

*Alabama Department
of
Veterans Affairs*

**ALABAMA LAWS
AFFECTING VETERANS**



JULY 2021

PREFACE

The Alabama Department of Veterans Affairs (ADVA) receives many requests for information regarding benefits provided by our state for veterans and their dependents.

This pamphlet was prepared to give a brief summary of these benefits. If full and comprehensive treatment of the law is desired, it may be found in the referenced section of the Code of Alabama.

Representatives of the ADVA, known as veterans service officers (VSO), are located throughout the state. Their offices are typically in the county courthouse or in the immediate vicinity. They will be happy to assist applicants with these benefits, and their services are entirely free. To find the office nearest you, visit va.alabama.gov/serviceofficer.

Due to budgetary constraints, the ADVA has a limited supply of this pamphlet; however, feel free to reproduce this pamphlet for your use or distribution. It may be accessed at va.alabama.gov/laws-effecting-vererans.

A handwritten signature in black ink that reads "W. Kent Davis". The signature is written in a cursive style with a large, prominent "D".

W. Kent Davis
Rear Admiral, USN (Retired)
Commissioner

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STATE OF ALABAMA
DEPARTMENT OF VETERANS AFFAIRS

Act No. 1945-173, approved on June 23, 1945, created the State of Alabama Department of Veterans Affairs (ADVA) to function under a State Board of Veterans Affairs. Operation of the department began officially on October 1, 1945, as provided in the Act.

The State Board of Veterans Affairs (SBVA) currently consists of the governor, as chairman, and representatives from the following Alabama veterans organizations: The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, American Ex-Prisoners of War, Inc., Vietnam Veterans of America, Military Order of the Purple Heart, Military Officers Association of America, and the Marine Corps League.

Personnel of the department consists of a state service commissioner; assistant state service commissioners as the state board deems necessary; county veterans service officers (VSOs) who provide service to residents of all 67 counties of Alabama; claims representatives; and administrative employees.

The ADVA, acting through the state service commissioner, is the designated agency of the State of Alabama to represent the state and its veterans before the U. S. Department of Veterans Affairs (USDVA) or any other agency dealing with the interest of veterans.

It is the duty and purpose of the ADVA to fully develop and maintain a comprehensive statewide veterans assistance program, to assist the veteran and his/her dependents with veteran related issues, and to inform them of their rights and entitlements under current law. It is the duty of the commissioner to cooperate with all other departments of the State of Alabama in coordinating plans and programs of state agencies which affect veterans and their dependents. The ADVA, through its commissioner, provides a central point of contact between federal agencies dealing with the issues of veterans.

It is the duty of the state service commissioner, assistant state service commissioners and county VSOs to inform members of the armed forces, veterans and their dependents of all federal, state and local laws enacted for their benefit. It is their duty to aid all residents of the State of Alabama who served in the armed forces of the United States, their relatives, beneficiaries and dependents to receive from the United States and the State of Alabama any and all compensation, pension, hospitalization, insurance, educational, employment pay and gratuity, loan guarantee or any other aid or benefit to which they may be entitled under current laws or laws to be enacted. Veterans in Alabama have the advantage of being in the position to personally contact and receive service from the VSO near the veteran's home.

There is no charge to any individual for assistance from any of the VSOs.

For further information, please visit www.va.alabama.gov. (ALA. CODE §§ 31-5-1 to 31-5-14 (1975))

DISTINCTIVE/COMMEMORATIVE VEHICLE TAG PROGRAM

Alabama offers a number of veteran and military distinctive license plates. To prove eligibility for a veteran distinctive license plate, the beneficiary may provide the licensing official with a copy of the veteran's DD Form 214 or any other documentation prescribed by law or administrative rule. For a list of these documents and for details regarding individual plates, please visit the Alabama Department of Revenue's website at revenue.alabama.gov/motor-vehicle/license-plate-information.

Where these documents are unavailable or insufficient to prove eligibility, the beneficiary may provide a certification of eligibility from the ADVA. Beneficiaries may secure a certificate of eligibility (ADVA Form 14) for these plates from any ADVA county veterans service office upon presentation of authoritative documentation. To find your closest office, please visit the ADVA's website at va.alabama.gov/serviceofficer. Please note that under no circumstances can a second party such as a family member make application for a distinctive or commemorative license plate on behalf of the beneficiary. (ALA. CODE § 32-6-250.1)

Motorcycle License Plates – Motorcycle license plates are available for each of the veteran distinctive plates. (ALA. CODE § 32-6-69)

DISABLED VETERANS LICENSE PLATE (10% or Higher Service- Connected Disability Rating)

Service-connected disabled veterans who are rated at 10% or higher and are residents of Alabama at the time the exemption is claimed shall be exempt from the payment of the privilege or license tax and registration fee now and hereinafter to be levied on automobiles and motor vehicles by the State of Alabama. Effective January 1, 2022, the veteran will be exempt from the issuance fee. Veterans rated as less than 50% service-connected disabled are limited to one exemption and one license plate. Disabled Veterans plates are not transferable. (ALA. CODE §§ 40-12-244, 40-12-254, Act. No. 2021-410)

