into service or proof that the veteran has been a bona fide
184 resident of this state for at least five years immediately
185 prior to the filing of the application for benefits under this
186 chapter or immediately prior to his or her death if the
187 veteran is deceased.

188 (3) Of the veteran or serviceman having been a
189 permanent resident of the State of Alabama for at least two
190 years immediately prior to the filing of the application for
191 benefits under this chapter or has filed an Alabama income tax
192 return as a resident individual for the previous 10 years or
193 is a current resident and was discharged from active duty
194 within the prior 12 months. If the veteran or serviceman is
195 deceased, his or her dependent may still qualify if the
196 veteran or serviceman met this residency requirement at the



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197 time of his or her death. Alabama income tax return
198 information, including, but not limited to, the type of return
199 filed, necessary to show the residency requirements under this
200 chapter have been met is hereby exempted from the
201 confidentiality provisions of Section 40-2A-10, and shall be
202 provided by the Department of Revenue to the State Department
203 of Veterans' Affairs upon request. Such requests and the
204 significance of the information provided shall be requested by
205 the State Department of Veterans' Affairs as necessary when
206 other residency information is not available, and the
207 department shall adopt rules and procedures to effect the
208 provisions of this section as needed.

209 (4) Of the spouse, widow, or child being a current
210 resident of the State of Alabama.

211 (5) An honorable discharge or other proof of honorable
212 termination of service of the veteran or serviceman in the
213 armed forces for a period of at least 90 days, or service of
214 less than 90 days if the veteran or serviceman was discharged
215 or released by reason of a qualifying service-connected
216 disability.

217 (b) For those first filing for benefits under this
218 chapter on or after July 31, 2017, and for those attending a
219 qualifying private school, the educational benefit shall be
220 for tuition reimbursement and books and fees reimbursement.
221 The value of tuition paid per semester hour (or equivalent)
222 shall be limited to ~~the rate of the Department of Defense~~
223 ~~Tuition Assistance Cap~~ four hundred dollars (\$400). The value
224 of the books and fees paid per semester shall be limited to



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225 one thousand dollars (\$1,000) per student."

226 Section 2. This act shall become effective on July 31,

227 2024.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 02-Apr-24.

John Treadwell
Clerk

Senate

08-May-24

Amended and Passed

House

09-May-24

Concurred in Senate
Amendment