

MAR 3 2006
VETERANS AFFAIRS

HOUSE FILE 2628
BY HOGG

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to educational benefits for children of current
2 or former members of the armed forces and providing
3 appropriations.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2628

1 Section 1. Section 35.9, Code Supplement 2005, is amended
2 to read as follows:

3 35.9 EXPENDITURE BY COMMISSION -- APPROPRIATION.

4 1. The department of ~~veterans-affairs~~ may expend not more
5 than ~~six-hundred one thousand~~ dollars per year for any one
6 child who has lived in the state of Iowa for two years
7 preceding application for aid, and who is the child of a
8 person who died during active federal military service while
9 serving in the armed forces or during active federal military
10 service in the Iowa national guard or other military component
11 of the United States, to defray the expenses of tuition,
12 matriculation, laboratory and similar fees, books and
13 supplies, board, lodging, and any other reasonably necessary
14 expense for the child or children incident to attendance in
15 this state at an educational or training institution of
16 college grade, or in a business or vocational training school
17 with standards approved by the department of veterans affairs.

18 2. A child eligible to receive funds under this section
19 shall not receive more than ~~three~~ five thousand dollars under
20 this section during the child's lifetime.

21 3. There is appropriated from the general fund of the
22 state to the department, for each fiscal year, an amount
23 necessary to pay aid pursuant to this section.

24 Sec. 2. Section 35.10, Code Supplement 2005, is amended to
25 read as follows:

26 35.10 ELIGIBILITY AND PAYMENT OF AID.

27 Eligibility for aid shall be determined upon application to
28 the department of veterans affairs, whose decision is final.
29 The eligibility of eligible applicants shall be certified by
30 the department of veterans affairs to the director of the
31 department of administrative services, and all amounts that
32 are or become due to an individual or a training institution
33 under this chapter shall be paid to the individual or
34 institution by the director of the department of
35 administrative services upon receipt by the director of

1 certification by the president or governing board of the
2 educational or training institution as to accuracy of charges
3 made, and as to the attendance of the individual at the
4 educational or training institution. The department of
5 veterans affairs may pay over the annual sum ~~of four hundred~~
6 dollars set forth in section 35.9 to the educational or
7 training institution in a lump sum, or in installments as the
8 circumstances warrant, upon receiving from the institution
9 such written undertaking as the department may require to
10 assure the use of funds for the child for the authorized
11 purposes and for no other purpose. A person is not eligible
12 for the benefits of this chapter until the person has
13 graduated from a high school or educational institution
14 offering a course of training equivalent to high school
15 training.

16 Sec. 3. NEW SECTION. 261.21 ACTIVE DUTY CHILDREN'S
17 SCHOLARSHIP.

18 1. The active duty children's scholarship is established
19 to be administered by the commission. A person who meets all
20 of the following criteria is eligible for a scholarship under
21 this section:

22 a. The person graduated from a public or accredited
23 nonpublic high school in Iowa.

24 b. The person is enrolled in a community college, an
25 institution of higher education governed by the state board of
26 regents, or an accredited private institution as defined in
27 section 261.9.

28 c. The person is the child of a person who is an eligible
29 member of the armed forces of the United States as defined in
30 subsection 4

31 2. The scholarship shall be for an amount not to exceed
32 the highest resident tuition rate set by a community college
33 established under chapter 260C.

34 3. If a person receiving scholarship moneys under this
35 section discontinues attendance before the end of any term,

1 the entire amount of any refund due that person, up to the
2 amount of any payments made under the scholarship, shall be
3 paid by the institution of enrollment to the state for deposit
4 in the general fund of the state.

5 4. For purposes of this section, "eligible member of the
6 armed forces of the United States" means a resident of this
7 state who is or was a member of the national guard, reserve,
8 or regular component of the armed forces of the United States
9 who has served at least ninety days of active duty service,
10 excluding initial active duty training, on or after September
11 11, 2001.

12 5. A person eligible for funds pursuant to section 35.9
13 who meets the requirements of subsection 1 is eligible for a
14 scholarship under this section.

15 Sec. 4. Section 261.25, Code Supplement 2005, is amended
16 by adding the following new subsection:

17 NEW SUBSECTION. 2A. There is appropriated from the
18 general fund of the state to the commission, for each fiscal
19 year, an amount necessary to award active duty children's
20 scholarships to persons eligible pursuant to section 261.21.

21 EXPLANATION

22 This bill establishes an active duty children's scholarship
23 to be administered by the college student aid commission, and
24 provides standing, unlimited appropriations from the general
25 fund of the state to the commission to provide scholarships to
26 all eligible persons and to the department of veterans affairs
27 to pay educational death benefits for children whose parent
28 died during active duty service. The bill raises the amount
29 of the educational death benefit to \$1,000 per year and to
30 \$5,000 over the child's lifetime. Current amounts are \$600
31 and \$3,000, respectively. The bill makes a conforming change
32 to permit the department to pay the \$1,000 annual amount to
33 the educational or training institution in a lump sum.

34 A person is eligible for a scholarship if the person has
35 graduated from a public or accredited nonpublic high school in

1 Iowa; is enrolled in a community college, state university, or
2 an accredited private institution; and is the child of a
3 person who is a resident of this state who is or was a member
4 of the national guard, reserve, or regular component of the
5 armed forces of the United States, and who has served 90 days
6 or more on or after September 11, 2001. A person who received
7 educational death benefits from the department of veterans
8 affairs who meets the requirements for an active duty
9 children's scholarship is also eligible for the scholarship.

10 The scholarship amount is limited to not more than an
11 amount equivalent to the highest resident tuition rate set by
12 a community college.

13 If a person receiving a scholarship discontinues attendance
14 before the end of any term, the refund due that person must be
15 paid to the state and deposited in the general fund of the
16 state.

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