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KANSAS STATUTORY RESOURCES AND BENEFITS FOR MILITARY PERSONNEL, VETERANS, AND MILITARY FAMILIES

This memorandum provides information on resources and benefits in Kansas statutes for military personnel, veterans, and military families. Additional information can be found in the [KLRD Briefing Book](#).

Benefits Assistance

Kansas Commission on Veterans' Affairs Office ([KCVAO](#)). The KCVAO provides Kansas veterans and their families with information and assistance by coordinating programs and services to help them improve their quality of life. The KCVAO's available services range from helping veterans file claims for medical, educational, or other benefits to helping veterans obtain earned medals and military awards. KCVAO veterans' services representatives are available, free of charge, to assist veterans and family members.

KanVet. The [KanVet](#) website provides direct access to State of Kansas veteran-specific resources and benefits.

Veterans Claims Assistance Program ([VCAP](#)). The purpose of the VCAP is to improve the coordination of veterans' benefits counseling in Kansas, ensure efficient use of taxpayer dollars, and serve veterans with necessary counseling and assistance. The VCAP, through its advisory board, also advises the Director of the KCVAO on all veterans' services, including the VCAP. The VCAP Advisory Board also makes recommendations to the Director of the KCVAO regarding match funding levels for veterans' service organizations.

Education

Free tuition for dependents of deceased military personnel. Kansas offers free tuition and fees to dependents and unmarried widows and widowers of servicemembers killed in action while serving on or after September 11, 2001, dependents of those who are prisoners of war or missing in action, and dependents of those who died as a result of service-connected disabilities suffered during the Vietnam Conflict (KSA [75-4364](#), since 1996, and KSA 2019 Supp. [73-1218](#), since 1976).

The **Kansas Military Service Scholarship** covers tuition and fees for certain active duty servicemembers and veterans who were honorably discharged or generally discharged under honorable conditions and who deployed or received hostile fire pay for at least 90 days after

September 11, 2001. The 90-day requirement may be waived if the servicemember was injured during such military service (KSA 2019 Supp. [74-32,227 et seq.](#), since 2008).

The **Kansas National Guard Educational Assistance Program** provides tuition and fees assistance for enlisted personnel in the Kansas Air or Army National Guard who are not under a suspension of favorable action flag, not currently on the unit unfavorable information file, have a high school diploma or GED, and have not already obtained a bachelor's or higher academic degree. The assistance is in an amount equal to tuition and required fees for not more than 15 credit hours a semester with an aggregate total not to exceed 150 percent of the total credit hours required to complete their educational program. The availability of this tuition assistance is subject to appropriations (KSA [74-32,145 et seq.](#), since 1996).

Interstate Commission on Educational Opportunity for Military Children (Interstate Commission). Kansas has been a member of the Interstate Commission since 2008. The Interstate Compact on Educational Opportunity for Military Children (Interstate Compact) adopted by the state addresses educational transition issues military families face when relocating to new duty stations. The Interstate Commission assists military families with enrollment, placement, attendance, eligibility, and graduation. Children of active duty servicemembers, National Guard and Reserve servicemembers on active duty orders, and servicemembers or veterans who are medically discharged or retired for one year are eligible for assistance under the Interstate Compact. More information and points of contact are available at <http://mic3.net/Kansas.html> (KSA [72-8268](#), since 2008).

Operation Recognition. Operation Recognition is a program that awards honorary high school diplomas to deserving and qualified World War II, Korean War and Vietnam War-era veterans who left high school before graduation to serve in the military.

Reserve Officer Training Corps (ROTC) scholarships. Kansas also offers ROTC scholarships at Kansas Board of Regents (KBOR) institutions and community colleges for students interested in becoming commissioned officers in the armed forces.

Residency. Veterans, their spouses, and their children are considered residents by community colleges and KBOR institutions. When such a person is using federal educational benefits to attend college, resides in or is assigned to a permanent duty station in Kansas, or previously established residence in Kansas prior to service and lives in Kansas at the time of enrollment, the person will be charged in-state tuition and fees regardless of length of residency (KSA 2019 Supp. [48-3601](#), since 2015).

More information about educational resources available to veterans and military families can be found at:

- <https://myarmybenefits.us.army.mil/Benefit-Library/State/Territory-Benefits/Kansas>; and
- <https://www.kansasregents.org/students/military>.

