



SENATE BILL 125: Children of Wartime Veterans Modifications.

2017-2018 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: March 15, 2017
Introduced by: Sens. D. Davis, Brown	Prepared by: Kara McCraw
Analysis of: Second Edition	Staff Attorney

OVERVIEW: *The 2nd Edition of SB 125 would expand the definition of child for purposes of qualifying for certain scholarships awarded to the children of military veterans meeting certain criteria.*

CURRENT LAW: Part 2 of Article 14 of Chapter 143B of the General Statutes provides for scholarships to children of certain veterans who meet one of the following criteria:

- Was killed in action or died of service connected injuries.
- Received certain wartime service connected disabilities.
- Was awarded a Purple Heart for wounds received in certain incidents.
- Has a nonservice connected permanent and total disability.
- Is deceased.
- Served in engagements or combat zones for which the United States Department of Defense authorizes a campaign badge or medal.
- Was listed as missing in action.
- Was captured in the line of duty by a hostile force.
- Was forcibly detained or interned in line of duty by a foreign government or power.

To qualify for the scholarship, the veteran's child must also meet the following criteria:

- Be under 25 years of age at the time of application for a scholarship.
- Be a domiciliary of North Carolina and a resident of North Carolina when applying for a scholarship
- Have completed high school or its equivalent prior to receipt of the scholarship.
- Have complied with the requirements of the Selective Service System, if applicable.
- Meet one of the following requirements:
 - Has a veteran parent who was a legal resident of North Carolina at the time of the veteran's entrance into the period of service in the Armed Forces during which eligibility is established for the scholarship.
 - Was born as the child of a veteran in North Carolina and has been a resident of North Carolina continuously since birth, with certain limited exceptions.

An individual legally adopted by the veteran prior to reaching the age of 15 may also satisfy either of these conditions.

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BILL ANALYSIS: In place of children adopted prior to reaching the age of 15, SB 125 would reference the federal definition of "child" used for determination of Pay and Allowances of the Uniformed Services to delineate individuals who may qualify as children of veterans for the various scholarships, as follows:

- A stepchild of the member. This does not include a stepchild after the divorce of the member from the stepchild's parent by blood.
- An adopted child of the member, including a child placed in the home of the member by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the member.
- An illegitimate child of the member if the member's parentage of the child is established in accordance with criteria prescribed in regulations by the Secretary of the relevant service branch.

EFFECTIVE DATE: SB 125 would become effective when it becomes law.