DISABLED VETERANS LICENSE PLATE (60% or Higher Service- Connected Disability Rating)

Any resident veteran who suffers from a physical disability which requires that any motor vehicle he or she operates be equipped with special mechanical control devices; whose physical disability **exceeds** 50% or more; or whose vehicle has been all or partly paid for with funds furnished for such purpose by the United States Department of Veterans Affairs (USDVA) may be issued Disabled Veterans license plates for private or pleasure motor vehicles. If the veteran qualifies due to USDVA funding for their vehicle, he/she is limited to one (1) license plate which shall be exempt from license fees and ad valorem taxes. Otherwise, there is no limit on the number of plates issued. The registration fee for these tags is \$5.00, unless otherwise exempted by law (see 10% or Higher Service-

Connected Disability Rating below). The registration fee shall be in lieu of the regular license fee now required for motor vehicles. Effective January 1, 2022, all veterans being issued one of these plates shall be exempt from the issuance fee. Disabled Veterans plates are not transferable. (ALA. CODE §§ 32-6-130, 40-12-244, 40-12-254, Act No. 2021-410)

GOLD STAR FAMILY LICENSE PLATE

The Gold Star Family Distinctive License Plate is available to all residents of Alabama who are vehicle owners and members of the immediate family of a person who has died while on active duty in any branch of the U.S. military. An immediate family member under this provision is considered the veteran's spouse; parent (Natural, Adoptive or Step); foster parent in loco parentis; sibling (to include whole or half-blood, or by adoption); child, including those by adoption or a stepchild; grandparent or other legal guardian; or any other immediate family members designated as next of kin by the Department of Defense. Eligible family members may be issued one plate without issuance fee or ad valorem taxes. Subsequent plates may be issued upon payment of normal fees and taxes. This plate may be personalized for an additional fee. (ALA. CODE § 32-6-630, Act. No. 2021-410)

MILITARY BRANCH OF SERVICE LICENSE PLATE

All residents of Alabama who are active, retired, or honorably discharged veterans of the United States Air Force, Army, Navy, Coast Guard, Marine Corps, and Merchant Marines may be issued distinctive motor vehicle tags by presenting the local tag official with the following: Military ID; Leave and Earnings Statement; or DD Form 214 reflecting the appropriate branch of service. Registrants for the Military Branch License Plates shall pay the normal tag and issuance fee and ad valorem taxes. An additional payment of \$3.00 for each tag issued is required in years where new plates are issued including the initial year. These license plates cannot be personalized. **Exception:** Retired and honorably discharged members of the US Marines Corps applying for the Marine Corps License Plate shall pay an additional \$25.00 each time the vehicle registration is renewed. (ALA. CODE §§ 32-6-640, 32-6-650)

NATIONAL GUARD OR RESERVE FORCES EXEMPTION

Any active or retired member of the Alabama National Guard or any resident of Alabama at the time of entering the United States Armed Forces Reserve organization who are still residents of Alabama at the time the exemption is claimed shall be exempt from the payment of the privilege or license tax, registration fee, and issuance fee (effective January 1, 2022) now and hereinafter to be levied on one automobile or motor vehicle by the State of Alabama. For active and retired members of the Alabama National Guard, this exemption is no longer limited to the distinctive National Guard license plate. (ALA. CODE § 40-12-244, Act No. 2021-410)

PEARL HARBOR SURVIVORS LICENSE PLATE

Any person who was a member of the United States Armed Forces on December 7, 1941, was on station or offshore at a distance not to exceed three miles during the attack on the Island of Oahu, Territory of Hawaii, and received an honorable discharge from the United States Armed Forces may be issued a distinctive motor vehicle license tag identifying said person as a Pearl Harbor Survivor upon the payment of the regular license fee. An additional payment of \$3.00 for each tag issued is required in years where new plates are issued including the initial year. License plates can be personalized for an annual additional fee of \$50. (ALA. CODE §§ 32-6-310, 32-6-350.1, 32-6-231.1)

RECIPIENTS OF THE MEDAL OF HONOR, DISTINGUISHED FLYING CROSS, SILVER STAR, BRONZE STAR OR PURPLE HEART MEDAL; FORMER PRISONERS OF WAR; AND MEMBERS OF THE LEGION OF VALOR LICENSE PLATE

A distinctive permanent license plate for use on a private motor vehicle registered in the recipient's name, shall be issued to any resident of the state who is a recipient of the Medal of Honor; a recipient of the Distinguished Flying Cross; a recipient of the Silver Star; a recipient of the Bronze Star; a recipient of the Purple Heart Medal; a duly recognized American prisoner of war (military or civilian); an American who was a duly recognized prisoner of war (military or civilian) while serving with a formal American ally force; or a member of the Legion of Valor with qualifying medal.

Medal of Honor - The registrant is exempt from registration fees and ad valorem taxes for the first plate. All applicable registration fees and ad valorem taxes must be remitted for any additional plates obtained.

Distinguished Flying Cross – The registrant is required to pay the regular registration fees and ad valorem taxes and an annual additional fee of \$25 for each plate.

Silver or Bronze Star – The registrant is required to pay the regular registration fees and ad valorem taxes and an annual additional fee of \$25 for each plate.

