

House File 280 - Introduced

HOUSE FILE 280
BY COMMITTEE ON VETERANS
AFFAIRS

(SUCCESSOR TO HSB 93)

A BILL FOR

1 An Act relating to the war orphans educational assistance fund
2 by transferring the moneys in the fund to the veterans trust
3 fund and transferring duties for providing educational
4 assistance to orphaned children of veterans to the
5 commission on veterans affairs.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35A.13, subsection 6, Code 2013, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *m.* Assisting in the education of orphaned
4 children of veterans, as defined in section 35.1, as provided
5 in subsection 6A of this section.

6 Sec. 2. Section 35A.13, Code 2013, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 6A. *a.* (1) The commission shall not
9 expend more than six hundred dollars per year for any one child
10 who has lived in the state of Iowa for two years preceding
11 application for state educational assistance, and who is the
12 child of a person who died prior to September 11, 2001, during
13 active federal military service while serving in the armed
14 forces or during active federal military service in the Iowa
15 national guard or other military component of the United
16 States, to defray the expenses of tuition, matriculation,
17 laboratory and similar fees, books and supplies, board,
18 lodging, and any other reasonably necessary expense for the
19 child or children incident to attendance in this state at an
20 educational or training institution of college grade, or in a
21 business or vocational training school with standards approved
22 by the department.

23 (2) A child eligible to receive funds under this subsection
24 shall not receive more than three thousand dollars under this
25 paragraph "a" during the child's lifetime.

26 *b.* (1) Upon application by a child who is less than
27 thirty-one years of age, and who is the child of a person who
28 died on or after September 11, 2001, during active federal
29 military service while serving in the armed forces or during
30 active federal military service in the Iowa national guard
31 or other military component of the United States, and who
32 at the time of entering into active military service had
33 maintained the person's residence in the state for a period
34 of at least six months immediately before entering into
35 active military service, the commission shall provide state

1 educational assistance in an amount of no more than the highest
2 resident undergraduate tuition rate established per year for
3 an institution of higher learning under the control of the
4 state board of regents less the amount of any state and federal
5 education benefits, grants, or scholarships received by the
6 child, or the amount of the child's established financial need,
7 whichever is less, to defray the expenses of tuition at any
8 postsecondary educational institution in this state.

9 (2) A child eligible to receive state educational
10 assistance under this paragraph "b" shall begin postsecondary
11 education prior to reaching age twenty-six, shall not receive
12 more than an amount equal to five times the highest resident
13 undergraduate tuition rate established per year for an
14 institution of higher learning under the control of the state
15 board of regents during the child's lifetime, and shall, to
16 remain eligible for assistance, meet the academic progress
17 standards of the postsecondary educational institution.
18 Payments for state educational assistance for a child under
19 this paragraph "b" shall be made to the applicable postsecondary
20 educational institution. The college student aid commission
21 may, if requested, assist the commission in administering this
22 paragraph "b".

23 c. Eligibility for assistance pursuant to this subsection
24 shall be determined upon application to the commission, whose
25 decision is final. The eligibility of applicants shall be
26 certified by the commission to the director of the department
27 of administrative services, and all amounts that are or
28 become due an individual or a training institution under this
29 subsection shall be paid to the individual or institution by
30 the director of the department of administrative services upon
31 receipt by the director of certification by the president or
32 governing board of the educational or training institution
33 as to accuracy of charges made, and as to the attendance of
34 the individual at the educational or training institution.
35 The commission may pay over the annual sum set forth in this

1 subsection to the educational or training institution in a lump
2 sum, or in installments as the circumstances warrant, upon
3 receiving from the institution such written undertaking as the
4 department may require to assure the use of funds for the child
5 for the authorized purposes and for no other purpose. A person
6 is not eligible for the benefits of this subsection until
7 the person has graduated from a high school or educational
8 institution offering a course of training equivalent to high
9 school training.

10 *d.* Any expense incurred in carrying out the provisions of
11 this subsection shall be chargeable to the trust fund.

12 Sec. 3. REPEAL. Sections 35A.19, 35A.20, 35A.21, and
13 35A.22, Code 2013, are repealed.

14 Sec. 4. TRANSFER OF FUNDS. All unencumbered and unobligated
15 moneys remaining in the war orphans educational assistance fund
16 on July 1, 2013, shall be transferred to the veterans trust
17 fund created in section 35A.13.

18 Sec. 5. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

19 1. Any rule, regulation, form, order, or directive
20 promulgated by the department of veterans affairs as required
21 to administer and enforce the provisions for the operation
22 of the war orphans educational assistance fund, created in
23 section 35A.19, shall continue in full force and effect until
24 amended, repealed, or supplemented by affirmative action of the
25 commission of veterans affairs.

26 2. Any award issued by the department of veterans affairs,
27 under section 35A.21, and in effect on the effective date
28 of this Act, shall continue in full force and effect until
29 expiration or renewal.

30 EXPLANATION

31 This bill eliminates the war orphans educational assistance
32 fund under the control of the department of veterans affairs.
33 The bill transfers all unencumbered and unobligated moneys in
34 the war orphans educational assistance fund to the veterans
35 trust fund under the control of the commission of veterans

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1 affairs. The bill also transfers to the commission of veterans
2 affairs current Code duties regarding educational assistance to
3 orphaned children of veterans.