

2024 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE OWEN

MILITARY AFFAIRS: Provides relative to survivors' education benefits

1 AN ACT

2 To amend and reenact R.S. 29:288(A)(1) and (B)(1), relative to survivor's education
3 benefits; to provide for education benefits for survivors of qualified veterans; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 29:288(A)(1) and (B)(1) is hereby amended and reenacted to read
7 as follows:

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

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

11 (a) Was either killed in action, died in active service from other causes, is
12 missing in action, is a prisoner of war, died as a result of a service-connected
13 disability incurred during a wartime period as defined in R.S. 29:251.2, or who, prior
14 to death, was rated ninety to one hundred percent service-connected disabled by the
15 United States Department of Veterans Affairs by evaluation of the rating schedule
16 or was determined by the department to be unemployable as a result of a
17 service-connected disability, and who was a resident of Louisiana for a period of not
18 less than twelve months immediately preceding entrance into service or for a period
19 not less than ~~twenty-four~~ twelve months prior to the veteran's death or who had been

1 permanently assigned and reported for duty to an active, National Guard, or Reserve
2 installation or assignment in the state of Louisiana.

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

9 * * *

10 B.(1) For the purpose of this Subsection, "qualified veteran" shall mean a
11 member of the armed forces of the United States of America who was killed in
12 action, died in active service from other causes, is missing in action, is a prisoner of
13 war, died as a result of a service-connected disability incurred during a wartime
14 period as defined in R.S. 29:251.2, or who, prior to death, was rated ninety to one
15 hundred percent service-connected disabled by the United States Department of
16 Veterans Affairs by evaluation of the rating schedule or was determined by the
17 department to be unemployable as a result of a service-connected disability, and was
18 a resident of Louisiana for a period of not less than twelve months immediately
19 preceding entrance into service or for a period not less than ~~twenty-four~~ twelve
20 months prior to death or who had been permanently assigned and reported for duty
21 to an active, National Guard, or Reserve installation or assignment in the state of
22 Louisiana.

23 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 385 Original

2024 Regular Session

Owen

Abstract: Provides for education benefits for survivors of qualified veterans.

Present law (R.S. 29:288(A)(1)(a)) defines a "qualified veteran" as a member of the armed forces of the U.S. who was a resident of La. for a period of not less than 12 months immediately preceding entrance into service or for a period not less than 24 months prior to the veteran's death.

Proposed law retains present law but changes the residency requirement prior to death from 24 to 12 months and extends to include those that reported for duty to an active, National Guard, or Reserve installation or assignment in the state of La.

Present law (R.S. 29:288(A)(1)(b)) defines "qualified veteran" as one who is rated 90% to 100% service-connected disabled by the U.S. Dept. of Veterans Affairs by evaluation of the rating schedule or is determined by the department to be unemployable as a result of a service-connected disability and has been a resident of La. for a period of not less than 24 months prior to the admission of the veteran's child into a program of education at a public postsecondary institution.

Proposed law retains present law but changes the definition of "qualified veteran" as one who has been a resident of La. for a period of not less than 12 months prior to the admission of the veteran's child into a program of education at a public postsecondary institution.

Present law (R.S. 29:288(B)(1)) defines "qualified veteran" as a member of the armed forces of the U.S. who was killed in action, died in active service from other causes, is missing in action, is a prisoner of war, died as a result of a service-connected disability incurred during a wartime period as defined in R.S. 29:251.2, or who, prior to death, was rated 90% to 100% service-connected disabled by the U.S. Dept. of Veterans Affairs by evaluation of the rating schedule or was determined by the department to be unemployable as a result of a service-connected disability, and was a resident of Louisiana for a period of not less than 12 months immediately preceding entrance into service or for a period not less than 24 months prior to death.

Proposed law retains present law but changes the time requirement prior to service from 24 to 12 months and extends to include those who reported for duty to an active, National Guard, or Reserve installation or assignment in the state of La.

(Amends R.S. 29:288(A) and (B)(1))