

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S2/28/23

# A Bill

SENATE BILL 249

5 By: Senator J. English  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING IN-STATE TUITION FOR VETERANS AND  
9 MILITARY PERSONNEL AND DEPENDENTS; TO AMEND THE  
10 SOURCE OF FUNDING FOR IN-STATE TUITION FOR VETERANS  
11 AND MILITARY PERSONNEL AND DEPENDENTS UNDER CERTAIN  
12 CIRCUMSTANCES; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO AMEND THE SOURCE OF FUNDING FOR IN-  
16 STATE TUITION FOR VETERANS AND MILITARY  
17 PERSONNEL AND DEPENDENTS UNDER CERTAIN  
18 CIRCUMSTANCES.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 *SECTION 1. Arkansas Code § 6-82-601(a)(1), concerning the definition*  
25 *of a "dependent" as it pertains to a tuition waiver for dependents of certain*  
26 *veterans, is amended to read as follows:*

27 (1)(A) "Dependent" means a:

28 (i) A spouse ~~or any~~ of a:

29 (a) Disabled veteran;

30 (b) Prisoner of war; or

31 (c) Person declared to be:

32 (1) Missing in action;

33 (2) Killed in action; or

34 (3) Killed on ordnance delivery;

35 (ii) A child born to or conceived by a:

36 (a) Disabled veteran;



- 1                                    (b) Prisoner of war; or
- 2                                    (c) Person declared to be:
- 3    (1) Missing in action;
- 4    (2) Killed in action; or
- 5    (3) Killed on ordnance delivery;
- 6                                    (iii) A child legally adopted by, ~~or a~~ a:
- 7    (a) Disabled veteran;
- 8    (b) Prisoner of war; or
- 9    (c) Person declared to be:
- 10     (1) Missing in action;
- 11     (2) Killed in action; or
- 12     (3) Killed on ordnance delivery;
- 13                                    (iv) A child who is under the legal guardianship of
- 14 a prisoner;
- 15     (a) Disabled veteran;
- 16     (b) Prisoner of war; or person
- 17     (c) Person declared to be missing:
- 18    (1) Missing in action ~~or killed~~;
- 19    (2) Killed in action ~~or killed~~; or
- 20    (3) Killed on ordnance delivery, ~~or~~
- 21 disabled veteran; or
- 22                                    (v) A stepchild of a:
- 23     (a) Disabled veteran;
- 24     (b) Prisoner of war; or
- 25     (c) Person declared to be:
- 26    (1) Missing in action;
- 27    (2) Killed in action; or
- 28    (3) Killed on ordnance delivery.
- 29                                    (B)(i) The A dependent ~~child or spouse of a prisoner of~~
- 30 war, veteran missing in action, or killed in action or killed on ordnance
- 31 delivery, or disabled veteran must the following shall be a current resident
- 32 of Arkansas. ~~Stepchildren of the veteran are not eligible unless they have~~
- 33 been legally adopted by the veteran or the veteran has been appointed as the
- 34 legal guardian of the stepchild;
- 35     (a) A disabled veteran;
- 36     (b) A prisoner of war; or

(c) A person declared to be:

(1) Missing in action;

(2) Killed in action; or

(3) Killed on ordnance delivery.

(ii) A dependent child ~~must~~ shall meet the definition of dependent child as established by the United States Department of Education;

SECTION 2. Arkansas Code § 6-82-601, concerning tuition waivers for dependents of certain veterans, is amended to add an additional subsection to read as follows:

(i) In the event the number of students who qualify for a tuition waiver under this section during an academic year exceeds the amount of funds appropriated to the Higher Education Grants Fund Account for purposes of funding students who qualify for tuition waivers under this section during the given academic year, the excess awards that qualify for distribution under this section shall be funded with any funds remaining after the Division of Higher Education allocates sufficient funding to award the following scholarships at levels equivalent to the awards made in the previous academic year:

(1) Arkansas Academic Challenge Scholarship, § 6-85-201 et seq.;

(2) Arkansas Workforce Challenge Scholarship, § 6-85-301 et seq.; and

(3) Arkansas Concurrent Challenge Scholarship, § 6-85-401 et seq.

SECTION 3. Arkansas Code § 6-85-212(d)(6), concerning the prioritization of scholarship awards under the Arkansas Academic Challenge Scholarship Program, is amended to read as follows:

(6) The division shall give priority for a scholarship award to a full-time or part-time student:

(A) Who meets the eligibility requirements under this subchapter; and

(B)(i) ~~Whose parent, by birth or legal adoption~~ Who is a dependent of an individual who:

~~(i)(a)~~ Was a resident of the State of Arkansas at

1 the time that person entered the service of the United States Armed Forces or  
2 whose official residence is in Arkansas; and

3 ~~(ii)(b)~~ Was a member of the United States Armed  
4 Forces who was killed while performing military duty:

5 ~~(a)(1)~~ In a status identified under 32 U.S.C.  
6 § 101 et seq. or 10 U.S.C. § 101 et seq. as they existed on January 1, 2011;  
7 or

8 ~~(b)(2)~~ In state active duty status.

9 (ii) As used in this subdivision (d)(6)(B), a  
10 "dependent" means one (1) of the following of an individual who meets the  
11 conditions established under this subdivision (d)(6)(B)(i):

12 (a) A biological child;

13 (b) An adopted child; or

14 (c) A stepchild.

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16 /s/J. English

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19 **APPROVED: 3/30/23**