Death and Burial

Alternate death gratuity. Effective January 1, 2015, if federal funding is not available during a federal government shutdown, the Kansas Adjutant General will pay a death gratuity of \$100,000 for any eligible Kansas military service member (KSA 2019 Supp. [48-282](#), since 2005).

Burial, military honors. The Military Honors Funeral Fund shall be used for the purpose of providing military honors funerals. The Kansas Adjutant General may accept all gifts, grants, donations, and bequests to the fund (KSA 2019 Supp. [73-309](#), since 2014).

Burial, state veterans' cemeteries. Veterans, regardless of their Kansas residency, may be buried in state veterans' cemeteries located in Fort Dodge, Fort Riley, WaKeeney, and Winfield, if they meet service requirements. Spouses, surviving spouses, and dependent children who meet certain requirements also are eligible for interment in these cemeteries. There is no fee unless an exception is needed for a grave-liner policy, and a person may pre-register for the service (KCVAO website <http://kcva.ks.gov/veteran-cemeteries/program-information>);

Burial, unclaimed remains of veterans. Should a veteran's cremated remains be unclaimed, a funeral service is authorized to relinquish those remains to the KCVAO or to a national veterans cemetery for disposition in a tomb, mausoleum, crypt, or niche in a columbarium, or by burial (KSA 2019 Supp. [65-1732](#), since 1988).

Employment

Position reinstatement. An employee of the State or of a local Kansas government is entitled to be reinstated when caused to be away from the position due to active duty orders from the reserve component of Kansas or another state (KSA [73-213](#) *et seq.*, since 1941).

Private veterans' preference. Private employers may establish a veterans' hiring preference in Kansas. The veterans' preference must be in writing and must be consistently applied. Veterans are required to provide the employer with proof of military service and discharge under honorable conditions (KSA 2019 Supp. [73-231](#), since 2015).

Professional licenses. Kansas encourages veterans and military spouses to use their training in Kansas by accepting education and licensing under certain circumstances:

- **Commercial driver's licenses.** Kansas will waive the skills test for an applicant for a commercial driver's license if that applicant provides evidence of military driving experience that meets the requirements of [49 CFR 383.77](#). An applicant still is required to pass the Kansas knowledge test. The applicant must have military experience operating a vehicle similar to the commercial vehicle the applicant expects to operate and must not have been convicted of any offense that would disqualify a civilian commercial driver (KSA 2019 Supp. [8-2,133](#), since 2012);
- **Credit for military education and training.** State licensing bodies are to accept education, training, or service completed in the military that is equal to existing

educational requirements if the applicant received an honorable discharge or a general discharge under honorable conditions. This does not extend to the practice of law (KSA 2019 Supp. [48-3407](#), since 2013);

- **Expedited state licensure for servicemembers and spouses.** A Kansas licensing body must issue a professional license to a nonresident military spouse or to a veteran within 60 days after a complete application is received if the potential licensee meets certain requirements (KSA 2019 Supp. [48-3406](#), since 2015);
- **Extended probationary license period.** A Kansas licensing body must allow a service member or military spouse to have a license on a probationary basis for up to six months when the licensing body does not have licensure, registration, or certification by endorsement, reinstatement, or reciprocity and the service member or military spouse meets certain criteria (KSA 2019 Supp. [48-3406](#), since 2015);
- **Interstate Compact for Recognition of Emergency Personnel Licensure (Compact).** The Compact, activated in 2017, provides that active and former servicemembers, who hold a current valid and unrestricted National Registry of Emergency Medical Technicians (EMT) certification at or above the level of state license being sought, have satisfied the minimum training and examination requirements for EMT licensure. The Compact also covers servicemember spouses (KSA 2019 Supp. [65-6158](#), since 2016).
- **Maintaining a license while serving.** A Kansas license to engage in or practice an occupation or profession is valid while the licensee is in military service and for up to six months following release, without the licensee paying a renewal fee, submitting a renewal application, or meeting continuing education or other license conditions. (This provision does not apply to licensees who engage in the licensed activity outside of the line of duty while in military service.) (KSA [48-3402](#), since 1991);
- **No honorable discharge requirement.** Kansas permits licensing bodies to grant professional credentials to former servicemembers who meet all of the requirements for professional credentials, but were separated from the military under less than honorable conditions as well as under honorable conditions (KSA 2019 Supp. [48-3406](#), since 2015);
- **Recognition of barbering certification.** Kansas allows a person to receive a license to practice barbering if the person has been certified in a related industry by any branch of the U.S. military service, and completed a course of study in a licensed Kansas barber college or school (KSA 2019 Supp. [65-1812](#), since 2016); and
- **Temporary Bar admission for military spouses.** Kansas Supreme Court [Rule 712A](#) grants applicants temporary admission to the Kansas Bar without a written examination if the applicant is married to a military servicemember stationed in

Kansas and has been admitted to the practice of law upon a written examination by the highest court of another state or in the District of Columbia (since 2016).