Purple Heart Medal - The registrant is exempt from registration fees (but not ad valorem taxes) for the first plate. All applicable registration fees and ad valorem taxes must be remitted for any additional plates obtained.

Prisoner of War - The registrant is exempt from registration fees and ad valorem taxes for the first plate. All applicable registration fees and ad valorem taxes must be remitted for any additional plates obtained.

Legion of Valor – The registrant must be a member of the organization and have been awarded either the Medal of Honor, the Army Distinguished Service Cross, the Navy

Cross, or the Air Force Cross to qualify. A qualified registrant is exempt from registration fees and ad valorem taxes for the first plate. All applicable registration fees and ad valorem taxes must be remitted for any additional plates obtained.

Recipients of the Medal of Honor, Distinguished Flying Cross, Silver Star, Bronze Star, Purple Heart Medal, Prisoner of War, and Legion of Valor license plates may keep the tag for life and do not need to re-register each year. Upon the veteran's death, the surviving spouse shall be entitled to retain the tag, at no fee or tax. **Exception:** the surviving spouse of Purple Heart Medal recipients shall pay ad valorem taxes due for one private motor vehicle owned by the surviving spouse for the remainder of the said spouse's lifetime or until remarriage. (ALA. CODE §§ 32-6-250, 32-6-254)

Honored Veteran Parking Permit - Those who would otherwise qualify for one or more of the above listed license plates may be issued an Honored Veteran Parking Permit placard. The placard shows eligibility to park in particular designated veteran parking. To apply for a placard, please visit your ADVA county veterans service office. To find your closest office, please visit the ADVA's website at va.alabama.gov/serviceofficer or call 334-242-5077. (ALA. CODE § 35-6-253.1)

RETIRED MILITARY LICENSE PLATE

Those persons who are retirees from active duty in the Army, Navy, Marine Corps, Air Force or Coast Guard of the United States may be issued distinctive motor vehicle tags identifying these persons with such retirement. Retirees are entitled to a distinctive tag for each vehicle registered in their name and must pay regular license fee. An additional payment of \$3.00 for each tag issued is required in years where new plates are issued including the initial year. The non-handicapped versions of these plates are transferable to a surviving spouse for lifetime or until remarriage. (ALA. CODE §§ 32-6-290 to 32-6-293)

SPECIFIC CONFLICT LICENSE PLATE

These plates include plates for those serving in or during World War II, Battle of the Bulge, Atomic Nuked, Korean War, Vietnam War, Desert Shield/Desert Storm, Operation Iraqi Freedom, Operation Enduring Freedom, Global War on Terrorism, and the Cold War (effective January 1, 2022). Specific eligibility criteria for these license plates may or may not require the applicant to have served in a specific country/location to qualify for issuance.

Registrants for each of the above commemorative license plates shall pay the normal tag and issuance fee and ad valorem taxes. An additional payment of \$3.00 for each tag issued is required in years where new plates are issued including the initial year. Excluding the Global War on Terrorism Plate, these plates may also be personalized for an annual fee of \$50.00. **Exception:** The registrant for the **Vietnam**

Veteran License Plate shall pay a \$6.00 fee when the initial metal plate is issued and a \$3.00 fee each time the vehicle registration is renewed. (ALA. CODE §§ 32-6-231.1, 32-6-350(b), 32-6-350.1, Act No. 2021-430)

EDUCATION BENEFITS

ACADEMIC CREDIT FOR MILITARY SERVICE

State public institutions may grant veterans academic credit for military education, training, and experience determined to be within the school's role, scope, and mission. Check with the school's Registrar or Veteran's Affairs Representative for more information. (ALA. CODE § 31-12A-3)

ALABAMA G.I. DEPENDENT SCHOLARSHIP PROGRAM

This program is administered by the ADVA and is governed by ALA. CODE §§ 31-6-1 to 31-6-17.

Eligibility Requirements

Military Service: The veteran must have been honorably discharged with at least 90 days of continuous active federal military service or have been honorably discharged by reason of service-connected disability after serving less than 90 days of continuous active federal military service. There is no longer a requirement that the qualifying service occur during a war time period.

Disability Requirements: The veteran must be rated 40% or more by the United States Department of Veterans Affairs due to service-connected disabilities or have held the qualifying rating at the time of death, a former prisoner of war (POW), or declared missing in action (MIA), or died as the result of a service-connected disability, or died while on active military service in the line of duty.

Please Note: Veterans with a disability rating of 20-30% may qualify if the effective date of their disability rating is on or before July 31, 2017. This provision will expire on July 31, 2023.

Veterans whose disability rating was less than 20% prior to May 23, 2017 but who had a claim for compensation pending prior to that date which resulted in a final award by the United States Department of Veterans Affairs of at least 20% may be eligible if the dependent applies for benefits within six months of that final adjudication.

Veteran Residency Requirements: The veteran must qualify under one of the following two requirements:

1. Have been a permanent civilian resident of the State of Alabama for at least one year immediately prior to (a) the initial entry into active military service or (b) any subsequent period of military service in which a break (1 year or more) in service occurred and the Alabama civilian residency was established.

