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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 533

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

1.1 A bill for an act
1.2 relating to veterans; providing tuition assistance for military veterans and their
1.3 surviving spouses and children at public colleges and universities; providing for
1.4 tuition and fee reimbursement for military veterans and their surviving spouses
1.5 and children at public colleges and universities; appropriating money; proposing
1.6 coding for new law in Minnesota Statutes, chapter 197.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. [197.66] VETERANS' TUITION AND FEE REIMBURSEMENT.

1.9 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this
1.10 section.

1.11 (b) "Commissioner" means the commissioner of veterans' affairs.

1.12 (c) "Veteran" means a person who served in the armed forces of the United States,
1.13 a reserve component of the armed forces, or the Minnesota National Guard, excluding
1.14 members of the Reserve Officers' Training Corps whose only service has been attendance
1.15 at a service academy, and who meets all of the following qualifications:

1.16 (1) at the time of entering federal active military service the person was one of
1.17 the following:

1.18 (i) a Minnesota resident;

1.19 (ii) a Minnesota resident within six months of entering federal active military
1.20 service; or

1.21 (iii) enrolled at a public institution of higher education;

1.22 (2) the person:

1.23 (i) served at least two years of federal active duty;

1.24 (ii) served less than two years of federal active duty and received an honorable
1.25 discharge for medical reasons directly connected with that service; or

2.1 (iii) served 90 days or more of federal active duty in a foreign country during a
 2.2 time of hostilities in that foreign country;

2.3 (3) the person received an honorable discharge after leaving each period of federal
 2.4 active duty service; and

2.5 (4) the person returned to this state within six months after leaving federal active
 2.6 duty service, or, if married to a person in continued military service stationed outside
 2.7 this state, returned to this state within six months after the spouse left service or was
 2.8 stationed within this state.

2.9 "Veteran" includes a person who otherwise qualifies as either a resident or a student
 2.10 under clause (1), but has not left federal active duty service and has served at least two
 2.11 years of federal active duty or has served more than 90 days of federal active duty
 2.12 in a foreign country during a time of hostilities in that foreign country and provides
 2.13 documentation demonstrating an honorable service record.

2.14 (d) "Public institution of higher education" includes all campuses of the University
 2.15 of Minnesota and all campuses of the Minnesota State Colleges and Universities.

2.16 (e) "Tuition" includes all charges for enrollment and attendance, academic fees,
 2.17 program fees, and all other payments or charges required for individual courses.

2.18 (f) "Time of hostilities" means any action by the armed forces of the United
 2.19 States that is recognized by the issuance of a presidential proclamation or a presidential
 2.20 executive order and in which the armed forces expeditionary medal or other campaign
 2.21 service medals are awarded according to presidential executive order, and any additional
 2.22 period or place that the commissioner determines and designates, after consultation with
 2.23 the United States Department of Defense, to be a period or place where the United States
 2.24 is in a conflict that places persons at such a risk that service in a foreign country during
 2.25 that period or in that place should be considered to be included.

2.26 Subd. 2. **Tuition reimbursement program administration.** The commissioner
 2.27 of veteran affairs shall administer a tuition reimbursement program for veterans and the
 2.28 spouses and children of eligible veterans as defined in subdivision 4, paragraph (a), who
 2.29 enroll in and attend any public institution of higher education.

2.30 Subd. 3. **Tuition reimbursement for veterans.** A veteran who is a student at a
 2.31 public institution of higher education must be reimbursed upon satisfactory completion of
 2.32 a graduate or undergraduate semester in any public institution of higher education in this
 2.33 state for all tuition charged for up to 128 credits or eight semesters, whichever is longer.
 2.34 The amount of reimbursement may not exceed the total cost of the veteran's tuition, less
 2.35 the amount of any tuition or academic fees paid to, or on behalf of, the veteran, other
 2.36 education related grants or payments for which the veteran is eligible or which the veteran

3.1 has received under applicable federal and state programs for veterans, and any other
3.2 grants or scholarships that the veteran receives specifically for the payment of tuition. The
3.3 commissioner must assist the veteran in applying for all educational benefits that may be
3.4 available to the veteran under applicable federal and state law.

