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MEMORANDUM

To: Chairman Waymaster and members of the House Appropriations Committee
From: Jill A. Wolters, First Assistant Revisor
Date: January 28, 2021
Subject: HB2094, Establishing the wartime veteran and first responder survivors' grant program and fund.

House Bill No. 2094 establishes the wartime veteran and first responder survivors' grant program and fund.

The wartime veteran and first responder survivors' grant fund is established in the state treasury. The fund is administered by the state board of regents. All expenditures from the fund shall be used for educational grants to the survivors of wartime veterans and first responders. On June 30 of each year, the director of accounts and reports shall determine if there is an unencumbered balance in such grant fund in excess of \$350,000. If any such excessive unencumbered balance, such amount shall be transferred from such grant fund to the state general fund.

This bill establishes the wartime veteran and first responder survivors' grant program. Subject to appropriations, the number of grants awarded and the amount of grants awarded shall be determined by the board. A grant awarded under the program shall provide for payment to a survivor in an amount not to exceed the amount of tuition, fees and books for an academic year at the Kansas postsecondary educational institution in which the survivor is enrolled. The board shall award no more than 30 grants per academic year. To be eligible for a grant, a survivor shall: (A) Be certified by the Kansas commission on veterans affairs office (KCVAO); and (B) have been accepted for admission to or be enrolled in a course of instruction in a Kansas postsecondary educational institution. A survivor who has previously received a grant under this section may be eligible for renewal of the grant, if the survivor remains in good standing and is making satisfactory progress toward completion of the requirements of the course of instruction in which the survivor is enrolled. A survivor who has previously completed a baccalaureate degree shall not be eligible to receive a grant.

On or before March 1, 2022, in consultation with the KCVAO, the state board of regents shall adopt rules and regulations to implement and administer the grant program. Such rules and regulations shall establish:(1) The form and manner of the grant application; (2) grant application deadlines; (3) procedures for the KCVAO to certify the survivor's eligibility; and (4) other rules and regulations as necessary for the administration of this section.

Defined terms include:

(1) "Postsecondary educational institution" means any public university, municipal university, community college and technical college.

(2) "Qualifying first responder" means an employee of any law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association or emergency medical services provider, who was employed after September 11, 2001, and: (A) Was killed in the discharge of such first responder's duties; (B) has died from the effects of injuries received or disease contracted by reason of the discharge of such first responder's duties; or (C) was injured or disabled in or by reason of the discharge of such first responder's duties.

(3) "Qualifying wartime veteran" means any member of the armed forces of the United States who served in the military after September 11, 2001, during time of war and was a Kansas resident when first entering military service or at time of death or injury, and: (A) Was killed or disabled as a result of combat action; (B) is certified by the department of veterans affairs medical authority to have died or sustained an injury attributable to an illness or accident occurred while serving in combat; or (C) is entitled to compensation for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001.

(4) "Survivor" means: (A) A natural, adopted or stepchild of a qualifying wartime veteran or qualifying first responder, who is less than 25 years of age and was a dependent of such veteran or first responder at the time of death or injury or within five years after the injury; or (B) the spouse of a qualifying wartime veteran or qualifying first responder, who was married to such veteran or first responder at the time of the death or injury or within five years after the injury.

The bill becomes effective upon the publication in the statute book, which means July 1 of the year the bill is enacted into law.

HB2094 is identical, except for the rules and regulations date, to 2020 HB 2731, which was referred to House Appropriations, but did not have a hearing prior to the Legislature recessing early in 2020 due to the pandemic.