AND one of the following:

- a. Current resident for at least two years immediately prior to the date of this application or date of veteran's death; or
- b. Current resident who was discharged within the last 12 months; or
- c. Filed a resident Alabama income tax return for the past 10 consecutive years.

OR

2. Permanently service-connected veterans rated at 100% who did not enter service from Alabama may qualify after establishing at least five years of permanent residency in Alabama immediately prior to filing of an application or immediately prior to death, if deceased.

Student Requirements: Students applying for benefits for the first time must meet all of the following:

1. Must be a current resident of the State of Alabama at the time of application and maintain Alabama residency throughout the time they are covered under the Alabama G.I. Dependent Scholarship Program; and
2. Must complete a Free Application for Federal Student Aid (FAFSA) for each year that they are covered under the Alabama G.I. Dependent Scholarship Program; and
3. Must comply with Standards of Satisfactory Academic Progress (SAP) as defined by their education institution; and
4. Must complete a Family Educational Rights and Privacy Act (FERPA) release form for each educational institution that they attend to authorize the release of personally identifiable information required to determine continued eligibility and as required for necessary reporting; and
5. Where the student is a child or stepchild, they must initiate training under our program prior to his/her 26th birthday. In certain situations, a child or stepchild may be eligible for the program up to the age of 30. If the applicant is a stepchild, the veteran and the stepchild's parent must be legally married prior to the child's 19th birthday.

Student Entitlement

Children and stepchildren of qualified veterans may receive five standard academic years (10 semesters) at any Alabama state-supported institution of higher learning or a prescribed course of study at any state-supported technical college to be used for

undergraduate courses of study at the in-state tuition rate. This benefit may also be utilized by eligible children and stepchildren attending certain federally recognized comprehensive transition and postsecondary programs at an Alabama state-supported 4-yr educational institution. (Act No. 2021-444)

Spouses or un-remarried widow(er)s of a veteran rated as 100% permanently and totally disabled may also receive five standard academic years (10 semesters) at any Alabama state-supported institution of higher learning or a prescribed course of study at any state-supported technical college to be used for undergraduate courses of study at the in-state tuition rate.

Spouses or un-remarried widow(er)s of a veteran rated 40-90% disabled are entitled to three standard academic years (6 semesters) at any Alabama state-supported institution of higher learning or a prescribed course of study at any state-supported technical college to be used for undergraduate courses of study at the in-state tuition rate.

Tuition will be limited to the Department of Defense Tuition Assistance Cap (currently \$250 per semester hour) and required textbooks and applicable fees will be limited to a combined \$1,000 total per student for each semester. Schools may waive any overages of these charges at their discretion. All scholarships and grants paid directly to the school must be applied to required education expenses first (unless otherwise proscribed by state law) and the Alabama G.I. Dependent Scholarship Program will be applied for any applicable remaining charges pursuant to current state law.

Application Assistance

The Alabama Department of Veterans Affairs maintains offices throughout the state which can furnish information and assist you in filing your application. To find your nearest veterans service office, visit va.alabama.gov for contact options.

INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

The Compact seeks to make transition easier for the children of military families by affording them the same opportunities for educational success as other children. This includes the transfer of records, course sequencing, graduation requirements, exclusion from extra-curricular activities, redundant or missed entrance/exit testing, kindergarten and first grade entrance age variances, and the power of custodial parents while the parents are deployed. Children of military members are included for up to one year past separation. For more information, contact your local school or visit mic3.net. (ALA. CODE § 16-44B-1)

OPERATION RECOGNITION – HIGH SCHOOL DIPLOMA

The State Superintendent of Education may award a standard high school diploma to any

honorably discharged veteran who served in the United States Armed Forces at any time between the following dates:

December 7, 1941 - January 1, 1946

June 27, 1950 – January 31, 1955

November 15, 1961 – March 28, 1973

The veteran must have been a resident of Alabama prior to entry into the United States Armed Forces and entry into the United States Armed Forces interrupted their high school attendance and prevented them from graduation.

Interested veterans or family members should contact the high school principal's office of the veteran's former high school, or the County Superintendent of Education to make application for the diploma. (ALA. CODE § 16-1-37)

TUITION WAIVER - PURPLE HEART MEDAL RECIPIENTS

Public institutions of higher learning in the State of Alabama, including two-year and four-year postsecondary technical colleges, community colleges, and junior colleges, may waive tuition and fees for recipients of the Purple Heart Medal for undergraduate studies. Contact the public institution that the recipient plans to attend for more information. (ALA. CODE § 16-1-43)

EMPLOYMENT BENEFITS

EMPLOYMENT TAX INCENTIVES

Small business owners (50 or less employees) may receive an additional \$1,000 income tax credit for each recently discharged, unemployed Alabama veteran newly hired. The credit is also available where the unemployed Alabama veteran is a combat veteran regardless of how recently he/she was discharged. An additional \$2,000 tax credit is available to recently discharged, unemployed veterans who start their own businesses. (ALA. CODE § 40-18-320 to 40-18-324)

Under certain conditions, incentivized companies may claim an additional 0.5% job credit on the wages paid to veterans where 12% of the personnel were veterans. (ALA. CODE § 40-18-376.2)

