

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 701

BY SENATORS WELD, ROMANO, MARONEY, CAPUTO,

GRADY, AND SMITH

[Originating in the Committee on Military;

reported on February 23, 2022]

1 A BILL to amend and reenact §18-19-2 of the Code of West Virginia, 1931, as amended, relating
2 to the eligibility of an active-duty service member's child or spouse for tuition-free
3 education through the War Orphan Education Program.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 19. EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF DECEASED
SOLDIERS, SAILORS, MARINES AND AIRMEN.**

§18-19-2. Eligibility of applicant for benefits; application forms; preference.

1 (a) To be eligible for the benefits of this article, a child or spouse as set forth in section
2 one of this article shall meet the following conditions:

3 (1) In the case of a child, is at least 16 and not more than 25 years of age;

4 (2) Is enrolled in a post-secondary education or training institution in this state; and

5 (3) Is the child or spouse of an ~~enlistee~~ enlisted or commissioned service member who
6 designated West Virginia as his or her state of record.

7 (b) The application shall be made to, and upon forms provided by, the West Virginia
8 ~~Division of Veterans Affairs~~ Department of Veterans Assistance. The ~~division~~ department shall
9 determine the eligibility of those who apply and the yearly amount to be allotted each applicant.
10 The amount, in the discretion of the ~~division~~ department, may vary from year to year, but may not
11 exceed the sum of \$1,000 in any one semester or a total of \$2,000 in any one year. In selecting
12 those to receive the benefits of this article, preference shall be given those who are otherwise
13 financially unable to secure the educational opportunities.