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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4976

03/14/2024 Authored by Wiens, Newton and Engen
The bill was read for the first time and referred to the Committee on Veterans and Military Affairs Finance and Policy
03/20/2024 Adoption of Report: Re-referred to the Committee on Higher Education Finance and Policy

1.1 A bill for an act
1.2 relating to veterans; establishing a tuition-free postsecondary educational program
1.3 for veterans who have received a Purple Heart and the veterans' dependents;
1.4 appropriating money; proposing coding for new law in Minnesota Statutes, chapter
1.5 197.

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

1.7 Section 1. [197.7915] TUITION-FREE PROGRAM FOR PURPLE HEART
1.8 VETERANS.

1.9 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

1.10 (b) "Commissioner" means the commissioner of veterans affairs, unless otherwise
1.11 specified.

1.12 (c) "Cost of attendance" means the actual tuition and fees for an undergraduate student
1.13 or a graduate student at an eligible institution.

1.14 (d) "Eligible institution" means a Minnesota public postsecondary institution.

1.15 (e) "Program" means the tuition-free program for Purple Heart veterans established in
1.16 this section.

1.17 (f) "Child" means a person who is the biological or adopted child of a veteran who
1.18 received a Purple Heart.

1.19 (g) "Veteran" has the meaning given in section 197.447.

1.20 Subd. 2. Program established. (a) The tuition-free program for Purple Heart veterans
1.21 is established to provide postsecondary educational assistance to eligible Minnesota veterans
1.22 and the veterans' children.

2.1 (b) The commissioner, in cooperation with eligible postsecondary educational institutions,
2.2 shall administer the program for the purpose of providing postsecondary educational
2.3 assistance to eligible persons in accordance with this section.

2.4 Subd. 3. **Duties; responsibilities.** (a) The commissioner shall establish policies and
2.5 procedures, including but not limited to procedures for student application record keeping,
2.6 information sharing, payment of educational assistance benefits under subdivision 5, and
2.7 other procedures that the commissioner considers appropriate and necessary for effective
2.8 and efficient administration of the program.

2.9 (b) The commissioner may delegate part or all of the administrative procedures for the
2.10 program to responsible representatives of participating eligible institutions. The commissioner
2.11 may execute an interagency agreement with the Minnesota Office of Higher Education for
2.12 services that the commissioner determines necessary to administer the program.

2.13 Subd. 4. **Eligibility.** (a) A person is eligible for educational assistance under subdivision
2.14 5 if:

2.15 (1) the person is:

2.16 (i) a veteran who received a Purple Heart; or

2.17 (ii) the adopted or biological child of a veteran who received a Purple Heart;

2.18 (2) the person receiving educational assistance is a resident student, as defined in section
2.19 136A.101, subdivision 8; and

2.20 (3) the person receiving the educational assistance:

2.21 (i) is an undergraduate or graduate student at an eligible institution;

2.22 (ii) is maintaining satisfactory academic progress as defined by the institution for students
2.23 participating in federal Title IV programs;

2.24 (iii) is enrolled in an education program leading to a certificate, diploma, or degree at
2.25 an eligible institution;

2.26 (iv) has applied for educational assistance under this section prior to the end of the
2.27 academic term for which the assistance is being requested;

2.28 (v) is in compliance with child support payment requirements under section 136A.121,
2.29 subdivision 2, paragraph (a), clause (5); and

2.30 (vi) has completed the Free Application for Federal Student Aid.

3.1 (b) A child's eligibility for educational assistance under subdivision 5 terminates at 30
3.2 years of age.

3.3 (c) To determine a person's eligibility for educational assistance under subdivision 5,
3.4 the commissioner may require official documentation, including the person's federal form
3.5 DD-214 or other official military discharge papers, federal form DA4980-10, correspondence
3.6 from the United States Veterans Administration, birth certificate, marriage certificate, proof
3.7 of enrollment at an eligible institution, signed affidavits, proof of residency, proof of identity,
3.8 or any other official documentation that the commissioner considers necessary to determine
3.9 the person's eligibility.

3.10 (d) The commissioner may deny the eligibility or terminate the benefits under this section
3.11 for any person who has not provided sufficient documentation to determine eligibility for
3.12 the program. An applicant may appeal the commissioner's eligibility determination or
3.13 termination of benefits in writing to the commissioner at any time. The commissioner must
3.14 rule on any application or appeal within 30 days of the receipt of all documentation that the
3.15 commissioner requires. The decision of the commissioner regarding an appeal is final.
3.16 However, an applicant whose appeal of an eligibility determination has been rejected by
3.17 the commissioner may submit an additional appeal of that determination in writing to the
3.18 commissioner at any time that the applicant is able to provide substantively significant
3.19 additional information regarding the applicant's eligibility for the program. An approval of
3.20 an applicant's eligibility by the commissioner following an appeal by the applicant is not
3.21 retroactively effective for more than one year or the semester of the person's original
3.22 application, whichever is later.

3.23 (e) Upon receiving an application with insufficient documentation to determine eligibility,
3.24 the commissioner must notify the applicant within 30 days of the receipt of the application
3.25 that the application is being suspended pending the receipt by the commissioner of sufficient
3.26 documentation from the applicant to determine eligibility.

3.27 Subd. 5. **Educational assistance.** (a) On approval by the commissioner of eligibility
3.28 for the program, the applicant must be awarded, on a funds-available basis, educational
3.29 assistance under the program for use at any eligible institution. Educational assistance for
3.30 a veteran is 100 percent of the amount under paragraph (b) and educational assistance for
3.31 a child is 50 percent of the amount under paragraph (b).

3.32 (b) The amount of educational assistance in any semester or term must be determined
3.33 by subtracting from the eligible person's cost of attendance the amount that the person
3.34 received or was eligible to receive in that semester or term from:

- 4.1 (1) the federal Pell Grant;
- 4.2 (2) the state grant program under section 136A.121; and
- 4.3 (3) any federal military or veterans educational benefits, including but not limited to the
- 4.4 Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational
- 4.5 rehabilitation benefits, and any other federal benefits associated with the person's status as
- 4.6 a veteran, except veterans disability payments from the United States Department of Veterans
- 4.7 Affairs.
- 4.8 (c) The maximum lifetime credits for which a person is eligible is 120 credits.

4.9 Sec. 2. **APPROPRIATION.**

- 4.10 \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general
- 4.11 fund to the commissioner of the Minnesota Department of Veterans Affairs for purposes
- 4.12 of section 1.