

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 506

BY EDUCATION COMMITTEE

AN ACT

RELATING TO ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIPS; AMENDING SECTION 33-4302, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DETERMINATION OF TOTAL AND PERMANENT DISABILITY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-4302, Idaho Code, be, and the same is hereby amended to read as follows:

33-4302. ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIPS. (1) The following individuals shall be eligible for the scholarship program provided for herein:

(a) Any spouse or child of any Idaho citizen who, while such person is or was a resident of the state of Idaho, has been determined by the federal government to be a prisoner of war or missing in action, or ~~to have~~ has died of, or become totally and permanently disabled by injuries or wounds sustained in action in any area of armed conflict in which the United States is a party; ~~and~~

(b) Any spouse or child of any member of the armed forces of the United States who is stationed in the state of Idaho on military orders and who is deployed from the state of Idaho to any area of armed conflict in which the United States is a party and who has been determined by the federal government to be a prisoner of war or missing in action, or ~~to have~~ has died of, or become totally and permanently disabled by injuries or wounds sustained in action as a result of such deployment; and

(c) Any spouse or child of a full-time or part-time public safety officer, as defined in paragraph (d) of this subsection, employed by or volunteering for the state of Idaho or for a political subdivision of the state of Idaho, which public safety officer is or was a resident of the state of Idaho at the time such officer was killed or totally and permanently disabled in the line of duty. The death or disability shall have occurred on or after January 1, 1975. The scholarship provided for in this section shall not be available unless it is determined that:

(i) The death or disablement of the public safety officer occurred in the performance of the officer's duties;

(ii) The death or disablement was not caused by the intentional misconduct of the public safety officer or by such officer's intentional infliction of injury; and

(iii) The public safety officer was not voluntarily intoxicated at the time of death.

(d) For purposes of this section, the following terms have the following meanings:

1 (i) "Public safety officer" means a peace officer or firefighter,  
2 a paramedic or emergency medical technician as those terms are de-  
3 fined in section 56-1012, Idaho Code.

4 (ii) "Volunteering" means contributing services as a bona fide  
5 member of a legally organized law enforcement agency, fire depart-  
6 ment or licensed emergency medical service provider organization.

7 (2) (a) To be eligible for the scholarship provided for herein, a child  
8 of a military member or a public safety officer must be a resident of the  
9 state of Idaho and must have completed secondary school or its equiva-  
10 lent in the state of Idaho. A child already born, or born after a mil-  
11 itary member or public safety officer is determined to be imprisoned or  
12 missing in action, or is killed or becomes totally and permanently dis-  
13 abled, shall be eligible for this scholarship;

14 (b) To be eligible for the scholarship provided for herein, the spouse  
15 of a military member or public safety officer must be a resident of the  
16 state of Idaho and must have been married to such person at the time the  
17 military member or public safety officer was determined to be impris-  
18 oned or missing in action, or was killed or became totally and perma-  
19 nently disabled. Provided however, that in the situation of disabil-  
20 ity, the spouse must be currently married to such person.

21 (3) An eligible individual who applies for the scholarship provided for  
22 herein shall, after verification of eligibility, receive the scholarship  
23 and be admitted to attend undergraduate studies at any public institution of  
24 higher education or public ~~professional-technical~~ career technical college  
25 within the state of Idaho without the necessity of paying tuition and fees  
26 therefor; such student shall be provided with books, equipment and supplies  
27 necessary for pursuit of such program of enrollment not to exceed five hun-  
28 dred dollars (\$500) per quarter, semester, intensified semester, or like  
29 educational period; such student shall be furnished on-campus institution  
30 housing and subsistence for each month he or she is enrolled full-time un-  
31 der this program and actually resides in such on-campus facility; provided  
32 however, that such undergraduate educational benefits shall not exceed a  
33 total of thirty-six (36) months or four (4) nine (9) month periods. Provided  
34 further, that the initiation of such educational benefits shall extend for a  
35 period of ten (10) years after achieving a high school diploma or its equiv-  
36 alency, or for a period of ten (10) years after the event giving rise to the  
37 eligibility for the scholarship, whichever is longer.

38 (4) The eligible individual shall meet such other educational quali-  
39 fications as such institution of higher education or ~~professional-techni-~~  
40 career technical college has established for other prospective students  
41 of this state, as well as any additional educational qualifications estab-  
42 lished by the state board of education and board of regents of the university  
43 of Idaho.

44 (5) Application for eligibility under this section shall be made to the  
45 state board of education and the board of regents of the university of Idaho  
46 or the state board of ~~vocational-technical~~ career technical education. The  
47 board shall verify the eligibility of the applicant and communicate such el-  
48 igibility to such person and the affected institution or college.

49 (6) Affected institutions shall in their preparation of future budgets  
50 include therein costs resultant from such tuition, fee, book, equipment,

1 supply, housing and subsistence loss for reimbursement thereof from appro-  
2 priations of state funds.

3 (7) For the purposes of this section, a member of the armed forces of the  
4 United States is considered totally and permanently disabled if at the time  
5 of application a current disability determination made or recognized by the  
6 United States social security administration or the Idaho division of veter-  
7 ans services is in effect with respect to such individual.

8 (8) For the purposes of this section, a public safety officer is consid-  
9 ered totally and permanently disabled if at the time of application a current  
10 disability determination made by the public employee retirement system of  
11 Idaho is in effect with respect to such individual.

12 (9) The state board of education and board of regents of the university  
13 of Idaho may adopt rules to implement and administer the scholarship program  
14 provided for in this section.

15 SECTION 2. An emergency existing therefor, which emergency is hereby  
16 declared to exist, this act shall be in full force and effect on and after  
17 July 1, 2022.