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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1982

01/26/2012

Authored by McElfatrick, Lohmer, Fabian, Kiel, Franson and others
The bill was read for the first time and referred to the Veterans Services Division

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A bill for an act

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relating to higher education; establishing an educational program for veterans

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and their spouses and certain dependents; proposing coding for new law in

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Minnesota Statutes, chapter 135A.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. **[135A.53] DEFINITIONS.**

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Subdivision 1. **Scope.** For the purposes of this section and section 135A.54, the

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following words have the meanings given them.

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Subd. 2. **Course.** "Course" means any course of study offered by a state-supported

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institution of higher education in the regular curriculum of a department, school, or

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subdivision of the institution.

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Subd. 3. **Eligible dependent.** "Eligible dependent" means an individual under the

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age of 26 who is the legal child or stepchild of a qualified disabled veteran.

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Subd. 4. **Eligible person.** "Eligible person" includes a veteran, a veteran's spouse,

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eligible dependents, and qualified survivors.

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Subd. 5. **Legal resident.** "Legal resident" means a person who fulfills the residency

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criteria applicable to students of a state-supported institution of higher education.

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Subd. 6. **Institution of higher education.** "Institution of higher education" means a

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state university, public two-year college, or the University of Minnesota.

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Subd. 7. **Qualified disabled veteran.** "Qualified disabled veteran" means a veteran

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who has a service connected disability rated at 50 percent or more, as determined by the

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United States Department of Veterans Affairs.

2.1 Subd. 8. **Qualified survivor.** "Qualified survivor" means the surviving spouse or
2.2 child of a veteran who died as a result of military service, as certified by the United States
2.3 Department of Veterans Affairs.

2.4 Subd. 9. **Veteran.** "Veteran" has the meaning given in section 197.447.

2.5 Sec. 2. **[135A.54] VETERAN EDUCATION PROGRAM.**

2.6 Subdivision 1. **Fees and tuition.** (a) Except for an administration fee established
2.7 by the governing board at a level to recover costs, to be collected only when a course is
2.8 taken for credit, an eligible person who is a legal resident of Minnesota is entitled without
2.9 payment of tuition or activity fees to attend courses offered for credit, audit any courses
2.10 offered for credit, or enroll in any noncredit courses in any state-supported institution of
2.11 higher education in Minnesota when space is available after all tuition-paying students
2.12 have been accommodated. An eligible person enrolled under this section must pay any
2.13 materials, personal property, or service charges for the course. In addition, an eligible
2.14 person who is enrolled in a course for credit must pay an administrative fee in an amount
2.15 established by the governing board of the institution to recover costs. An eligible person
2.16 shall not be charged an administrative fee for auditing a course.

2.17 (b) If there is space available in a course after an eligible person has enrolled and
2.18 paid for the course, the institution of higher education must apply the tuition to another
2.19 course or to any outstanding balance.

2.20 Subd. 2. **Terms; limits.** There is no limit to the number of terms, quarters, or
2.21 semesters an eligible person may attend courses, nor income limitation imposed in
2.22 determining eligibility under subdivision 1. Enrollment in a closed enrollment contract
2.23 training program or in any part of a farm or small business management education
2.24 program that includes on-site individualized instruction is not eligible for benefits under
2.25 subdivision 1.

2.26 Subd. 3. **Catalogue statement.** Each state-supported institution of higher education
2.27 shall prominently include in its catalogue a statement of benefits provided for eligible
2.28 persons.

2.29 Subd. 4. **Determination of qualifications.** (a) The institution shall determine
2.30 whether a person qualifies for, and require execution of appropriate forms to request,
2.31 the benefits available under this section.

2.32 (b) A person is not eligible for the educational benefits described in this program if
2.33 the person has educational assistance eligibility remaining under:

2.34 (1) any federal veterans program;

- 3.1 (2) the Minnesota National Guard tuition reimbursement grant program, established
3.2 under section 192.501, subdivision 2; or
3.3 (3) the Minnesota GI Bill education program established under section 197.791.

3.4 Sec. 3. **EFFECTIVE DATE; EXPIRATION.**

- 3.5 Sections 1 and 2 are effective for academic courses beginning on or after July 1,
3.6 2012. This program expires on June 30, 2019.