

Alabama Laws Affecting Veterans



**Presented by the
Alabama Department of Veterans Affairs**

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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 (VSOs), 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.

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.

Signed

W. Clyde Marsh
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 (SBVA). Operation of the ADVA began officially on October 1, 1945, as provided in the Act.

The 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 ADVA 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 in all of their problems 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 problems 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 veterans 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 through 14 (1975))

DISTINCTIVE/COMMEMORATIVE VEHICLE TAG PROGRAM

DISABLED VETERANS (50% 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 or whose physical disability exceeds 50% or more, may be issued license plates for private or pleasure motor vehicles. If the veteran qualifies under § 40-12-254, he/she is limited to one (1) license plate which shall be exempt from license fees and ad valorem taxes. If the veteran qualifies under § 32-6-130, there is no limit on the number of plates issued. Payment for these tags is \$5.00, unless otherwise exempted by law (see below for service-connected disabilities). The fee shall be in lieu of the regular license fee now required for motor vehicles and shall be used to defray the cost of issuing the distinctive license plates. The plates shall not be transferable. (ALA. CODE §§ 32-6-130, 40-12-244 & 40-12-254)

DISABLED VETERANS (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. The plates shall not be transferable. Veterans rated as less than 50% service-connected disabled are limited to one exemption and one license plate. (ALA. CODE §§ 40-12-244 & 40-12-254)

NATIONAL GUARD OR RESERVES 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 and registration fee 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)

PEARL HARBOR SURVIVORS

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 additional annual \$50 fee. (ALA. CODE §§ 32-6-310, 32-6-350.1, & 32-6-231.1)

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

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 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.

Silver and 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. (Note: the Silver Star plate is not available until September 1, 2016)

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.

The recipient of the Medal of Honor, Bronze Star, Purple Heart Medal, Prisoner of War, and Legion of Valor license plates may keep the tag for life and does 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 & 254)

RETIRED MILITARY

Those persons who are non-disability 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. These plates are transferable to a surviving spouse for lifetime or until remarriage. (ALA. CODE §§ 32-6-290 through 93)

VETERAN COMMEMORATIVE TAG PROGRAMS

In accordance with ALA. CODE § 32-6-350, the ADVA is the certifying official for the following commemorative license plates: WWII, Battle of the Bulge, Korean War, Vietnam Veteran, Desert Shield/Desert Storm, Atomic Nuked, Operation Iraqi Freedom, and Operation Enduring Freedom.

Specific eligibility criteria for these individual license plates may or may not require the applicant to have served in a specific country/location to qualify for issuance. To make application or to determine eligibility for a specific commemorative license plate, contact your nearest county Veterans Service Officer for assistance. 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 veteran.

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. This plate can 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))

Military Branch Service License Plates – 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 DD214 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. **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. These license plates cannot be personalized. (ALA. CODE §§ 32-6-640 & 32-6-650)

Motorcycle License Plates – Motorcycle license plates are available for each of the distinctive plates explained above. (ACT NO 2015-362)

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 GI DEPENDENT SCHOLARSHIP PROGRAM

This program is administered by the ADVA and is governed by ALA. CODE §§ 31-6-1 through 17. The veteran must meet the following qualifications to establish eligibility of his/her dependents:

Military Service: The veteran must have honorably served 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 have been during any war in which the United States has been engaged.

Disability Requirements: The veteran must be rated 20% or more by the USDVA 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.

Residency Requirements: The veteran must 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. 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.

Entitlement: Eligible dependent children who initially enrolled in school on or after Fall 2009 are awarded five standard academic years or part-time equivalent at any Alabama state-supported institution of higher learning or a prescribed

course of study at any Alabama state-supported technical school without payment of any tuition, required textbooks or instructional fees. Eligible dependent children who enrolled in school prior to Fall 2009 receive four academic years of scholarship benefits.

An eligible spouse or widow(er) of a veteran rated 20% - 90% by the USDVA due to service-connected disabilities who initially enrolls in school on or after Fall 2009 is entitled to three standard academic years without payment of tuition, required textbooks and instructional fees or a prescribed technical course not to exceed 27 months of training. An eligible spouse or widow(er) enrolled in school before Fall 2009 receives two academic years of scholarship benefits. Note: Widow(er) forfeits benefits upon remarriage. Spouse forfeits benefits upon divorce from veteran in which the spouse derived eligibility.

Beginning in Fall 2014, students enrolled for the first time in the program are limited to undergraduate level classes at in-state tuition rates. Students admitted to the program before August 1, 2014 will retain the benefits as previously awarded.