Preference to disabled veteran businesses. In awarding any contract for any job or service that uses appropriated moneys, the Secretary of Administration is to give a preference to disabled veteran businesses doing business in Kansas as firms, corporations, or individuals, or which maintain Kansas places of doing business, with a statutory goal of awarding at least 3 percent of all such contracts to disabled veteran businesses (KSA [73-230](#), since 2014).

State employee direct payment benefits. Benefits-eligible state employees who serve in the military reserves and are called to full-time military duty and are mobilized and deployed are authorized to receive a one-time activation payment of \$1,500. They also are authorized to receive the difference between the employee's military base pay, plus most allowances, and their regular state wages, up to \$1,000 per pay period (KSA [75-3228](#), since 2008).

State service credit for pension purposes. State pension participants away from their jobs for military service shall be granted up to five years of state service credit, and an absence for extended military service is not considered termination of employment unless the employee withdraws contributions (KSA [74-4913](#), since 1961). In addition, an employee may buy up to six years of service credit for military service (KSA [74-4919h](#), since 1974). Judges away for military service may purchase up to six years of participating credit for periods of active service in the armed forces toward their retirement benefits (KSA [20-2625](#), since 1998).

Veterans' preference. The veterans' preference applies to initial employment and first promotion with state government and with counties and cities in "civil service" positions. Veterans are to be preferred if "competent," which is defined to mean "likely to successfully meet the performance standards of the position based on what a reasonable person knowledgeable in the operation of the position would conclude from all information available at the time the decision is made." Veterans' preference applies to veterans who have been honorably discharged from the armed forces. The veterans' preference will also extend to spouses of veterans who have 100 percent service-connected disability, surviving spouses (who have not remarried) of veterans killed in action or who died as result of injuries while serving, or the spouses of prisoners of war. Veterans' preference does not apply to certain types of jobs, such as elected positions, city or county at-will positions, positions that require licensure as a physician, and positions that require the employee to be admitted to practice law in Kansas. The hiring authority is required to take certain actions, including noting in job notices the hiring authority is subject to veterans' preference, explaining how the preference works, and explaining how veterans may take advantage of the preference (KSA [73-201](#) *et seq.*, since 1886). For more information regarding veterans' preference, visit <https://admin.ks.gov/services/state-employment-center/veterans>.

Health Care and Insurance

Insurance reinstatement. No Kansas resident activated for military service, spouse, or dependents who become eligible for a federal government sponsored health insurance program as a result of such activation may be denied reinstatement into the same individual coverage with the same health plan that such resident lapsed as a result of activation (KSA [48-296](#), since 2005).

Insurance retention during deployment. No personal insurance issued to a Kansas resident on active military deployment outside of the United States, or the spouse or any dependent of such Kansas resident, shall be subject to cancellation, non-renewal, premium increase, or adverse tier placement for the term of the deployment based solely upon that Kansas resident's military deployment (KSA [48-296](#), since 2005).

State Veterans Homes. KCVAO provides housing and nursing care to veterans at the Kansas Veterans' Home in Winfield and the Kansas Soldiers' Home at Fort Dodge. Eligible veterans must have had active federal service and have been discharged under conditions other than dishonorable. Eligibility criteria for care include disability, inability to defray the expenses of necessary care, or status as a former prisoner of war. The first priority for admission shall be given to veterans who have no adequate means of support. Within this group, priority shall be based on the severity of medical care required and the ability to acquire and afford care or residency in the community. Applicants need not have been actual residents of Kansas; however, Kansas residents will receive priority. Certain spouses also are eligible. The homes meet all federal and state standards. A continuum of services is available, as is memory care (<http://kcva.ks.gov/veteran-homes>).

