AN ACT
RELATING TO ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIPS; AMENDING
SECTION 33-4302, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DETER-
MINATION OF TOTAL AND PERMANENT DISABILITY AND TO MAKE TECHNICAL COR-
RECTIONS; 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 pro-
vided 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 fed-
eral 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 offi-
cer, as defined in paragraph (d) of this subsection, employed by or vol-
unteering 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 perma-
nently 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 oc-
curred 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 in-
tentional 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 follow-
ing meanings:
(i) "Public safety officer" means a peace officer or firefighter, a paramedic or emergency medical technician as those terms are defined in section 56-1012, Idaho Code.

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

(2)(a) To be eligible for the scholarship provided for herein, a child of a military member or a public safety officer must be a resident of the state of Idaho and must have completed secondary school or its equivalent in the state of Idaho. A child already born, or born after a military member or public safety officer is determined to be imprisoned or missing in action, or is killed or becomes totally and permanently disabled, shall be eligible for this scholarship;

(b) To be eligible for the scholarship provided for herein, the spouse of a military member or public safety officer must be a resident of the state of Idaho and must have been married to such person at the time the military member or public safety officer was determined to be imprisoned or missing in action, or was killed or became totally and permanently disabled. Provided however, that in the situation of disability, the spouse must be currently married to such person.

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

(4) The eligible individual shall meet such other educational qualifications as such institution of higher education or professional-technical career technical college has established for other prospective students of this state, as well as any additional educational qualifications established by the state board of education and board of regents of the university of Idaho.

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

(6) Affected institutions shall in their preparation of future budgets include therein costs resultant from such tuition, fee, book, equipment,
supply, housing and subsistence loss for reimbursement thereof from appropriations of state funds.

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

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

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

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