JOB STATUS AND REEMPLOYMENT RIGHTS

Those state employees who are not in the classified service, upon being called into or

entering the military service, shall have the same rights and privileges as to reemployment by the state or any department thereof as are granted to those employees in the classified service. (ALA. CODE § 36-26-33)

State, county, and municipal officials who enter the military or naval service at a time when a state of national emergency has been declared to exist by the President of the United States have preservation of job status and reemployment rights. (ALA. CODE § 36-8-1-6)

MEMBERSHIP IN STATE EMPLOYEES/TEACHERS RETIREMENT SYSTEM

Retirement benefit rights of state employees and teachers who enter the Armed Forces and return to state employment after discharge are preserved. A member who enters the armed services and does not withdraw contributions, and who returns to said employment within one year after being honorably discharged, may be granted credit for military service up to four years, provided the employee pays an amount equal to four percent of the average compensation paid to a state employee during each claimed year of full-time military service, plus and together there with eight percent interest compounded from the last date of such claimed military service. The contributions must be made within a period of time equal to the length of service in the armed forces or before attainment of age 60, or in the case of a state policeman, age 56, whichever occurs first. No credit for military service shall be granted if such member is receiving military service retirement benefits. (ALA. CODE §§ 36-27-4(d) to 36-27-4(f), 16-25-3(d), 16-25-3(e))

MILITARY LEAVE OF ABSENCE

Active members of the Alabama National Guard, Naval Militia, the Alabama State Guard organized in lieu of the National Guard, the civilian auxiliary of the United States Air Force known as the Civil Air Patrol, the National Disaster Medical System, or of any other reserve component of the uniformed services of the United States shall be entitled to a military leave of absence from their respective civil duties and occupations on all days that they are engaged in field or coast defense or other training or on other service ordered under certain laws without loss of pay, time, efficiency rating, annual vacation, or sick leave. Notwithstanding the foregoing, no person granted a leave of absence with pay shall be paid for more than 168 working hours per calendar year. (ALA. CODE § 31-2-13(a))

PEACE OFFICERS CREDIT FOR MILITARY SERVICE

Any peace officer who becomes a member of the Alabama Peace Officers Annuity and Benefit Fund and who left employment and entered directly into the Armed Forces of the United States and who returned to work as a peace officer within six months after release or discharge shall receive prior employment service credit for service in the

military not to exceed five years. (ALA. CODE § 36-21-69)

PREFERENCE IN PRIVATE EMPLOYMENT

Private employers are authorized to have a written veterans preference policy. (ALA. CODE §§ 25-1-50 to 25-1-52)

PREFERENCE IN STATE CLASSIFIED EMPLOYMENT

All persons who have been honorably discharged from the United States Armed Forces at any time shall have 5 points added to any earned ratings in examination for entrance to the state classified service. Honorably discharged veterans with the present existence of a service-connected disability and entitled to pension, compensation or disability allowance under existing laws shall have 10 points added to any earned ratings. Wives and widows of certain disabled or deceased veterans may have the 10-point preference extended to them and added to any earned ratings. Veterans also receive preference on the classified service employment registers over non-veterans with the same ratings. (ALA. CODE § 36-26-15(b))

PREFERRED VENDOR STATUS

An Alabama business which is more than 50% owned by veteran(s) may be considered a preferred vendor under the state-level competitive bid law. This allows for, but does not require, the selection of the business' bid over a lower bid as long as it is no more than 5% higher than the lowest bid. (ALA. CODE § 41-16-20)

UNEMPLOYMENT COMPENSATION

A person who served in the Armed Forces of the United States and who is unemployed may be entitled to unemployment compensation based on his/her honorable military or naval service. Contact the nearest State Unemployment Compensation Claims Office. Pension or disability payments provided by the United States to the individuals who have completed the period of military service may disqualify such individual from receiving unemployment compensation. (ALA. CODE §§ 25-4-1 to 25-4-152)

A spouse will not be disqualified from receiving Alabama Unemployment Compensation benefits where they voluntarily leave their employment to permanently relocate as a result of his or her active duty military-connected spouse's permanent change of station orders, activation orders, or unit deployment orders. (ALA. CODE § 25-4-78(2))

LICENSE BENEFITS

BUSINESS AND OCCUPATIONAL LICENSE EXEMPTIONS FOR DISABLED VETERANS

Any bona fide permanent resident of Alabama who is an honorably discharged veteran of WWII or at any time past, present or future, when the United States was, is or shall be engaged in hostilities with any foreign state and who has physical disabilities of 25% or more, whether service-connected or not, may be exempt from business or occupational license taxes. A veteran who conducts his/her business as a means of livelihood through his/her personal efforts and has no more than one employee shall be entitled to licenses from the state/county/municipality to carry on such business upon the payment of license taxes that shall not exceed \$25.00. However, a veteran whose property (both real and personal) is valued at \$5,000.00 or more or whose net income is \$2,500.00 or more is not entitled to these business and occupational license exemptions. (ALA. CODE §§ 40-12-340 to 40-12-352)

