

LEGISLATIVE BILL 180

Approved by the Governor March 7, 2013

Introduced by Adams, 24; Pirsch, 4; Crawford, 45.

FOR AN ACT relating to veterans; to amend section 80-411, Reissue Revised Statutes of Nebraska; to provide for the waiver of fees for dependents of veterans as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 80-411, Reissue Revised Statutes of Nebraska, is amended to read:

80-411 (1) ~~The~~ If the requirements of subsection (2) of this section are met, the University of Nebraska, the state colleges, and the community colleges shall waive all ~~tuition on behalf of~~ the following for a dependent of a veteran:

(a) All tuition; and pursuant to this section-

(b) All fees remaining due after subtracting awarded federal financial aid grants and state scholarships and grants.

(2) A person shall be eligible for the waiver of tuition and such fees if he or she meets the following requirements:

(a) He or she is a resident of this state and meets the appropriate institution's requirements for establishing residency for the purpose of paying instate tuition;

(b) He or she has a parent, stepparent, or spouse who was a member of the armed forces of the United States and who:

(i) Died of a service-connected disability;

(ii) Died subsequent to discharge as a result of injury or illness sustained while a member of the armed forces which may or may not have resulted in total disability;

(iii) Is permanently and totally disabled as a result of military service. Permanent and total disability does not include total ratings or other temporary ratings except total ratings based on individual unemployability if permanent; or

(iv) While a member of the armed forces of the United States, is classified as missing in action or as a prisoner of war during armed hostilities; and

(c) If he or she is a child or stepchild of a person described in subdivision ~~(1)-(b)~~ (2)(b) of this section, he or she is under the age of twenty-six years unless he or she serves on active duty with the armed forces after his or her eighteenth birthday but before his or her twenty-sixth birthday, in which case such period shall end five years after his or her first discharge or release from such duty with the armed forces, but in no event shall such period be extended beyond the thirty-first birthday.

~~(2)~~ (3) An application for a waiver shall be submitted through one of the recognized veterans organizations or any county service officer on a form to be prescribed by the Director of Veterans' Affairs. The organization or county service officer shall thoroughly investigate to determine if the applicant is eligible for the waiver and transmit a recommendation for action on the application to the director.

~~(3)~~ (4) If the director determines that the applicant is eligible for the waiver, the director shall so certify to the institution in which the applicant desires to enroll. The decision of the director shall, in the absence of fraud or misrepresentation on the part of the applicant, be final and shall be binding upon the applicant and upon the institutions specified in this section. The director shall adopt and promulgate reasonable rules and regulations for the administration of this section.

~~(4)~~ (5) The waiver shall be valid for one degree, diploma, or certificate from a community college and one baccalaureate degree. Receipt of such degree, diploma, or certificate from a community college shall precede receipt of such baccalaureate degree.

Sec. 2. Original section 80-411, Reissue Revised Statutes of Nebraska, is repealed.