

Act 759 of the 1989 Regular Session.

Act 759

HB1738

By: Representatives Fuller and D. Wood

"AN ACT TO AMEND ARKANSAS CODE 6-82-601 TO PERMIT THE CHILDREN OF PRISONERS OF WAR, M.I.A.'S AND K.I.A.'S TO RETURN TO THE STATE OF ARKANSAS AND OBTAIN THEIR GRADUATE EDUCATION TUITION FREE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 6-82-601 is hereby amended to read as follows:  
"6-82-601. Children of prisoners of war, etc., after January 1, 1960.

(a) As used in this section, unless the context otherwise requires:

(1) "Prisoner of war" and "person missing in action" and "person killed in action" and "person killed on ordnance delivery" means any person who was a resident of the State of Arkansas at the time that person entered service of the United States Armed Forces, or whose official residence is within the State of Arkansas, and who, while serving in the armed forces, has been declared to be a prisoner of war, a person missing in action, or a person killed in action as established by the Secretary of Defense of the United States after January 1, 1960, or a person killed on ordnance delivery. It is not necessary for the purposes of these definitions that capture or death occur during a declared war or as a result of hostile actions;

(2) "Dependent" means a spouse of a prisoner of war or person declared to be missing in action or killed in action or killed on ordnance delivery or any child born before or during the period of time his or her father served as a prisoner of war was declared a person missing in action or killed in action or killed on ordnance delivery, or any child adopted or in the legal custody of the father prior to and during the time the father served as a prisoner of war or was declared to be a person missing in action or a person killed in action or a person killed on ordnance delivery;

(3) "Ordnance delivery" means the piloting of or flying in an experimental or test aircraft while determining its fitness or ability to perform its military function or mission.

(b) The State Board of Higher Education and the State Board of Education are directed, authorized, and empowered to promulgate and adopt such rules and regulations as are necessary to implement the provisions of this section.

(c) Any dependent of a prisoner of war or a person declared to be missing in action or killed in action or a person killed on ordnance delivery as defined by the provisions of this section, upon his or her being accepted for enrollment into any state-supported institution of higher education or state-supported technical or vocational school in Arkansas, shall be allowed to obtain a bachelor's degree or certificate of completion or, if he or she did not receive any undergraduate education in Arkansas, a graduate or professional degree, for so long as he or she is eligible, free of tuition, fee, or other charge from such institution or school.

(d) Once a person qualifies as a dependent under the terms and provisions of this section, there shall be no situation such as the return of the father or the reported death of the father, that will remove the dependent from the provisions or benefits of this section."

SECTION 2. All provisions of this act of general and permanent nature

are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 21, 1989

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