

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 105 Session of 2017

INTRODUCED BY BOSCOLA, COSTA, FONTANA, HUGHES, BLAKE, BREWSTER,
HAYWOOD, TARTAGLIONE, YUDICHAK, HUTCHINSON AND RAFFERTY,
JANUARY 13, 2017

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
JANUARY 13, 2017

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in educational gratuity program,
3 further providing for definitions, for educational gratuity
4 payments and for eligibility and qualification requirements.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Sections 8701, 8702 and 8703 of Title 51 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 8701. Definitions.

10 The following words and phrases when used in this chapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Commission." The State Veterans' Commission established
14 under section 1702 (relating to State Veterans' Commission).

15 "Deceased veteran." An individual who served in the armed
16 forces of the United States or a women's organization officially
17 connected with the armed forces of the United States, who:

18 (1) was killed in action or died as a result of wounds

1 incurred during a period of war or armed conflict or as a
2 result of hostile fire or terrorist attack during peacetime,
3 as determined by the department; or

4 (2) died in service during a period of war or armed
5 conflict.

6 "Disabled veteran." An individual who served in the armed
7 forces of the United States or a women's organization officially
8 connected with the armed forces of the United States who:

9 (1) was honorably discharged from the armed forces of
10 the United States and certified by the United States
11 Veterans' Administration as a 100% disabled veteran as a
12 result of any of the following:

13 (i) service during a period of war or armed
14 conflict; or

15 (ii) hostile fire or terrorist attack during
16 peacetime, as determined by the department; or

17 (2) was honorably discharged from the military or naval
18 forces of the United States and died as a result of any of
19 the following:

20 (i) a service-connected disability, as certified by
21 the United States Veterans' Administration, incurred
22 during a period of war or armed conflict; or

23 (ii) hostile fire or terrorist attack during
24 peacetime, as determined by the department.

25 "Educational institution." Any college or university of the
26 State System of Higher Education, a State-aided educational or
27 training institution of a secondary or college grade or other
28 institution of higher education, a business school, a trade
29 school, a hospital school providing training for nurses, an
30 institution providing courses in beauty culture, art, radio or

1 undertaking or embalming, or such other educational training
2 within this Commonwealth approved by the commission.

3 ["Eligible disabled or deceased veteran." A person who
4 served in the military or naval forces of the United States, or
5 a women's organization officially connected therewith, who:

6 (1) was killed in action or died as a result of wounds
7 incurred during a period of war or armed conflict or as a
8 result of hostile fire or terrorist attack during peacetime
9 (as determined by the Department of Military Affairs);

10 (2) died in service during a period of war or armed
11 conflict;

12 (3) was honorably discharged from the military or naval
13 forces of the United States and certified by the United
14 States Veterans' Administration as a 100% disabled veteran as
15 a result of service during a period of war or armed conflict
16 or as a result of hostile fire or terrorist attack (as
17 determined by the Department of Military Affairs) during
18 peacetime; or

19 (4) was honorably discharged from the military or naval
20 forces of the United States and died as a result of a
21 service-connected disability (as certified by the United
22 States Veterans' Administration) incurred during a period of
23 war or armed conflict or as a result of peacetime hostile
24 fire or terrorist attack (as determined by the Department of
25 Military Affairs).]

26 "Qualified child." Any child [meeting] of a deceased
27 veteran or disabled veteran who meets the requirements of
28 section 8703 (relating to eligibility and qualification
29 requirements).

30 § 8702. Educational gratuity payments.

1 (a) General rule.--The commission shall make educational
2 gratuity payments not exceeding [\$500] \$1,000 per term or
3 semester per qualified child to each approved educational
4 institution upon submission by that approved educational
5 institution of proof that bills have been incurred or contracted
6 covering matriculation fees and other necessary fees, tuition,
7 board, room rent, books and supplies for a qualified child in a
8 definite amount for the school year.

9 (b) Records.--The commission shall attach the proof
10 submitted under subsection (a) to the requisition prepared for
11 payment out of appropriations made by the General Assembly for
12 purposes of the educational gratuity payments.

13 (c) Duration of payments.--Whenever a qualified child is
14 completing an educational or training course and becomes [23] 25
15 years of age before completing the course, the educational
16 gratuity payment may be paid until the course is completed. No
17 educational gratuity payments may be made for any qualified
18 child for a period longer than [four] five scholastic years,
19 provided, however, that the department may adjust the payments
20 per term or semester per child so that the total payments do not
21 exceed the amount of the appropriation.

22 § 8703. Eligibility and qualification requirements.

23 (a) Eligibility standards.--The following requirements shall
24 be used to determine the eligibility of applicants for
25 educational gratuity payments. The applicant shall be:

26 (1) Not less than 16 years of age nor more than [23] 25
27 years of age.

28 (2) The child of [an eligible disabled] a disabled
29 veteran or deceased veteran.

30 (3) A resident of this Commonwealth for a period of

1 [five years] one year immediately preceding the date the
2 application was filed.

3 (b) Qualification determination.--The commission shall
4 determine qualified applicants based on the following
5 requirements:

6 (1) The applicant meets the requirements of subsection
7 (a).

8 (2) The applicant is attending an approved educational
9 institution.

10 (3) The applicant demonstrates a financial need for the
11 educational gratuity.

12 (c) Appeal.--Any aggrieved applicant may appeal the decision
13 of the commission to the Adjutant General under the provisions
14 of Title 2 (relating to administrative law and procedure).

15 Section 2. This act shall take effect in 60 days.