

Senate File 2289 - Enrolled

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SENATE FILE 2289

AN ACT

CONCERNING STATE EDUCATIONAL ASSISTANCE TO CHILDREN OF DECEASED VETERANS AND THE WAR ORPHANS EDUCATIONAL ASSISTANCE FUND, AND INCLUDING AN EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 35.8, Code 2007, is amended to read as follows:

35.8 WAR ORPHANS EDUCATIONAL ASSISTANCE FUND.

A war orphans educational assistance fund is created as a separate fund in the state treasury under the control of the department of veterans affairs. Any money appropriated for the purpose of assisting in the education of orphaned children of veterans, as defined in section 35.1, or the education of a child as provided in section 35.9, subsection 2, shall be deposited in the war orphans educational assistance fund.

Notwithstanding section 8.33, any unexpended or unencumbered moneys remaining in the fund at the end of the fiscal year shall not revert, but shall remain available for expenditure for purposes of this section in succeeding fiscal years.

Sec. 2. Section 35.9, subsection 2, Code 2007, is amended to read as follows:

2. a. Upon application by a child who ~~has lived in the state of Iowa for two years preceding application for state educational assistance is less than thirty-one years of age,~~ and who is the child of a person who died on or after September 11, 2001, during active federal military service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, and who at the time of entering into active military service had maintained the person's residence in the state for a period of at least six months immediately before entering into active military service, the department shall provide state educational assistance in the an amount of five thousand five hundred dollars per year no more than the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents less the amount of any state and federal education benefits, grants, or scholarships received by the child, or the amount of the child's established financial need, whichever is less, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for the child or children incident to attendance in ~~this state at a community college established under chapter 260C or at an institution of higher education governed by the state board of regents any postsecondary educational institution in this state.~~

b. A child eligible to receive state educational assistance under this subsection shall begin postsecondary education prior to reaching age twenty-six, shall not receive more than twenty-seven thousand five hundred dollars under this subsection an amount equal to five times the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents during the child's lifetime, and shall, to remain eligible for assistance, meet the academic progress standards of the postsecondary educational institution.

Payments for state educational assistance for a child under this subsection shall be made to the applicable postsecondary educational institution. The college student aid commission may, if requested, assist the department in administering this subsection.

Sec. 3. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.

This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to July 1, 2007, and is applicable on and after that date.

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JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2289, Eighty-second General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2008

CHESTER J. CULVER
Governor