Motor Vehicles

Driver's licenses. A veteran who provides certain proof of that status may request the designation "VETERAN" be displayed on the front of that person's driver's license (KSA 2019 Supp. [8-243\(e\)](#), since 2013). Active duty military personnel stationed in Kansas and their dependents who are residents of other states are not required to obtain a Kansas driver's license (KSA 2019 Supp. [8-234a\(a\)\(2\)](#), since 1993).

Free license plates for disabled veterans. Veterans who are entitled to compensation for a service-connected disability of at least 50% or who are entitled to compensation for the loss, or permanent loss of use, of one or both feet or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree, may be issued a distinctive license plate free of charge (KSA 2019 Supp. [8-160](#) and [8-161](#), since 1951).

Free parking privileges. Kansas law permits veterans with disabled veterans license plates free parking privileges in spaces reserved for disabled persons in public parking facilities and parking lots that employ parking attendants (KSA 2019 Supp. [8-161](#), since 2015).

Motor vehicle tax. No vehicle taxes are levied on the first two vehicles of full-time active members of the military, National Guard, or Reserve stationed in Kansas. Furthermore, active duty servicemembers who are Kansas residents are not required to pay motor vehicle taxes for their first two vehicles if they maintain vehicles outside of the state and are absent from the state on military orders on the date the registration payment is due (KSA [79-5107](#), since 2004).

License plates and decals. Kansas has distinctive license plates available for veterans and family members, most at no charge. Among the plates available are general active duty and veterans plates (KSA 2019 Supp. [8-1,146](#), since 1997); plates for veterans with disabilities (KSA 2019 Supp. [8-161](#), since 2015); and various other distinctive plates including those to recognize Congressional Medal of Honor recipients (KSA 2019 Supp. [8-1,145](#), since 1997) and Families of the Fallen (KSA 2019 Supp. [8-1,166](#), since 2012). More information on the available license plates is available at <https://www.ksrevenue.org/dovplates.html>. Those with any type of distinctive license plate for which a person is required to submit proof of military service may

purchase decals indicating certain military honors. The decals indicate the person was a recipient of a Silver Star or Bronze Star Medal or of a Combat Medical Badge, Combat Infantry Badge, Navy/Marine Corps Combat Action Ribbon, Army Distinguished Service Cross, Navy Cross, Air Force Cross, Distinguished Flying Cross, Army of Occupation Medal, or Navy Occupation Service Medal. Proof must be submitted to the Director of Vehicles that such honors were awarded to the person requesting the decal (KSA [8-1,156](#), since 2005).

Sentencing and Treatment

Court-ordered treatment. A judge may consider combat service-connected injuries, including major depressive disorder, polytrauma, post-traumatic stress disorder, and traumatic brain injury, when ordering a defendant to treatment (KSA 2019 Supp. [12-4415](#) and [22-2908](#), since 2015). A veteran defendant is not required to have an honorable discharge to qualify for court-ordered treatment (KSA 2019 Supp. [21-6630](#), since 2015). A veteran who meets the criteria for court-ordered substance abuse treatment, but is not eligible for treatment at a military treatment facility or veterans' treatment facility, and is eligible to participate in the 2003 SB 123 program of community supervision and drug treatment for offenders rather than confinement in correctional facilities, may receive treatment in the 2003 SB 123 program (KSA 2019 Supp. [21-6630](#), since 2015).

Diversion agreements. A prosecutor may consider combat service-related injuries when considering whether to enter into a diversion agreement with a veteran defendant. The injuries that could be considered include major depressive disorder, polytrauma, post-traumatic stress disorder, and traumatic brain injury (KSA 2019 Supp. [12-4415](#) and [22-2908](#), since 2015).

Mitigating factors. A judge may consider combat service-related injuries, including major depressive disorder, polytrauma, post-traumatic stress disorder, and traumatic brain injury, as mitigating factors when sentencing a veteran defendant (KSA 2019 Supp. [21-6630](#) and [21-6815](#), since 2015).

Taxes

Income tax refund—certain Native American veterans. Certain Native American military veterans are eligible to apply for a refund of state personal income taxes improperly withheld from their federal military income between 1977 and 2001 in the amount of income taxes paid plus interest. The refund may be sought on behalf of a deceased veteran's estate by a surviving spouse or any heir-at-law. No refunds will be issued after June 30, 2020 (KSA [79-32,272](#), since 2018).

