WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

Senate Bill No. 667

(By Senators Sprouse, Foster, McCabe, Wells, Jenkins, Hunter, Oliverio and Plymale)

[Passed March 10, 2007; in effect July 1, 2007.]
AN ACT to amend and reenact §15-1B-21 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18B-10-10, all relating to providing certain student financial aid for certain military service; providing for the payment of tuition and certain fees for members of the West Virginia Army National Guard and West Virginia Air National Guard enrolled in certain graduate study; and providing tuition and certain fee waivers to certain military Purple Heart Award recipients.

Be it enacted by the Legislature of West Virginia:
That §15-1B-21 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new section, designated §18B-10-10, all to read as follows:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 1B. NATIONAL GUARD.

§15-1B-21. Tuition and fees for guard members at institutions of higher education.

(a) Any member of the Army National Guard or Air National Guard who is enrolled in a course of undergraduate study or a master's degree program and is attending any accredited college, university, business or trade school located in West Virginia or is attending any aviation school located in West Virginia for the purpose of taking college-credit courses, may be entitled to payment of tuitions and fees at that college, university, business or trade school or aviation school during the period of his or her service in the National Guard. The Adjutant General may prescribe criteria of eligibility for payment of tuition and fees at the college, university, business or trade school or aviation school. The payment is contingent upon appropriations being made by the Legislature for this express purpose. A member may receive payment for only one master's degree pursuant to this section.

(b) The amount of the payment for members attending a state-supported school shall be determined by the Adjutant General and may not exceed the actual amount of tuition and fees at the school. The amount of the payment for members attending a private school shall be determined by the Adjutant General, but in any
event may not exceed the highest amounts payable at
any state-supported school.

(c) Any member of the Army National Guard or Air
National Guard who is enrolled in a course of
undergraduate study or a master's degree program and
is attending any accredited college or university located
in West Virginia and is receiving payments under a
federally funded continuing education system may be
entitled to payment of tuition and fees at that college or
university during his or her period of service in the
Army National Guard or Air National Guard: Provided,
That the sum of payments received under this
subsection and a federally funded continuing education
system may not exceed the actual amount of tuition and
fees at the school and in no event may exceed the
highest amounts payable at any state-supported school.
The payments are contingent upon appropriations being
made by the Legislature for this express purpose.

(d) The Adjutant General may, in lieu of the tuition
payment authorized by this section, pay an amount
equal to the amount of tuition which otherwise would
have been paid directly to members of the West Virginia
Army National Guard or West Virginia Air National
Guard who are participating in the PROMISE
Scholarship program provided in article seven, chapter
eighteen-c of this code.

(e) A member of the West Virginia Army National
Guard or West Virginia Air National Guard who is
receiving payments for tuition and fees under this
section and is discharged from the military service due
to wounds or injuries received in the line of duty may
continue to receive payments for tuition and fees under
this section as if he or she were still a member.

(f) The Adjutant General shall administer the tuition and fee payments authorized under this section and shall propose policies to implement the provisions of this section.

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 10. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF HIGHER EDUCATION.

§18B-10-10. The Medal of Honor and Andrew J. Trail Purple Heart Recipient Tuition Waiver.

(a) This section is known as The Medal of Honor and Andrew J. Trail Purple Heart Recipient Tuition Waiver.

(b) A state institution of higher education shall waive undergraduate tuition and mandatory fee charges for a state resident that has been honorably discharged from any branch of the United States armed forces if that resident:

(1) Has received the Medal of Honor or a Purple Heart Medal. The waiver pursuant to this subdivision is for the amount of tuition and mandatory fee charges that exceeds the total amount of any state and federal education benefits, grants or scholarships received by the resident;

(2) Has received the Medal of Honor or a Purple Heart Medal and sustained wounds during military combat that resulted in either a permanent disability or a loss of limb. The waiver pursuant to this subdivision is for the amount of tuition and mandatory fee charges that
exceeds state and federal education benefits, grants or scholarships received by the resident that are designated solely for tuition and mandatory fees.

(c) Tuition and mandatory fee waivers provided pursuant to this section are not counted when determining the maximum number of waivers permitted at an institution by section five of this article.

(d) A tuition and mandatory fee waiver is available pursuant to this section for a maximum of eight semesters.
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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect July 1, 2007.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this 31st Day of April, 2007.

Governor