Age Deadline: The child or stepchild must initiate training prior to their 26th birthday. Age 30 deadlines may apply in certain situations. There is no age deadline for submission of the application by the spouse or un-remarried widow(er). If the applicant is a stepchild, the veteran and the stepchild's parent must be legally married prior to the child's 19th birthday. Stepchildren forfeit benefits upon the divorce of their parent and the veteran.

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 www.va.alabama.gov. (ALA. CODE §§ 31-6-1 through 17)

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 anytime 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 deployed and now discharged, unemployed Veteran newly hired. An additional \$2,000 tax credit is also available to recently deployed and now discharged, unemployed Veterans who start their own businesses. (Heroes for Hire Act, ALA. CODE § 40-18-320 through 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. (ACT NO 2015-41)

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 benefits 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) - (f); 16-25-3(d) & (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. (ACT NO 2015-314)

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))

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, *et seq.*; 25-4-78)

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))

LICENSES 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 through 352)

DISABLED MILITARY VETERAN APPRECIATION FRESHWATER FISHING LICENSE

Alabama law allows a discounted fishing license for an Alabama resident to fish the freshwaters 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 & 54)

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)

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. 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)

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)

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, or the Navy, or the Marine Corps, or the Air Force, or the Coast Guard of the United States or any reserve or National Guard component thereof.

(Note: Reserve and National Guard retirees are eligible effective August 1, 2016)

VETERANS DRIVERS LICENSE/IDENTIFICATION CARD

An Alabama driver's 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. Beginning in January 2015, a non-driver's license, identification card with the word VETERAN printed on it will be 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 disabled or, being 65 years of age or older, has a net annual income of \$12,000 or less for income tax purposes for the last preceding year. (ALA. CODE §§ 40-9-21 & 40-9-19 (a))

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 for the calendar year 1965 or any subsequent year. (ALA. CODE § 40-18-3)

MILITARY RETIREE INCOME TAX EXEMPTION

Effective January 1, 1989, and for all successive tax years, all 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 hereby 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

ATTESTATION AND ACKNOWLEDGMENT CERTIFICATION

Acknowledgments, proofs of conveyance and affidavits may be taken by certain government, state or municipal officials or by any commissioned officer of any of the Armed Forces of the United States whether within or outside the limits of the United States. When such acknowledgment is taken by the latter, the official seal of the officer before whom it is acknowledged shall have the same effect as an acknowledgment in the manner and form preserved by the laws of this state for instruments executed in this state. (ALA. CODE §§ 35-4-26(a) & (b))

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 Veteran Service Officer or visit www.va.alabama.gov (ALA. CODE § 31-5-3(d))

COMMITMENT OF INCOMPETENT VETERAN

The courts of this state are hereby authorized to communicate with the U.S. Department of Veterans Affairs (VA) 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 such veteran's commitment to such hospital upon receipt of a certificate from the VA stating that such 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 act of Congress known as the National Housing Act, as the same now exists or may hereafter be amended or supplemented, and all debts or extensions of credit incurred pursuant to any act of Congress relating to veterans' benefits, as the same now exists or may hereafter be amended or supplemented, 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 §§ 19-2-2-3)

GUARDIANSHIP FOR VETERANS AND MINOR DEPENDENTS

The Uniform Veterans' Guardianship Act provides for the appointment of a guardian for veterans and their minor dependents who are mentally or physically incapacitated. This 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 through 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)

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 Veteran Service Officer or they can contact the state veterans home of their choice to obtain an application. For further information, please visit www.va.alabama.gov. (ALA. CODE §§ 31-5A-1 through 11)

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 and retired military personnel are granted free admission to state parks on state and federal holidays. (ALA. CODE § 9-14-8)

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 present the DD Form 214 to the judge of probate of the county wherein he or she resides, and the judge of probate shall cause the same to be recorded at no charge.

When a release from active duty is recorded as provided by this law, the record of certified copies of a DD Form 214 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)

VEHICLE PURCHASE BY A MINOR WHO IS A VETERAN

An honorably discharged veterans under the age of 19 years may enter into a binding contract to purchase a vehicle. (ALA. CODE § 26-1-1)

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) & (b); 17-11-4; and 17-11-40 through 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. (ACT NO 2015-288)

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

WILLS

The will of a person, executed while in the Armed Forces, is admitted to probate when 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, upon the oath of at least three credible persons that the signature to said will is in the handwriting of the person whose will it intends to be. Such will is acceptable when so proved. (ALA. CODE § 43-8-167(b))

END

