

SB 667 5

FILED

2007 APR -4 AM 11: 19

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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.]

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[Passed March 10, 2007; to take 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.

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

18 (b) The amount of the payment for members attending
19 a state-supported school shall be determined by the
20 Adjutant General and may not exceed the actual
21 amount of tuition and fees at the school. The amount of
22 the payment for members attending a private school
23 shall be determined by the Adjutant General, but in any

24 event may not exceed the highest amounts payable at
25 any state-supported school.

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

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

50 (e) A member of the West Virginia Army National
51 Guard or West Virginia Air National Guard who is
52 receiving payments for tuition and fees under this
53 section and is discharged from the military service due
54 to wounds or injuries received in the line of duty may
55 continue to receive payments for tuition and fees under

56 this section as if he or she were still a member.

57 (f) The Adjutant General shall administer the tuition
58 and fee payments authorized under this section and
59 shall propose policies to implement the provisions of
60 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.

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

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

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

14 (2) Has received the Medal of Honor or a Purple Heart
15 Medal and sustained wounds during military combat
16 that resulted in either a permanent disability or a loss of
17 limb. The waiver pursuant to this subdivision is for the
18 amount of tuition and mandatory fee charges that

19 exceeds state and federal education benefits, grants or
20 scholarships received by the resident that are
21 designated solely for tuition and mandatory fees.

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

26 (d) A tuition and mandatory fee waiver is available
27 pursuant to this section for a maximum of eight
28 semesters.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman Senate Committee

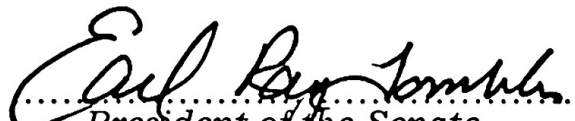

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Chairman House Committee


Originated in the Senate.

In effect July 1, 2007.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this
the 3rd Day of April, 2007.


.....
Governor

PRESENTED TO THE
GOVERNOR

APR 03 2007

Time 1:40 pm