

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

---

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

---

**MEMORANDUM**

To: Senate Committee on Education  
From: Nick Myers, Office of Revisor of Statutes  
Date: March 15, 2018  
Subject: House Bill 2541

House Bill 2541 amends the Kansas National Guard Educational Assistance Act, which provides financial assistance to national guard members enrolled in a Kansas college or university. The bill amends provisions of the Act regarding eligibility for the financial assistance, limits on financial assistance provided under the Act, and repayment provisions if the requirements of the program are not met.

HB 2541 amends the definition of "eligible member" by striking the requirements that the member is a newly enlisted or reenlisted member of the national guard with not more than 20-years of service. HB 2541 would provide that an "eligible member" is any current member of the national guard who is not under a suspension of favorable action flag or currently on the unit unfavorable information file. The bill also strikes the qualifier that an eligible member does not include a member who is entitled to federal educational benefits earned by membership in the Kansas national guard.

Under current law, the Act provides financial assistance in the amount of tuition and fees necessary for the member to complete their education program. HB 2541 strikes this provision and adds language that authorizes financial assistance in the amount of up to 15 credit hours each semester, with an aggregate maximum assistance amount of 150% of the credit hours required to complete the education program.

Current law requires an eligible member to complete such member's current service obligation in the Kansas National guard, plus serve an additional three months for each semester the member receives financial assistance. HB 2541 strikes the three-month requirement would require a member to have at least one year remaining on their enlistment contract prior to participation in the program and serve at least 24 months in the Kansas National Guard upon

completion of their last semester under the program. HB 2541 would also require members to submit a free application for federal student aid (FAFSA) and apply for any other federal tuition assistance that the member may be eligible to receive.

Current law requires a member to remain in good standing at the educational institution and maintain participation in the Kansas National Guard. In addition to those requirements, HB 2541 would require members to maintain at least a 2.0 GPA and submit transcripts at the end of each semester to the member's unit.

Finally, current law requires repayment of the total amount of money received from any member who fails to satisfy the Kansas National Guard service requirements of the program. HB 2541 would amend this repayment provision to require that, if a member fails to serve the full 24 months of service, then the member must pay a pro rata portion of the financial assistance the member received back to the State. The amount of recoupment is determined by dividing the total financial assistance the member received by 24, and then multiplying that monthly proportion by the number of months the member did not serve. HB 2541 also provides that a member may request a waiver from recoupment if the member's failure to serve is due to extenuating circumstances or extreme hardship. The chief of staff of the Kansas Army National Guard or the director of staff for the Kansas Air National Guard are delegated the duty to review and grant or deny waiver requests.

If enacted, HB 2541 would become effective on July 1, 2018.