

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2005



ENROLLED

House Bill No. 2866

(By Mr. Speaker, Mr. Kiss and Delegates Stemple,
Varner, DeLong, Staton, Michael and Kominar)



Passed April 9, 2005

In Effect July 1, 2005.

FILED

2005 MAY -3 A 9:00

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

H. B. 2866

(BY MR. SPEAKER, MR. KISS AND DELEGATES STEMPLER, VARNER,
DELONG, STATON, MICHAEL AND KOMINAR)

[Passed April 9, 2005; in effect July 1, 2005.]

AN ACT to amend and reenact §15-1B-21 of the Code of West Virginia, 1931, as amended, relating to tuition and fees for guard members at institutions of higher education; and providing for continuation of tuition and fee payments to members after discharge from military service due to wounds or injuries received in the line of duty.

Be it enacted by the Legislature of West Virginia:

That §15-1B-21 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1B. NATIONAL GUARD.

§15-1B-21. Tuition and fees for guard members at institutions of higher education.

- 1 (a) Any member of the National Guard who is enrolled in
- 2 a course of undergraduate study and is attending any accredited
- 3 college, university, business or trade school located in West

4 Virginia or is attending any aviation school located in West
5 Virginia for the purpose of taking college-credit courses, may
6 be entitled to payment of tuitions and fees at that college,
7 university, business or trade school or aviation school during
8 the period of his or her service in the National Guard: *Provided,*
9 That the Adjutant General may prescribe criteria of eligibility
10 for payment of tuition and fees at the college, university,
11 business or trade school or aviation school: *Provided, however,*
12 That the payment is contingent upon appropriations being made
13 by the Legislature for this express purpose.

14 (b) The amount of the payment for members attending a
15 state-supported school shall be determined by the Adjutant
16 General and may not exceed the actual amount of tuition and
17 fees at the school. The amount of the payment for members
18 attending a private school shall be determined by the Adjutant
19 General, but in no event may it exceed the highest amounts
20 payable at any state-supported school.

21 (c) Any member of the National Guard who is enrolled in
22 a course of postgraduate study and is attending any accredited
23 college or university located in West Virginia, and is receiving
24 payments under the Army continuing education system, may be
25 entitled to payment of tuition and fees at that college or
26 university during his or her period of service in the National
27 Guard: *Provided,* That the sum of payments received under this
28 subsection and the Army continuing education system may not
29 exceed the actual amount of tuition and fees at the school and
30 in no event may exceed the highest amounts payable at any
31 state-supported school. The payments are contingent upon
32 appropriations being made by the Legislature for this express
33 purpose.

34 (d) The Adjutant General may, in lieu of the tuition
35 payment authorized by this section, pay an amount equal to the
36 amount of tuition which otherwise would have been paid,

37 directly to members of the West Virginia National Guard who
38 are participating in the PROMISE scholarship program pro-
39 vided in article seven, chapter eighteen-c of this code.

40 (e) A member of the West Virginia National Guard who is
41 receiving payments for tuition and fees under this section, and
42 is discharged from the military service due to wounds or
43 injuries received in the line of duty, may continue to receive
44 payments for tuition and fees under this section as if he or she
45 were still a member of the West Virginia National Guard.

46 (f) The Adjutant General shall administer the tuition and fee
47 payments authorized under this section and shall propose
48 policies to implement the provisions of this section.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



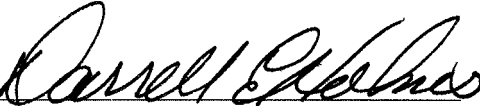
Chairman Senate Committee



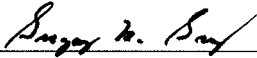
Chairman House Committee

Originating in the House.

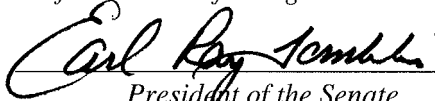
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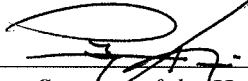
Clerk of the Senate



Clerk of the House of Delegates

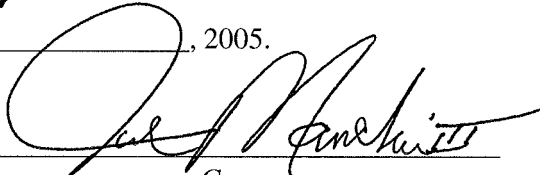


President of the Senate



Speaker of the House of Delegates

The within is approved this the 2nd
day of April, 2005.



Governor

PRESENTED TO THE
GOVERNOR

MAY 2 2005

Time 10:25 AM