FISHING LICENSE - DISABLED MILITARY VETERAN APPRECIATION FISHING LICENSE

Alabama law allows a discounted fishing license for an Alabama resident to fish the waters of Alabama. The veteran must be certified by the USDVA to be 20% or more disabled. The veteran is required to present certification of the disability from the USDVA. The discounted license can be issued at an Alabama Wildlife and Freshwater Fisheries District Office, Probate Office, or License Commissioner's Office. (ALA. CODE §§ 9-11-53, 9-11-53.1, 9-11-54)

FISHING LICENSE - DISABLED PERSON 3-DAY EVENT FISHING LICENSE

A special 3-day event fishing license is available for \$100.00. This license is limited to 20 disabled persons (resident/non-resident – veteran/civilian), plus up to 20 additional assistants (resident/non-resident). Contact Outdoor Alabama at 1-888-848-6887 for license information and application. (ALA. CODE §§ 9-11-56.4, 9-11-56.5)

FISHING LICENSE - RESIDENT LIFETIME DISABLED MILITARY VETERANS APPRECIATION FRESHWATER AND SALTWATER FISHING LICENSES

Veterans who are Alabama residents and have a disability rating by the United States Department of Veterans Affairs of 20% or more may purchase a lifetime disabled military veterans appreciation saltwater fishing license and/or a lifetime disabled military veterans appreciation freshwater fishing license in lieu of purchasing annual licenses. The cost of

each of the lifetime licenses varies based upon whether the veteran is at least 50 years old. (Act No. 2021-83 effective September 1, 2021)

HUNTING LICENSE - DISABLED VETERAN SPECIAL HUNTING LICENSE

A special hunting license is available to 100% service-connected veterans at a cost of \$2 plus the applicable issuance fee (subject to a possible cost adjustment). A special hunting license is available to 50% service-connected veterans at half of the usual cost plus the applicable issuance fee. Such veterans may also purchase an annual resident nighttime feral swine and coyote hunting license by paying the issuance fee, as adjusted; they are exempt from paying the license fee. The veteran is required to present certification of the disability from the USDVA. Contact Outdoor Alabama at 1-888-848-6887 for license information and application. (ALA. CODE § 9-11-44, Act No. 2021-277)

HUNTING LICENSE - RESIDENT LIFETIME DISABLED MILITARY VETERANS APPRECIATION HUNTING LICENSE

Veterans who are Alabama residents and have a disability rating by the United States Department of Veterans Affairs of 40% or more may purchase a lifetime disabled military veterans appreciation hunting license in lieu of purchasing an annual license. The cost of the lifetime license varies based upon whether the veteran is at least 50 years old and whether they are rated 100%, service-connected totally and permanently disabled. (Act No. 2021-83 effective September 1, 2021)

OCCUPATIONAL LICENSURE FOR MILITARY SERVICE

Certain occupational licensing/certification boards may accept military education, training, or service as qualifications for licensure or certification. Any member of the Armed Forces of the United States shall be left in good standing until, at a minimum, December 31 of the first year following the end of his or her deployment, by the administrative or licensing body with which he or she is licensed or certified, while deployed, if at the time of deployment, the member was in good standing with the branch of the armed services and with the administrative licensing body. For more information, contact the appropriate state licensing agency. (ALA. CODE §§ 31-12A-2, 31-12A-4)

PISTOL PERMIT - RETIRED MILITARY PERSONNEL PISTOL PERMIT

A pistol permit is available without fee to individuals who are otherwise eligible for a pistol permit and who retired from active duty in the Army, the Navy, Marine Corps, Air Force, or the Coast Guard of the United States or any reserve or National Guard component thereof. (ALA. CODE § 13A-11-75.1)

TEACHING CERTIFICATES

Honorably discharged veterans having served at least ten (10) years and holding a masters degree or higher may be issued an alternative certificate to teach in Alabama schools. For more information contact the Alabama Department of Education at alsde.edu or call (334) 694-4900. (Act No. 2021-111)

VETERANS DRIVER'S LICENSE/IDENTIFICATION CARD

An Alabama driver license with the word VETERAN is available to honorably discharged veterans upon presentation of a DD Form 214 or a Record and Report of Separation of Honorable Discharge at the local licensing exam office. A non-driver's license, identification card with the word VETERAN printed on it is available upon the same proof of military service. (ALA. CODE §§ 32-6-1.2, 32-6-4.3)

TAX EXEMPTIONS

HOMES OF TOTALLY DISABLED PERSONS OR THOSE OVER THE AGE OF 65

Exemption is provided from ad valorem taxation of the home and an adjacent 160 acres of any person who is totally and permanently disabled or is 65 years of age or older. (ALA. CODE §§ 40-9-19 (a), 40-9-21)

HOMES OF VETERANS/WIDOWS ACQUIRED UNDER PUBLIC LAW 702

The home of any veteran which is or was acquired by him/her pursuant to the provisions of Public Law 702, 80th Congress (specially adapted housing grant) as amended by (38 U.S.C. § 701 and Chapter 12), regardless of its value, shall be exempt, as long as the same is owned and occupied as a home by the veteran or his/her unremarried widow/er. (ALA. CODE § 40-9-20)

MILITARY COMBAT PAY INCOME TAX EXEMPTION

Money paid by the United States to a person as compensation for active service as a member of the Armed Forces of the United States in a combat zone designated by executive order of the President of the United States shall not be subject to income taxes levied by

the State of Alabama. (ALA. CODE § 40-18-3)

