

By: Senator(s) Tate

To: Veterans and Military
Affairs; Appropriations

SENATE BILL NO. 2752

1 AN ACT TO ESTABLISH A "DISABLED VETERAN AND DEPENDENTS
 2 PATRIOT SCHOLARSHIP PROGRAM" TO PROVIDE TUITION AND FEE WAIVERS
 3 FOR ELIGIBLE VETERANS AND THEIR FAMILIES TO ATTEND MISSISSIPPI
 4 UNIVERSITIES AND COLLEGES; TO PROVIDE DEFINITIONS; TO PROVIDE
 5 CRITERIA FOR CONTINUING ELIGIBILITY AND FOR THE MAXIMUM DURATION
 6 OF THE WAIVER; TO PROVIDE FOR PROGRAM ADMINISTRATION BY THE BOARD
 7 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND
 8 SECTION 37-106-41, MISSISSIPPI CODE OF 1972, TO CONFORM PROVISIONS
 9 OF THE SCHOLARSHIP PROGRAM FOR CHILDREN OF PRISONERS OF WAR OR
 10 MIA/S IN SOUTHEAST ASIA; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** (1) As used in this section:

13 (a) "Dependent" means a child, stepchild, spouse or
 14 un-remarried widow(er).

15 (b) "Tuition" means actual cost, including any fees and
 16 books, not to exceed the highest actual cost charged by any
 17 public, accredited institution of higher learning, vocational
 18 education school or community or junior college in Mississippi.

19 (c) "Veteran" means a veteran meeting one (1) of the
 20 following service-connected disability conditions established by
 21 the U.S Department of Veterans Affairs (formerly the Veterans
 22 Administration) or the appropriate military service department:



- 23 (i) A former prisoner of war (POW); or
24 (ii) Declared missing in action (MIA); or
25 (iii) Died as the result of a service-connected
26 disability; or
27 (iv) Died while on active military service in the
28 line of duty; or
29 (v) Rated forty percent (40%) or more due to
30 his/her service-connected disability(ies).

31 (2) There is hereby established the Mississippi "Disabled
32 Veteran and Dependents Patriot Scholarship Program". The Adjutant
33 General is hereby authorized to pay the tuition, room and board
34 for any disabled veteran or his/her dependent who is enrolled or
35 may enroll within the State of Mississippi in an accredited
36 institution of higher learning, vocational education school or
37 community college.

38 (3) The veteran must meet the following qualifications to
39 establish eligibility of his/her dependents:

40 (a) An honorable discharge or other proof of honorable
41 termination of service of the veteran or serviceman in the Armed
42 Forces for a period of at least ninety (90) consecutive days of
43 active duty service or service less than ninety (90) consecutive
44 days of active duty service if the veteran or serviceman was
45 discharged or released by reason of service-connected disability.

46 (b) The veteran must meet one (1) of the following
47 service-connected disability conditions established by the U.S.



48 Department of Veterans Affairs (formerly the Veterans
49 Administration) or the appropriate military service department:

50 (i) A former prisoner of war (POW); or

51 (ii) Declared missing in action (MIA); or

52 (iii) Died as the result of a service-connected
53 disability; or

54 (iv) Died while on active military service in the
55 line of duty; or

56 (v) Rated forty percent (40%) or more due to
57 his/her service-connected disability(ies).

58 (c) Veterans with a disability rating of twenty percent
59 (20%) to thirty percent (30%) may qualify if the effective date of
60 their disability rating is on or before July 1, 2024. This
61 provision will expire on July 31, 2030. Veterans whose disability
62 rating is less than twenty percent (20%) prior to July 1, 2024,
63 but who had a claim for compensation pending prior to that date
64 which resulted in a final award by the United States Department of
65 Veterans Affairs of at least twenty percent (20%) may be eligible
66 if the dependent applies for benefits within six (6) months of
67 that final adjudication.

68 (d) The veteran must have been a permanent civilian
69 resident of the State of Mississippi for at least one (1) year
70 immediately prior to their initial entry into active federal
71 military service. Initial entry into federal active military
72 service or any subsequent entry into federal active military



73 service where a twelve (12) month break in service occurred and
74 one (1) of the following:

75 (i) Current resident for at least two (2) years
76 immediately prior to the date of this application or date of
77 veteran's death; or

78 (ii) Current resident who was discharged within
79 the last twelve (12) months; or

80 (iii) Filed a resident Mississippi income tax
81 return for the past ten (10) consecutive years.

82 (e) Permanently service-connected veterans rated at one
83 hundred percent (100%) who do not meet the above residency
84 requirements may qualify after establishing proof that they have
85 been a bona fide resident for at least five (5) years immediately
86 prior to the date of this application or the date of the veteran's
87 death. This applies to one hundred percent (100%) permanent and
88 total ratings only.

89 (4) As of July 1, 2024, students applying for benefits for
90 the first time must meet all of the following:

91 (a) Must be a current resident of the State of
92 Mississippi at the time of application and maintain that residency
93 while receiving the benefit; and

94 (b) Must complete a Free Application for Federal
95 Student Aid (FAFSA) for each year that they are covered under the
96 Mississippi G.I. Dependent Scholarship Program; and



97 (c) Must comply with Standards of Satisfactory Academic
98 Progress (SAP) as defined by their education institution; and

99 (d) Must complete a Family Educational Rights and
100 Privacy Act (FERPA) release form for each educational institution
101 that they attend to authorize the release of personally
102 identifiable information required to determine continued
103 eligibility and as required for necessary reporting.

104 (5) Children and stepchildren of qualified veterans may
105 receive five (5) standard academic years (ten (10) semesters) at
106 any Mississippi state-supported institution of higher learning or
107 a prescribed course of study at any state-supported technical
108 college to be used for undergraduate courses of study at the
109 in-state tuition rate.

