



SENATE BILL 239: Children of Wartime Vets/Scholarships.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 25, 2019
Introduced by:	Sens. D. Davis, Brown	Prepared by:	Samantha Yarborough* Staff Attorney
Analysis of:	First Edition		

OVERVIEW: Senate Bill 239 would expand the definition of "child" for purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and would require the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.

CURRENT LAW: The Department of Military and Veterans Affairs (DMVA) administers a college scholarship program for children of State war veterans. The Veterans' Affairs Commission determines the eligibility of applicants and selects the scholarship recipients. Class I and Class IV scholarships are automatically awarded to qualifying children. Class II and Class III scholarships may be awarded to qualifying children on a competitive basis. For all classes of scholarship, a child is one under the age of 25 who either:

- 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.¹

For purposes of Class II and Class III scholarships only, a child, as defined in 37 U.S.C. 401, also includes a veteran's:

- Stepchild, provided the veteran is not divorced from the stepchild's parent by blood.
- Adopted child, including a child placed in the veteran's home by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the veteran.
- Illegitimate child, if the veteran's parentage of the child is established.

BILL ANALYSIS: Senate Bill 239 would extend to Class I and Class IV scholarships the expanded (federal) definition of "child" currently used for Class II and Class III scholarships for veterans' children. The bill would also make a conforming change to the statutes and require the DMVA to document the number of applicants applying for the scholarships and the total number of applicants made eligible as a result of this act and report its findings to the Joint Legislative Oversight Committee on General Government by March 30, 2020.

EFFECTIVE DATE: The act would be effective when the bill becomes law.

*Billy Godwin, Staff Attorney, substantially contributed to this summary.

¹ An individual legally adopted by the veteran prior to reaching the age of 15 may also satisfy either of these conditions.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578