

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2210

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Repeal

3 Section 15-1808, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 15, chapter 14, article 1, Arizona Revised Statutes, is  
5 amended by adding a new section 15-1808, to read:

6 15-1808. Tuition waiver scholarships; transfer of education  
7 benefits to child or spouse of critical incident  
8 personnel killed or disabled in the line of duty;  
9 definitions

10 A. THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE DISTRICT SHALL  
11 AWARD A TUITION WAIVER SCHOLARSHIP AS PRESCRIBED IN THIS SECTION AND SHALL  
12 ALLOW THE TRANSFER OF EDUCATIONAL BENEFITS AS PRESCRIBED IN THIS SECTION. A  
13 TUITION WAIVER SCHOLARSHIP AWARDED PURSUANT TO THIS SECTION SHALL BE LIMITED  
14 FOR A SPOUSE OR FOR ANY ONE CHILD TO NO MORE THAN SIXTY-FOUR CREDIT HOURS AT  
15 ARIZONA COMMUNITY COLLEGES AND A TOTAL NUMBER OF CREDITS INCLUDING ANY  
16 TRANSFER CREDITS FROM AN ARIZONA COMMUNITY COLLEGE EQUAL TO THE NUMBER OF  
17 CREDITS REQUIRED FOR A BACCALAUREATE DEGREE AT ARIZONA UNIVERSITIES FOR THAT  
18 STUDENT'S INITIALLY DECLARED COURSE OF STUDY.

19 B. A TUITION WAIVER SCHOLARSHIP SHALL BE AWARDED PURSUANT TO THIS  
20 SECTION TO THE FOLLOWING PERSONS:

21 1. A CHILD WHO IS A DEPENDENT OF A CRITICAL INCIDENT PERSONNEL IF THE  
22 CHILD MEETS ALL OF THE FOLLOWING QUALIFICATIONS:

23 (a) IS A RESIDENT OF THIS STATE.

24 (b) IS THIRTY YEARS OF AGE OR YOUNGER.

1 (c) OTHERWISE QUALIFIES FOR ADMISSION TO THE UNIVERSITY OR COMMUNITY  
2 COLLEGE.

3 (d) THE ARIZONA BOARD OF REGENTS OR THE COMMUNITY COLLEGE DISTRICT  
4 RECEIVES VERIFICATION FROM ONE OF THE FOLLOWING THAT THE PERSON IS THE CHILD  
5 OF A CRITICAL INCIDENT PERSONNEL WHO WAS KILLED IN THE LINE OF DUTY OR WHO  
6 DIED FROM INJURIES SUFFERED IN THE LINE OF DUTY WHILE TRAVELING TO OR FROM  
7 DUTY:

8 (i) THE ARIZONA PEACE OFFICERS MEMORIAL BOARD.

9 (ii) THE ARIZONA FIRE FIGHTERS AND EMERGENCY PARAMEDICS MEMORIAL  
10 BOARD.

11 (iii) THE ADJUTANT GENERAL OF THE NATIONAL GUARD.

12 (iv) THE ARIZONA DEPARTMENT OF VETERANS' SERVICES.

13 2. THE SPOUSE, WIDOW OR WIDOWER OF A CRITICAL INCIDENT PERSONNEL IF  
14 THE SPOUSE, WIDOW OR WIDOWER MEETS ALL OF THE FOLLOWING QUALIFICATIONS:

15 (a) IS A RESIDENT OF THIS STATE.

16 (b) HAS NOT REMARRIED.

17 (c) OTHERWISE QUALIFIES FOR ADMISSION TO THE UNIVERSITY OR COMMUNITY  
18 COLLEGE.

19 (d) THE ARIZONA BOARD OF REGENTS OR THE COMMUNITY COLLEGE DISTRICT  
20 RECEIVES VERIFICATION FROM ONE OF THE FOLLOWING THAT THE PERSON IS THE  
21 SPOUSE, WIDOW OR WIDOWER OF A CRITICAL INCIDENT PERSONNEL WHO WAS KILLED IN  
22 THE LINE OF DUTY OR WHO DIED FROM INJURIES SUFFERED IN THE LINE OF DUTY WHILE  
23 TRAVELING TO OR FROM DUTY:

24 (i) THE ARIZONA PEACE OFFICERS MEMORIAL BOARD.

25 (ii) THE ARIZONA FIRE FIGHTERS AND EMERGENCY PARAMEDICS MEMORIAL  
26 BOARD.