110 (6) Spouses or un-remarried widow(er)s of a veteran rated at
111 one hundred percent (100%) permanently and totally disabled may
112 also receive five (5) standard academic years (ten (10) semesters)
113 at any Mississippi state-supported institution of higher learning
114 or a prescribed course of study at any state-supported technical
115 college to be used for undergraduate courses of study at the
116 in-state tuition rate.

117 (7) Spouses or un-remarried widow(er)s of a veteran rated
118 forty percent (40%) to ninety percent (90%) disabled are entitled
119 to three (3) standard academic years (six (6) semesters) at any
120 Mississippi state-supported institution of higher learning or a
121 prescribed course of study at any state-supported technical



122 college to be used for undergraduate courses of study at the
123 in-state tuition rate.

124 (8) Beginning with applications received at the Mississippi
125 Adjutant General's Office with a postmark dated on or after July
126 1, 2024, tuition will be limited to the Department of Defense
127 Tuition Assistance Cap and required textbooks and applicable fees
128 will be limited to a combined Two Thousand Dollars (\$2,000.00)
129 total per student for each semester. Schools may waive any
130 overages of these charges at their discretion. All scholarships
131 and grants must be applied to education expenses first (unless
132 otherwise prescribed by state law) and the Mississippi G.I.
133 Dependent Scholarship Program will be applied for any permissible
134 remaining charge pursuant to current state law.

135 (9) There shall be no restriction on the number of eligible
136 dependents under the veteran; however, each dependent may only
137 receive the benefit once, regardless of changes in their future
138 dependency status.

139 (10) The child or stepchild must initiate training under the
140 program prior to his/her twenty-sixth (26th) birthday. A child or
141 stepchild may be eligible for the program up to the age of thirty
142 (30) in the discretion of the Adjutant General. If the applicant
143 is a stepchild, the veteran and the stepchild's parent must be
144 legally married prior to the child's nineteenth (19th) birthday.

145 (11) The program shall not pay for noncredit courses,
146 remedial courses, placement testing, GED preparation, continuing



147 educational courses, pre-technical courses, or state board
148 examinations or any classes beyond undergraduate courses of study.

149 (12) The Disabled Veteran and Dependents Patriot Scholarship
150 Program shall only pay for those textbooks that are required for
151 the courses in which the study is officially enrolled.

152 (13) Dependents are eligible to participate in the program
153 only as long as they remain the legal dependent of the veteran
154 from which they derive their eligibility. In the event of a
155 divorce action, the former spouse or stepchild will be ineligible
156 to participate effective the date of the divorce. Any educational
157 financial obligations entered into after the divorce date will be
158 the responsibility of the former spouse or stepchild.

159 (14) Widow(er) forfeits all entitlements upon remarriage
160 without further consideration of reinstatement.

161 (15) Applications shall be made available at any Mississippi
162 Department of Veterans Affairs Office.

163 (16) The Adjutant General of Mississippi shall be
164 responsible for the establishment of policies, the administration
165 and implementation of the Disabled Veteran and Dependents Patriot
166 Scholarship Program (DVDPSP). The Adjutant General of Mississippi
167 will annually submit to the Legislature through the Legislative
168 Budget Office an estimated budget to support the DVDPSP, and funds
169 shall be subject to appropriation and to audit by the State
170 Auditor.



171 **SECTION 2.** Section 37-106-41, Mississippi Code of 1972, is
172 amended as follows:

173 37-106-41. (1) If any member of the armed services, whose
174 official house of record and residence is within the State of
175 Mississippi, is officially reported as being either a prisoner of
176 war or missing in action in Southeast Asia or has been a prisoner
177 of a foreign government as the result of a military action against
178 the United States naval vessel, Pueblo, his child or children
179 shall be entitled to an eight-semester scholarship without cost,
180 exclusive of books, food, school supplies, materials and dues or
181 fees for extracurricular activities at any state-supported college
182 or university of his choice within this state. However, no child
183 will be entitled to receive benefits during any semester or
184 quarter when said child has reached the age of twenty-three (23)
185 years on the first day of the semester or quarter.

186 (2) The provisions of this section shall apply to the child
187 or children of any member of the armed services who is officially
188 reported as being either a prisoner of war or missing in action in
189 Southeast Asia whose spouse was a resident of this state for a
190 period of not less than ten (10) years during her minority and is
191 a resident or physically resides within this state and does
192 continually reside within this state at the time of enrollment and
193 during the enrollment, and is a resident or physically resides
194 within this state as of April 9, 1973.



195 (3) It is further provided that the provisions of this
196 section shall apply to the child or children of any person who was
197 a resident of this state at the time he was inducted into the
198 Armed Forces of the United States of America and who is either a
199 former prisoner of war or officially reported as being a prisoner
200 of war or missing in action in Southeast Asia and who, or his
201 spouse if she was a resident of this state for a period of not
202 less than ten (10) years during her minority, is a resident of
203 this state and at the time of enrollment and during the enrollment
204 of his child or children at any state-supported college or
205 university in this state resided or resides in this state.

206 (4) Any applicant qualified and desiring a scholarship under
207 this section shall apply in writing to the board. The board shall
208 make inquiries into each such application and shall make the
209 investigation as it deems proper to establish and validate all
210 claims made under this section before a scholarship is granted.

211 (5) The provisions of this section shall be administered
212 under rules adopted by the Adjutant General of the State of
213 Mississippi and the Board of Trustees of State Institutions of
214 Higher Learning as part of the Disabled Veteran and Dependents
215 Patriot Scholarship Program (DVDPSP) established in Section 1 of
216 this act.

217 **SECTION 3.** This act shall take effect and be in force from
218 and after July 1, 2024.

