

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 1/28/87

HOUSE BILL 1302

By: Representative Hawkins

"AN ACT TO AMEND SECTIONS 1 AND 2 OF ACT 188 OF 1973 [ARK. STAT. 80-3363 AND 80-3364] TO MAKE DEPENDENTS OF PERSONS KILLED WHILE DELIVERING ORDNANCE ELIGIBLE FOR FREE TUITION; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 188 of 1973, the same being Arkansas Statute 80-3363, is hereby amended to read as follows:

"Section 1. For the purposes of this Act, the following definition shall apply:

(a) 'Prisoner of War' and 'Person Missing in Action' and 'Person Killed in Action' and 'Person Killed on Ordnance Delivery' shall mean any person who was a resident of the State of Arkansas at the time he or she entered service of the United States Armed Forces, or whose official residence is within the State of Arkansas, and who, while serving in said Armed Forces, has been declared to be a prisoner of war, or to be 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.

(b) 'Dependent' shall mean a spouse of such 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 its father served as a prisoner of war or 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.

(c) '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."

SECTION 2. Section 2 of Act 188 of 1973, the same being Arkansas Statute 80-3364, is hereby amended to read as follows:

"Section 2. 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 Act, upon his or her being duly 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, for so long as he or she is eligible, free of tuition, fee or other charge from such institution or school. Once a person qualifies as a dependent under the terms and provisions of this Act, 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 Act."

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 All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Bruce Hawkins