MILITARY RETIREE INCOME TAX EXEMPTION

Compensation received as retirement benefits by any person retired from the military service of the United States of America and survivor benefits derived there from are exempt from any state, county or municipal income tax or similar tax. (ALA. CODE § 40-18-20)

MOTOR VEHICLE PAID FOR BY VA GRANT

Any disabled veteran of WWII or of any hostilities in which the United States was, is or shall be engaged against any foreign state, who owns an automobile which has been, is or shall hereafter be all or partly paid for with funds furnished for such purposes by the USDVA, under the authority of any act of the Congress of the United States, is entitled to exemptions from all license fees and ad valorem taxes on such motor vehicle provided the veteran keeps the vehicle only for private use. (ALA. CODE § 40-12-254)

VETERANS ORGANIZATIONS

All property owned by the American Legion, Veterans of Foreign Wars, the Disabled American Veterans or any post thereof, is exempt from ad valorem taxation; provided that such property is used and occupied exclusively by the organization. (ALA. CODE § 40-9-1(4))

The state headquarters only of the American Legion, AMVETS, the Disabled American Veterans, and the Veterans of Foreign Wars are exempted from paying any state, county or municipal sales or use taxes. The Alabama Marine Corps League is likewise exempted. (ALA. CODE §§ 40-9-25.18, 40-23-5(c))

OTHER STATE BENEFITS

ACCESS TO ALABAMA NATIONAL GUARD FACILITIES

The Alabama National Guard allows certain veterans to use their facilities including making purchases of gasoline where sold. The veterans permitted such use include retired members of the armed forces and the Alabama National Guard, Medal of Honor recipients, recipients of the Purple Heart, former prisoners of war, veterans with a service-connected disability rating by the United States Department of Veterans Affairs, and any caregivers of such veterans who are recognized as such by the United States Department of Veterans

Affairs. (Act No. 2021-427 effective August 1, 2021)

ATTESTATION AND ACKNOWLEDGMENT CERTIFICATION

Acknowledgments, proofs of conveyance and affidavits may be taken by certain Alabama government, state or municipal officials. An acknowledgment by any commissioned officer of any of the Armed Forces of the United States whether within or outside the limits of the United States shall be accepted and have the same legal effect. (ALA. CODE §§ 35-4-26(a), 35-4-26(b))

COMMITMENT OF INCOMPETENT VETERAN

The courts of this state are authorized to communicate with the USDVA in reference to available facilities and eligibility whenever it appears that an incompetent veteran of any war, military occupation or expedition is eligible for treatment in a VA Medical Center (VAMC) and commitment to such facility is necessary for the proper care and treatment of such veteran. The court may then direct the veteran's commitment to the VA facility upon VA certification that facilities are available and that the veteran is entitled to hospitalization therein. Notice of such pending proceedings shall be furnished the person so committed, and his/her right to appear and defend shall not be denied. (ALA. CODE § 26-9-13)

EXEMPTION OF DEBTS INCURRED PURSUANT TO NATIONAL HOUSING ACT OR VETERANS BENEFITS

All debts or extensions of credit incurred pursuant to any provision of the National Housing Act and all debts or extensions of credit incurred pursuant to any act of Congress relating to veterans benefits are exempt from any law of this state relating to usury or prescribing or limiting interest rates. (ALA. CODE § 8-8-6(a))

FIDUCIARIES IN WAR SERVICE

Any fiduciary engaged in wartime service may be removed from his/her office as such upon petition filed in the proper court having jurisdiction and again serve as such fiduciary at any time after the termination of his/her wartime service upon petition of the court. (ALA. CODE §§ 19-2-2 to 19-2-3)

GUARDIANSHIP FOR VETERANS AND MINOR DEPENDENTS

The Uniform Veterans Guardianship Act (the Act) provides for the appointment of a guardian for veterans and their minor dependents who are mentally or physically

incapacitated. The Act outlines the appointment process, duties, responsibilities, limits, and the taxing of costs and fees of guardianship. The control and accountability of the beneficiary's estate and income include only moneys received by the guardian from the USDVA and all earnings, interest and profits derived. (ALA. CODE §§ 26-9-1 to 26-9-19)

MILITARY FAMILY RELIEF FUND

This law prohibits a mortgagee from initiating a foreclosure against the surviving spouse or estate of a mortgagor who dies while deployed overseas on active duty military service for 180 days after the death. This applies to mortgages entered into on or after August 1, 2009. Civil penalties against a violator are deposited into the Military Family Relief Fund, which the ADVA may use to assist military families. (ALA. CODE § 35-10-71)

NOTICE OF ARMED FORCES DEATH

A written notice or communication from the Department of Defense, the Adjutant General of the Army, the Secretary of the Navy or other officer charged with the duty of sending such notice or communication to the effect that any person in the Armed Forces of our country, or serving as auxiliary thereto, is dead shall be accepted as prima facie evidence of the death of such person. (ALA. CODE § 12-21-90)

OFFICIAL REPORT OF PERSON MISSING, ETC.