27 (iii) THE ADJUTANT GENERAL OF THE NATIONAL GUARD.

28 (iv) THE ARIZONA DEPARTMENT OF VETERANS' SERVICES.

29 3. A MEMBER OF THE ARIZONA NATIONAL GUARD WHO BOTH:

30 (a) IS A RESIDENT OF THIS STATE.

31 (b) RECEIVED A PURPLE HEART CITATION ON OR AFTER SEPTEMBER 11, 2001.

1           4. A FORMER MEMBER OF THE ARIZONA NATIONAL GUARD WHO WAS MEDICALLY  
2 DISCHARGED FROM THE ARIZONA NATIONAL GUARD DUE TO AN INJURY OR DISABILITY  
3 SUFFERED DURING ANY OF THE FOLLOWING:

4           (a) STATUS UNDER TITLE 10 OF THE UNITED STATES CODE.

5           (b) IN WEEKEND TRAINING STATUS.

6           (c) IN ANNUAL TRAINING STATUS OR IN RESPONSE TO A STATE OF EMERGENCY  
7 DECLARED BY THE GOVERNOR.

8           5. A MEMBER OF A MILITARY RESERVE UNIT OF ANY BRANCH OF THE UNITED  
9 STATES ARMED FORCES WHO BOTH:

10          (a) IS A RESIDENT OF THIS STATE.

11          (b) RECEIVED A PURPLE HEART CITATION ON OR AFTER SEPTEMBER 11, 2001.

12          6. A FORMER MEMBER OF A MILITARY RESERVE UNIT OF ANY BRANCH OF THE  
13 UNITED STATES ARMED FORCES WHO BOTH:

14          (a) IS A RESIDENT OF THIS STATE.

15          (b) EITHER:

16           (i) RECEIVED A PURPLE HEART CITATION ON OR AFTER SEPTEMBER 11, 2001.

17           (ii) WAS MEDICALLY DISCHARGED FROM THE MILITARY RESERVE UNIT DUE TO AN  
18 INJURY OR DISABILITY SUFFERED DURING STATUS UNDER TITLE 10 OF THE UNITED  
19 STATES CODE, IN WEEKEND TRAINING STATUS, IN ANNUAL TRAINING STATUS OR IN  
20 RESPONSE TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR.

21          C. TO THE EXTENT PERMITTED BY FEDERAL LAW, ANY ACTIVE MEMBER OF THE  
22 ARMED FORCES OR ANY DISCHARGED VETERAN WHO IS ENTITLED TO ANY EDUCATIONAL  
23 BENEFIT PURSUANT TO THIS SECTION OR THIS CHAPTER MAY TRANSFER THAT  
24 EDUCATIONAL BENEFIT TO THAT PERSON'S SPOUSE OR CHILD WHO IS A DEPENDENT IF  
25 ALL OF THE FOLLOWING CONDITIONS ARE MET:

26           1. THE ARIZONA BOARD OF REGENTS OR THE COMMUNITY COLLEGE DISTRICT  
27 RECEIVES WRITTEN DOCUMENTATION THAT THE ACTIVE MEMBER OF THE ARMED FORCES OR  
28 THE DISCHARGED VETERAN DOES NOT INTEND TO USE OR IS UNABLE TO USE THE  
29 EDUCATIONAL BENEFIT.

30           2. IF THE ACTIVE MEMBER OF THE ARMED FORCES OR THE DISCHARGED VETERAN  
31 HAS THE CAPACITY TO CONSENT, PROOF IS PROVIDED TO THE ARIZONA BOARD OF  
32 REGENTS OR THE COMMUNITY COLLEGE DISTRICT OF THE ACTIVE MEMBER'S OR

1 DISCHARGED VETERAN'S CONSENT TO THE USE OF THE EDUCATIONAL BENEFIT BY THAT  
2 PERSON'S SPOUSE OR CHILD.

3 3. IF THE ACTIVE MEMBER OF THE ARMED FORCES OR THE DISCHARGED VETERAN  
4 DOES NOT HAVE THE CAPACITY TO CONSENT, PROOF IS PROVIDED TO THE ARIZONA BOARD  
5 OF REGENTS OR THE COMMUNITY COLLEGE DISTRICT OF THE ACTIVE MEMBER'S OR  
6 DISCHARGED VETERAN'S INCAPACITY TO CONSENT. THIS DOCUMENTATION IS SUFFICIENT  
7 TO ALLOW THE TRANSFER OF THE EDUCATIONAL BENEFIT TO THAT PERSON'S SPOUSE OR  
8 CHILD.

