

ACT No. 697

Regular Session, 2004

SENATE BILL NO. 641

BY SENATORS MALONE, NEVERS AND CHEEK AND REPRESENTATIVES
BADON, BRUCE, HONEY, KENNEY, T. POWELL, M. POWELL,
RITCHIE, JANE SMITH, TOOMY AND TRAHAN

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AN ACT

To amend and reenact R.S. 17:1682(F) and to enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1682(F) is hereby amended and reenacted and R.S. 17:1682(H) and 1682.2 are hereby enacted to read as follows:

§1682. Children **and spouses** of firefighters; definitions

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F. "Child" means the offspring of a firefighter ~~or his spouse~~ living in the same household with and dependent upon the firefighter for support and the offspring of a firefighter dependent upon him for support, whether or not living in the same household.

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R.S. 17:1682(H) is all new law.

H. "Spouse" means the wife or husband of the firefighter who is living in the same household and who is dependent upon the firefighter for support if the firefighter is alive and is permanently disabled as a result of an injury sustained in the performance of his duties as a firefighter. Spouse also means the wife or husband of a firefighter who is deceased and who was living in the same household and was dependent upon the firefighter for support at the time of the injury which occurred in the performance of his duties as a firefighter and which resulted in the firefighter's death.

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§1682.2. Scholarships for spouses of firefighters killed or disabled in performance of duty; scholarships for disabled firefighters

R.S. 17:1682.2 is all new law.

A. The spouse of a firefighter who is injured in the course and scope of the performance of his duties and the injury causes death or serious injury resulting in an inability to be employed, which spouse is otherwise eligible and meets all of the entrance requirements of a college or university, shall be admitted to such college or university without the payment of any fees, tuition, or other charges, including room and board charges. As long as such spouse meets the academic requirements and maintains a "C" average for each semester and complies with the rules and regulations of such college or university required for attendance therein as a full-time student such spouse shall receive the exemption. Such exemption shall exist for such spouse for the number of semesters required of a full-time student to obtain one bachelor degree offered by such college or university. In addition thereto, such spouse shall be entitled to a cash grant of two hundred fifty dollars per semester from such college or university as an allowance for books and all of the above sums shall be paid out of funds appropriated from the general fund of the state of Louisiana.

B. In no event shall any spouse be allowed more than ten semesters under the provisions of this Section.

C. Any firefighter who is injured in the performance of duties as a firefighter and such injury results in an inability to be employed, and the firefighter is otherwise eligible and meets all of the entrance requirements of a college or university, such firefighter shall be admitted to such college or university without the payment of any fees, tuition, or other charges, including room and board charges, as long as such firefighter meets the academic requirements and maintains a "C" average for each semester and complies with the rules and regulations of such college or university required for attendance therein as a full-time student. Such exemption shall exist for such firefighter for the number of semesters required of a full-time student to obtain

1 one bachelor degree offered by such college or university. In addition thereto, such
 2 firefighter shall be entitled to a cash grant of two hundred fifty dollars per semester
 3 from such college or university as an allowance for books and all of the above sums
 4 shall be paid out of funds appropriated from the general fund of the state of
 5 Louisiana.

6 D. In no event shall any injured firefighter be allowed more than ten
 7 semesters under the provisions of this Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Existing law provides scholarships for the children of firefighters killed or disabled in performance of duty. The scholarship requires the child to maintain certain academic standards and is limited to 10 semesters.

New law retains existing law and provides that the spouse of a firefighter or firefighter injured in the course and scope of the performance of his duties as such, which injury causes death or serious injury resulting in an inability to be employed, and if the spouse or firefighter is otherwise eligible and meets all of the entrance requirements of a college or university, shall be awarded a scholarship for not more than 10 semesters which covers all fees, tuition, or other charges, including room and board charges. In order to maintain the scholarship the spouse must meet the academic requirements and maintain a "C" average for each semester and maintain full-time status as a student. In addition thereto the spouse or firefighter shall be entitled to a cash grant of \$250 per semester from such college or university as an allowance for books. Such scholarship shall not exceed 10 semesters.

New law defines "spouse" to mean the spouse of a firefighter who is dependent upon the firefighter for support if the firefighter is permanently disabled. New law further defines "spouse" to mean the wife or husband of a firefighter who is deceased and who was living in the same household and was dependent upon the firefighter for support at the time of the injury which occurred in the performance of his duties as a firefighter and which resulted in the firefighter's death.

New law limits the definition of "child" to the offspring of a firefighter living in the same household and those dependent on him for support whether living in the same household; removing children of the firefighter's spouse.

Effective August 15, 2004.

(Amends R.S. 17:1682(F); adds R.S. 17:1782(H) and 1682.2)