

January 28, 1998

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## SENATE BILL No. 463

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DIGEST OF SB0463 (Updated January 27, 1998 11:40 am - DI 71)

**Citations Affected:** IC 20-12-19-1.

**Synopsis:** Tuition exemptions for relatives of veterans. Specifies that the following persons are eligible to receive tuition exemptions as the relatives of veterans: (1) A person who is a pupil at the Soldiers' and Sailors' Children's Home if the person was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States. (2) A person whose mother or father served in the armed forces of the United States if the mother or father received the Purple Heart decoration or was wounded as a result of enemy action and received any discharge or separation from the  
(Continued next page)

**Effective:** July 1, 1998.

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**Wyss, Craycraft**

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January 14, 1998, read first time and referred to Committee on Public Policy.  
January 27, 1998, reported favorably — Do Pass.

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Digest Continued

armed forces other than a dishonorable discharge. (3) A person whose mother or father served in the armed forces of the United States before July 1, 1998, during any war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States if the mother or father suffered a service connected death or disability and received any discharge or separation from the armed forces other than a dishonorable discharge. Provides that a person may not receive a tuition exemption unless the person: (1) is eligible to pay the resident tuition rate at the college or university the person will attend as determined by the college or university; and (2) possesses the requisite academic qualifications. Provides that the tuition exemption is for 124 semester credit hours. (Current law provides that the tuition exemption is for a four year period.) Makes it a Class A misdemeanor for a person to knowingly or intentionally submit a false or misleading application or other document to receive a tuition exemption. (The introduced version of this bill was prepared by the commission on military and veterans affairs.)

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January 28, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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## SENATE BILL No. 463

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-12-19-1, AS AMENDED BY P.L.5-1995,  
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 1. (a) ~~Any person:~~  
4 (1) ~~who:~~  
5 (A) is a pupil of the Soldiers' and Sailors' Children's Home; or  
6 (B) for one (1) year preceding application therefor had the  
7 person's domicile in Indiana;  
8 (2) ~~whose mother or father:~~  
9 (A) served in the armed forces of the United States between  
10 April 6, 1917, and July 2, 1921, and was wounded, gassed, or  
11 disabled as evidenced by the United States Department of  
12 Defense records or is suffering from a service connected  
13 disability as evidenced by the United States Department of  
14 Veterans Affairs records; or  
15 (B) is covered by IC 10-5-11 or IC 10-5-13; and

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1           (3) who possesses the requisite academic qualifications;  
2 shall be **This section applies to the following persons:**

3           **(1) A person who:**

4           **(A) is a pupil at the Soldiers' and Sailors' Children's**  
5           **Home;**

6           **(B) was admitted to the Soldiers' and Sailors' Children's**  
7           **Home because the person was related to a member of the**  
8           **armed forces of the United States;**

9           **(C) is eligible to pay the resident tuition rate at the college**  
10           **or university the person will attend as determined by the**  
11           **college or university; and**

12           **(D) possesses the requisite academic qualifications.**

13           **(2) A person:**

14           **(A) whose mother or father:**

15           **(i) served in the armed forces of the United States;**

16           **(ii) received the Purple Heart decoration or was**  
17           **wounded as a result of enemy action; and**

18           **(iii) received any discharge or separation from the**  
19           **armed forces other than a dishonorable discharge;**

20           **(B) who is eligible to pay the resident tuition rate at the**  
21           **college or university the person will attend as determined**  
22           **by the college or university; and**

23           **(C) who possesses the requisite academic qualifications.**

24           **(3) A person:**

25           **(A) whose mother or father:**

26           **(i) served in the armed forces of the United States before**  
27           **July 1, 1998, during any war or performed duty equally**  
28           **hazardous that was recognized by the award of a service**  
29           **or campaign medal of the United States;**

30           **(ii) suffered a service connected death or disability as**  
31           **determined by the United States Department of Veterans**  
32           **Affairs; and**

33           **(iii) received any discharge or separation from the**  
34           **armed forces other than a dishonorable discharge;**

35           **(B) who is eligible to pay the resident tuition rate at the**  
36           **college or university the person will attend as determined**  
37           **by the college or university; and**

38           **(C) who possesses the requisite academic qualifications.**

39           **(b) A person described in subsection (a) is entitled to enter,**  
40           **remain, and receive instruction in Indiana University, Purdue**  
41           **University, Indiana State University, Ball State University, Ivy Tech**  
42           **State College, University of Southern Indiana, Vincennes University,**



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1 and their extension centers throughout Indiana, upon the same  
 2 conditions, qualifications, and regulations prescribed for other  
 3 applicants for admission to or scholars in the educational institutions,  
 4 without the payment of any fees paid into the general fund of the  
 5 colleges or universities, for ~~four (4) years while pursuing any~~  
 6 ~~prescribed course of education~~ **one hundred twenty-four (124)**  
 7 **semester credit hours** in the institution of higher learning.

8 ~~(b)~~ (c) If an applicant:

9 (1) is permitted to matriculate in the state institutions of higher  
 10 learning;

11 (2) shall qualify under this chapter; and

12 (3) shall have earned or been awarded a cash scholarship which  
 13 is paid or payable to such institution, from whatsoever source;

14 the amount paid shall be applied to the credit of such applicant in the  
 15 payment of incidental expenses of the applicant's attendance at the  
 16 institution, and any balance, if the terms of the scholarship permit, shall  
 17 be returned to such applicant.

18 ~~(c)~~ (d) Determination of eligibility for higher education benefits  
 19 authorized under this section ~~IC 10-5-11, or IC 10-5-13~~ is vested  
 20 exclusively in the Indiana department of veterans' affairs. Any  
 21 applicant for these benefits may make a written request for a  
 22 determination of eligibility by the Indiana department of veterans'  
 23 affairs. The director or deputy director of the department shall make a  
 24 written determination of eligibility in response to each request.

25 ~~(d)~~ (e) An appeal from an adverse determination shall be made in  
 26 writing to the veterans' affairs commission not more than fifteen (15)  
 27 working days following the applicant's receipt of the determination. A  
 28 final order shall be made by a simple majority of the veterans' affairs  
 29 commission not more than fifteen (15) days following receipt of the  
 30 written appeal.

31 **(f) A person who knowingly or intentionally submits a false or**  
 32 **misleading application or other document under this section**  
 33 **commits a Class A misdemeanor.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill 463, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 463 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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