9 4. IF THE PROPOSED TRANSFEREE IS A WIDOW OR WIDOWER OF AN ARMED FORCES  
10 MEMBER WHO WAS KILLED IN COMBAT, THE WIDOW OR WIDOWER HAS NOT REMARRIED.

11 D. FOR THE PURPOSES OF THIS SECTION:

12 1. "ACTIVE MEMBER OF THE ARMED FORCES" MEANS A PERSON WHO IS ON ACTIVE  
13 DUTY IN ANY BRANCH OF THE MILITARY ESTABLISHMENT OF THE UNITED STATES,  
14 INCLUDING MEMBERS OF THE ARIZONA NATIONAL GUARD AND MEMBERS OF MILITARY  
15 RESERVE UNITS OF ANY BRANCH OF THE UNITED STATES ARMED FORCES.

16 2. "CORRECTIONAL OFFICER" MEANS A PERSON, OTHER THAN AN ELECTED  
17 OFFICIAL, WHO IS EMPLOYED BY THIS STATE OR A COUNTY, CITY OR TOWN AND WHO IS  
18 RESPONSIBLE FOR THE SUPERVISION, PROTECTION, CARE, CUSTODY OR CONTROL OF  
19 INMATES IN A STATE, COUNTY OR MUNICIPAL CORRECTIONAL INSTITUTION, INCLUDING  
20 COUNSELORS BUT EXCLUDING SECRETARIAL, CLERICAL AND PROFESSIONALLY TRAINED  
21 PERSONNEL.

22 3. "CRITICAL INCIDENT PERSONNEL" MEANS AN ACTIVE MEMBER OF THE ARMED  
23 FORCES, A CORRECTIONAL OFFICER, A DISCHARGED VETERAN, AN EMERGENCY PARAMEDIC,  
24 A FIREFIGHTER OR A PEACE OFFICER.

25 4. "DEPENDENT" HAS THE SAME MEANING PRESCRIBED IN SECTION 43-1001,  
26 EXCEPT THAT FOR THE PURPOSES OF THIS SECTION DEPENDENT DOES NOT INCLUDE ANY  
27 PERSON WHO IS THIRTY-ONE YEARS OF AGE OR OLDER.

28 5. "DISCHARGED VETERAN" MEANS A PERSON WHO HAS RECEIVED A DISCHARGE  
29 OTHER THAN DISHONORABLE FROM ANY BRANCH OF THE UNITED STATES ARMED FORCES,  
30 INCLUDING FORMER MEMBERS OF THE ARIZONA NATIONAL GUARD OR MILITARY RESERVE  
31 UNITS OF ANY BRANCH OF THE UNITED STATES ARMED FORCES.

32 6. "EMERGENCY PARAMEDIC" MEANS A PERSON WHO HAS BEEN TRAINED IN AN  
33 EMERGENCY PARAMEDIC TRAINING PROGRAM CERTIFIED BY THE DIRECTOR OF THE  
34 DEPARTMENT OF HEALTH SERVICES OR IN AN EQUIVALENT TRAINING PROGRAM AND WHO IS

1 CERTIFIED BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES TO RENDER  
2 SERVICES PURSUANT TO SECTION 36-2205.

3 7. "FIREFIGHTER" MEANS A PROFESSIONAL FIREFIGHTER WHO IS A MEMBER OF A  
4 STATE, FEDERAL, TRIBAL, CITY, COUNTY, DISTRICT OR PRIVATE FIRE DEPARTMENT.

5 8. "PEACE OFFICER" MEANS A COUNTY SHERIFF, A CONSTABLE, A MARSHAL, A  
6 POLICE OFFICER OF A CITY OR TOWN, COMMISSIONED PERSONNEL OF THE DEPARTMENT OF  
7 PUBLIC SAFETY AND A POLICE OFFICER APPOINTED BY A COMMUNITY COLLEGE DISTRICT  
8 GOVERNING BOARD OR THE ARIZONA BOARD OF REGENTS WHO HAS RECEIVED A  
9 CERTIFICATE FROM THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD, AND  
10 ANY OTHER STATE, FEDERAL, TRIBAL, CITY OR COUNTY OFFICER VESTED BY LAW WITH A  
11 DUTY TO MAINTAIN PUBLIC ORDER AND MAKE ARRESTS."

12 Amend title to conform

JENNIFER J. BURNS

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02/15/2008  
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