3.5 **Subd. 4. Tuition reimbursement for spouses and children of certain veterans.**

3.6 (a) For purposes of this subdivision, "eligible veteran" means a person verified by the
3.7 commissioner to be either:

3.8 (1) a person who has served on active duty under honorable conditions in the United
3.9 States armed forces, in forces incorporated as part of the United States armed forces, in
3.10 the National Guard, or in a reserve component of the United States armed forces who was
3.11 a resident of this state at the time of entry into that service and who, while a resident of
3.12 this state, died on active duty, died as the result of a service-connected disability, or died in
3.13 the line of duty while on active or inactive duty for training purposes; or

3.14 (2) a person who was a resident of this state at the time of entry into service and
3.15 who the United States Department of Veteran Affairs has awarded at least a 30 percent
3.16 service-connected disability rating under United States Code, title 38, section 1114 or 1134.

3.17 (b) A resident student who is: (1) a spouse of an eligible veteran, (2) an unremarried
3.18 spouse of an eligible veteran, or (3) a child of an eligible veteran if the child is at least 18
3.19 but not yet 26 years of age and is a full-time student at a campus of a public institution
3.20 of higher education in this state, must be reimbursed upon satisfactory completion of a
3.21 graduate or undergraduate semester for all tuition charged for up to 128 credits or eight
3.22 semesters, whichever is longer, less the amount of any tuition fees paid to or on behalf
3.23 of the student, other education-related grants or payments for which the student is
3.24 eligible or which the student has received under applicable federal and state programs for
3.25 veterans and their families, and any other grants or scholarships that the student receives
3.26 specifically for the payment of tuition.

3.27 (c) The reimbursement under this subdivision for spouses applies only during the
3.28 first ten years after the veteran received the service-connected disability rating or died,
3.29 whichever is applicable.

3.30 **Subd. 5. Attendance at other institutions.** Reimbursement of tuition and fees for
3.31 a course may be provided at any institution of higher education other than the one from
3.32 which the veteran, spouse, or child is receiving a degree or certificate of graduation or
3.33 course completion if:

3.34 (1) the curriculum at the institution consists only of courses necessary to complete a
3.35 degree in a particular course of study; and

4.1 (2) the course is accepted as transfer credits at the public institution from which the
4.2 veteran, spouse, or child is receiving a degree but is not available at that institution.

4.3 Subd. 6. **Child support and maintenance agreements.** The commissioner may
4.4 provide reimbursement under this subdivision to a veteran who is delinquent in child
4.5 support or maintenance payments or who owes past support, medical expenses, or birth
4.6 expenses only if the veteran provides one of the following:

4.7 (1) a repayment agreement into which the veteran has entered that has been accepted
4.8 by the applicable county child support agency, and has been kept current for the six-month
4.9 period immediately preceding the date of the application; or

4.10 (2) a statement that the veteran is not delinquent in child support or maintenance
4.11 payments and does not owe past support, medical expenses, or birth expenses signed by
4.12 the applicable county human services department representative within seven working
4.13 days before the date of the application.

4.14 Subd. 7. **Academic standing.** A veteran, spouse, or child may not receive
4.15 reimbursement under this section for any semester in which that person fails to receive at
4.16 least a 2.0 grade point average or an average grade of a "C."

4.17 Subd. 8. **Reporting requirements.** The commissioner shall determine the number
4.18 of days after the commencement of an academic term that begins after December 31,
4.19 2006, by which a veteran, spouse, or child who will be seeking reimbursement under this
4.20 section must provide the commissioner of veterans affairs with the following information:

4.21 (1) the veteran's, spouse's, or child's name;

4.22 (2) the educational institution to be attended;

4.23 (3) whether the veteran, spouse, or child is enrolled full-time or part-time at the
4.24 educational institution; and

4.25 (4) an estimate of the amount of tuition reimbursement that will be claimed at the
4.26 end of the academic term.

4.27 Subd. 9. **Application for reimbursement.** An application for reimbursement of
4.28 tuition under this section must:

4.29 (1) be completed and received by the commissioner no later than 60 days after the
4.30 completion of the semester or course, provided that the commissioner may accept an
4.31 application received more than 60 days after the completion of the semester or course if
4.32 the applicant shows good cause for the delayed receipt;

4.33 (2) contain the information necessary to establish eligibility as determined by the
4.34 commissioner;

4.35 (3) be on the application form provided by the commissioner; and

5.1 (4) contain the signatures of both the applicant and a representative of the institution
5.2 or school certifying that the applicant has satisfactorily completed the semester or credits
5.3 for which reimbursement is requested.

5.4 The commissioner has final authority to determine a person's eligibility for benefits.

5.5 Subd. 10. **Standing appropriation.** The commissioner must annually certify the
5.6 reimbursement costs of the program in this section and that amount is appropriated from
5.7 the general fund to the commissioner for reimbursement of the costs of the program.