An official written report or record, or duly certified copy thereof, that a person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy or is dead or is alive, made by any officer or employee of the United States authorized by any law of the United States to make same, shall be received in any court, office or other place in this state as prima facie evidence that such person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy or is dead or is alive, as the case may be. (ALA. CODE § 12-21-91(a))

PARKS ADMISSION WAIVER

Active duty and honorably discharged veterans who are residents of Alabama are granted free admission to state parks on days where the park is open to the general public. Residents may prove qualifying service by presenting their active or retired military identification card, an Alabama driver's license with a veteran designation, or their DD Form 214. Contact the Department of Conservation and Natural Resources for other authorized forms of identification. Active and retired military personnel who are not residents of Alabama are granted free admission to state parks on state and federal

holidays upon presentation of their active or retired military identification card. (ALA. CODE § 9-14-8)

Note: In November 2020 the United States Department of the Interior waived entrance fees for the National Park Service, the U.S. Fish and Wildlife Service's National Wildlife Refuge System, and standard amenity recreation fees for the Bureau of Land Management and the Bureau of Reclamation sites for veterans and Gold Star Families. For further information, please visit www.nps.gov/planyourvisit/veterans-and-gold-star-families-free-access.htm. (Sec. of the Int. Or. No. 3387 (Oct. 28, 2020))

PUBLIC RECORDS

One copy of any public record (birth or marriage certificate, divorce decree, etc.) is furnished free of charge to an applicant when required by the USDVA to be used in determining the eligibility of any person to participate in benefits made available by his/her federal agency. (ALA. CODE § 26-9-12)

RECORDING OF DISCHARGES

Honorable discharges and certificates of honorable service are recorded free of charge by probate judges. Any person who holds a release from active duty, or DD Form 214, from the United States Army, Air Force, Coast Guard, Navy, or Marine Corps may have that document recorded by the judge of probate of the county wherein he or she resides at no charge.

When a release from active duty is recorded as provided by this law, the record of certified copies of the document appearing in the book of record shall be confidential. It shall be unlawful for any person to permit inspection of any such record, to disclose information contained in any such record, or to issue a copy of all or any part of such record except as authorized herein or by order of a court of competent jurisdiction. Upon presentation of proper identification, any of the following persons may examine the record or obtain free of charge a copy or certified copy of all or part of the record:

- a. The person who is the subject of the record.
- b. The spouse or next of kin of the person who is the subject of the record.
- c. A person named in an appropriate power of attorney executed by the person who is the subject of the record.
- d. The administrator, executor, guardian, or legal representative of the person who is the subject of the record.
- e. An attorney for any person specified in paragraphs a. to d., inclusive.

f. A county veteran service officer or an assistant county veteran service officer.

Records kept pursuant to this law shall not be reproduced or used in whole or in part for any commercial or speculative purpose. Any individual, agency, or court which obtains information shall not disseminate or disclose such information or any part thereof except as authorized herein or otherwise by law. A violation of this law shall constitute a misdemeanor and shall be punished by a fine not to exceed five thousand dollars (\$5,000). (ALA. CODE § 31-1-1)

STATE VETERANS CEMETERY

The ADVA owns and operates Alabama's first state veterans cemetery, the Alabama State Veterans Memorial Cemetery at Spanish Fort (Baldwin County). For more information, please contact your local county VSO or visit va.alabama.gov. (ALA. CODE § 31-5-3(d))

STATE VETERANS NURSING HOMES

The ADVA operates several veterans homes that provide skilled nursing care to eligible veterans. Assisted living care is also available. Eligible veterans may seek admission to a veterans home by contacting their local county VSO or they can contact the state veterans home of their choice to obtain an application. For further information, please visit va.alabama.gov. (ALA. CODE §§ 31-5A-1 to 31-5A-11)

VOTER REGISTRATION AND ABSENTEE VOTING

Members of the Armed Forces of the United States and their dependents may register and receive an absentee ballot for voting in the county of their Alabama permanent address by completing the Federal Post Card Application form (FPCA, Standard Form 76). This form may be obtained from the military unit's voting officer. The completed form should be mailed to the Board of Registrars in the county of his/her Alabama permanent address. There may be opportunities for electronic overseas absentee voting in certain circumstances. (*See also* ALA. CODE §§ 17-11-3(a)(5), 17-11-3(b), 17-11-4, 17-11-40 to 17-11-51).

Election officials are required to allow disabled persons and those over the age of 70 to move to the front of the line at a polling place if the voter so requests. (ALA. CODE § 17-9-13)

Permanently disabled voters whose disability prevents their attendance at the polls may apply to be placed on a permanent absentee voter list. Voters on the list will be sent absentee ballots automatically; they would no longer need to request such for each election. (ALA. CODE § 17-11-3.1)

Contact the Office of the Alabama Secretary of State for more information at 1-800-274-8683 or visit www.alabamavotes.gov

WILLS

The will executed while the decedent was in the Armed Forces may be admitted to probate despite the subscribing witness or witnesses are out of the state at the time the will is offered for probate; or when places of address of witnesses are unknown. This may be achieved where at least three credible persons swear that the signature is in the handwriting of the decedent. (ALA. CODE § 43-8-167(b))

END



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