

2023 Regular Session

SENATE BILL NO. 115

BY SENATORS BOUDREAUX, BARROW, BOUIE, CARTER, CATHEY, CONNICK, CORTEZ, DUPLESSIS, FESI, FIELDS, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, KLEINPETER, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, PEACOCK, POPE, PRICE, SMITH, STINE, TALBOT, TARVER, WHITE AND WOMACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VETERANS. Provides relative to educational benefits for children, spouses, and surviving spouses of certain veterans. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 29:288 and to enact R.S. 17:1686(D) and R.S. 29:771.1, relative  
3 to educational benefits for children and spouses of certain veterans; to provide  
4 definitions; to provide relative to eligibility; to provide for a veteran benefits and  
5 services poster; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:288 is hereby amended and reenacted and R.S. 29:771.1 is hereby  
8 enacted to read as follows:

9 §288. Educational benefits for children, spouses, and surviving spouses of veterans

10 **A.(1) For the purpose of this Subsection, "qualified veteran" shall mean**  
11 **a member of the armed forces of the United States of America who:**

12 **(a) Was either killed in action, died in active service from other causes,**  
13 **is missing in action, is a prisoner of war, died as a result of a service-connected**  
14 **disability incurred during a wartime period as defined in R.S. 29:251.2, or who,**  
15 **prior to death, was rated ninety to one hundred percent service-connected**  
16 **disabled by the United States Department of Veterans Affairs by evaluation of**  
17 **the Rating Schedule or was determined by the department to be unemployable**

1 as a result of a service-connected disability, and who was a resident of Louisiana  
2 for a period of not less than twelve months immediately preceding entrance into  
3 service or for a period not less than twenty-four months prior to the veteran's  
4 death.

5 (b) Is rated ninety to one hundred percent service-connected disabled by  
6 the United States Department of Veterans Affairs by evaluation of the Rating  
7 Schedule or is determined by the department to be unemployable as a result of  
8 a service-connected disability and has been a resident of Louisiana for a period  
9 of not less than twenty-four months prior to the veteran's child's admission into  
10 a program of education at a public postsecondary institution.

11 ~~(2) Children, Any child,~~ not less than sixteen nor more than twenty-five years  
12 of age, spouses, and surviving spouses, within ten years from the date of eligibility,  
13 of members of the armed forces of the United States of America who were killed in  
14 action or died in active service from other causes or who are missing in action or  
15 who are prisoners of war or who died as a result of a service-connected disability  
16 incurred during a wartime period defined in R.S. 29:251.2 and who for a period of  
17 not less than twelve months immediately preceding their entrance into service were  
18 residents of this state and children not less than sixteen nor more than twenty-five  
19 years of age of veterans rated ninety to one hundred percent service-connected  
20 disabled by the United States Department of Veterans Affairs by evaluation of the  
21 Rating Schedule and children not less than sixteen nor more than twenty-five years  
22 of age of veterans who have been determined by the department to be unemployable  
23 as a result of a service-connected disability **of a qualified veteran** may attend any  
24 state college or university, including institutions under the jurisdiction of the Board  
25 of Supervisors of Community and Technical Colleges **public postsecondary**  
26 **education institution within the state**, without having to pay tuition, matriculation,  
27 registration, laboratory, athletic, medical, and other school-imposed fees, including  
28 but not limited to nonresidency and other special fees if the veteran has been a  
29 resident of this state for a period of not less than twenty-four months immediately

1 preceding the dependent's admission into a program of education.

2 **B.(1) For the purpose of this Subsection, "qualified veteran" shall mean**  
 3 **a member of the armed forces of the United States of America who:**

4 **(a) Was killed in action, died in active service from other causes, is**  
 5 **missing in action, is a prisoner of war, died as a result of a service-connected**  
 6 **disability incurred during a wartime period as defined in R.S. 29:251.2, or who,**  
 7 **prior to death, was rated ninety to one hundred percent service-connected**  
 8 **disabled by the United States Department of Veterans Affairs by evaluation of**  
 9 **the Rating Schedule or was determined by the department to be unemployable**  
 10 **as a result of a service-connected disability, and was a resident of Louisiana for**  
 11 **a period of not less than twelve months immediately preceding entrance into**  
 12 **service or for a period not less than twenty-four months prior to death.**