Income tax—check-off provisions. Taxpayers may contribute income tax refunds or additional money to the Kansas Military Emergency Relief Fund, to be used to help military families defray costs of necessities while a family member is on active duty or for other services to support military families, and the Kansas Hometown Heroes Fund, to be used solely for veterans' services programs of the KCVAO (KSA [79-3221i](#), since 2006; KSA [79-3221k](#), since 2011).

Property exempt from property and *ad valorem* taxes. Housing developments and related improvements located on U.S. military installations and used exclusively or primarily by

military personnel and their families are exempt from property taxation (KSA [79-201a](#), since 2004). Privately-owned utility systems built on military installations pursuant to the Military Utilities Privatization Initiative are exempt from property tax (KSA [79-201a](#), since 2014).

Property tax—deferral. An active duty servicemember who has orders to deploy or is deployed outside of the United States for at least six months may defer payment of taxes on real property for up to two years. A claim for the deferral must be filed with the county clerk (KSA [79-1612](#), since 2008).

Property tax—homestead. Certain disabled veterans and surviving spouses who do not remarry are eligible for the Homestead Property Tax Refund Program. Disabled veterans are those Kansas residents who have been honorably discharged from active duty in the armed forces or Kansas National Guard and who have been certified to have a 50 percent or more permanent service-connected disability (KSA [79-4502 et seq.](#), since 2009).

Retirement Income. Kansas does not tax veterans' retirement income (KSA [79-32,117\(c\)\(vii\)](#), since 1992).

Miscellaneous Benefits

Anti-discrimination. Kansas law prohibits discrimination against a member of the military because of military status. The law also states a person may not discriminate against a member of the military with respect to deployment or employment position or status; deny employment or disqualify for or discharge from employment because of membership or service in the military; or refuse entrance to or otherwise discriminate against any member of the military in any place of public accommodation. Alleged violations are civil matters (KSA [44-1125 et seq.](#), since 1993).

Concealed carry licenses. Kansas law permits concealed carry of a firearm without a concealed carry license issued by the State unless federal or state law prohibits the person from possessing a firearm. However, active duty military personnel and their dependents residing in Kansas may apply for concealed carry handgun licenses without Kansas driver's licenses or Kansas non-driver's identification cards. Upon completing all other requirements for a concealed carry permit, the service member or dependent would be granted a license under the Personal and Family Protection Act and issued a unique license number (KSA [75-7c01 et seq.](#), since 2015). Active duty military personnel can also apply for a concealed carry license while stationed outside of Kansas if they provide evidence of completion of a course offered in another jurisdiction which is determined by the Kansas Attorney General to have training requirements that are equal to or greater than those required in Kansas (KSA [75-7c05](#), since 2016).

Consumer protection. The Kansas Consumer Protection Act (Act) defines members of the military and their immediate family members as well as veterans and their surviving spouses as "protected consumers" under the Act (KSA 2019 Supp. [50-676](#), since 2017).

Custody and parenting considerations. If either parent is a servicemember, a permanent parenting plan incorporated into a final order establishing matters regarding a child custody arrangement must include provisions for custody and parenting time upon military

deployment, mobilization, temporary duty, or unaccompanied tour (KSA 2019 Supp. [23-3213](#), since 2008).

Emergency financial assistance. The Kansas Adjutant General may extend grants and interest-free loans to Kansas National Guard servicemembers, members of the reserve forces, and their families to assist with financial emergencies. Individuals may contribute to the Military Emergency Relief Fund by checking the designated block on their individual income tax return forms.

Hunting and fishing licenses. Hunting and fishing licenses are issued at no cost to veterans with 30 percent or more service-connected disability. Military members stationed in Kansas are treated as residents for issuance of hunting and fishing licenses. More information about these benefits is available from the Kansas Department of Wildlife, Parks and Tourism at:

- <http://ksoutdoors.com/Hunting/Applications-and-Fees>; and
- <http://ksoutdoors.com/Fishing/Fishing-Application-and-Fees>.

Recognition for Vietnam War Era veterans. The Vietnam War Era Medallion Program provides eligible veterans with a medallion, a medal, and a certificate of appreciation. The Medallion Program is open to veterans who served within the United States or in a foreign country between February 28, 1961, and May 7, 1975; are legal residents of Kansas or were legal residents at the time they entered military service, the time they were discharged from military service, or at the time of their death; and were honorably discharged, are still on active duty in an honorable status, or were on active duty at the time of death (KSA [73-1238](#) et seq., since 2009).