13 **(2) A spouse or surviving spouse of a qualified veteran, within ten years**  
 14 **from the date of eligibility, may attend any public postsecondary education**  
 15 **institution within the state, without having to pay tuition, matriculation,**  
 16 **registration, laboratory, athletic, medical, and other school-imposed fees,**  
 17 **including but not limited to nonresidency and other special fees.**

18 **C. The public postsecondary education institution shall not grant the**  
 19 **benefits provided under the provisions of this Section if the student has received**  
 20 **or is receiving the benefits provided under the provisions of R.S. 17:1686.**

21 \* \* \*

22 **§771.1. Veteran benefits and services poster**

23 **A. The Louisiana Workforce Commission shall consult with the**  
 24 **department of veterans affairs to create and distribute a veteran's benefits and**  
 25 **services poster. The poster shall, at a minimum, include information regarding**  
 26 **the following services available to veterans:**

27 **(1) Contact and website information for the department of veterans**  
 28 **affairs and its services offered to veterans.**

29 **(2) Contact information for the United States Department of Veterans**

1 **Affairs Veterans Crisis Line.**

2 **(3) Mental health and substance abuse prevention resources.**

3 **(4) Veteran homelessness prevention resources.**

4 **(5) Veteran disability compensation and pension claims filing assistance.**

5 **(6) Educational, workforce, and training resources.**

6 **(7) Louisiana state property and military retiree pay tax exemptions**  
7 **available to veterans.**

8 **(8) State veteran home and cemetery benefits.**

9 **B. Every employer in the state with more than fifty full-time equivalent**  
10 **employees shall display the poster created pursuant to this Section in a**  
11 **conspicuous place accessible to employees in the workplace.**

12 Section 2. R.S. 17:1686(D) is hereby enacted to read as follows:

13 §1686. Scholarship for a child of a military person killed in performance of duty

14 \* \* \*

15 **D. The public postsecondary education institution shall not grant the**  
16 **benefits provided under the provisions of this Section if the student has received**  
17 **or is receiving the benefits provided under the provisions of R.S. 29:288.**

18 Section 3. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22 effective on the day following such approval.

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The original instrument was prepared by Cheryl Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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DIGEST

SB 115 Reengrossed                      2023 Regular Session                      Boudreaux

Present law (R.S. 29:288) provides for spouses and children of certain veterans who were killed in action, died during active service, died as a result of a service-connected disability, who are missing in action, or who are prisoners of war to receive a tuition and fee waiver at public postsecondary institutions.

Proposed law allows the waiver to be granted to the spouses and children of deceased

veterans who, prior to death, were rated ninety to one hundred percent disabled or determined to be unemployable as a result of a service-connected disability.

Present law limits the waiver to veterans who had resided in Louisiana for at least 12 months prior to entrance into the service.

Proposed law also allows the tuition and fee waiver to be granted to spouses or children of certain veterans who had been residents of Louisiana for at least 24 months prior to death.

Present law further allows children of certain living disabled veterans to receive a tuition and fee waiver.

Proposed law makes technical amendments relative to placement of provisions in present law.

Present law (R.S. 17:1686) provides for a tuition waiver for certain children of deceased veterans who died as a result of injuries sustained in the course of duty.

Proposed law prohibits postsecondary education institutions from providing tuition waivers to students under both provisions of law.

Proposed law requires the Louisiana Workforce Commission to consult with the department of veterans affairs to create and distribute a veteran's benefits and services poster.

Proposed law provides for the poster to include information regarding, at a minimum, the following services available to veterans:

- (1) Contact and website information for the department of veterans affairs and its services offered to veterans.
- (2) Contact information for the U.S. Department of Veterans Affairs Veterans Crisis Line.
- (3) Mental health and substance abuse prevention resources.
- (4) Veteran homelessness prevention resources.
- (5) Veteran disability compensation and pension claims filing assistance.
- (6) Educational, workforce, and training resources.
- (7) Louisiana state property and military retiree pay tax exemptions available to veterans.
- (8) State veteran home and cemetery benefits.

Proposed law requires every employer in the state with more than 50 full-time equivalent employees to display the poster in a conspicuous place accessible to employees in the workplace.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 29:288; adds R.S. 17:1686(D) and R.S. 29:771.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Provides for the creation and distribution of a veteran's benefits and services poster.
2. Requires every employer in the state with more than fifty full-time equivalent employees to display the poster in a conspicuous place accessible to employees in the workplace.

Senate Floor Amendments to engrossed bill

1. Technical legislative bureau amendments.