

STORAGE NAME: h0115a.grr
DATE: February 24, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
GOVERNMENTAL RULES AND REGULATIONS
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB 115

RELATING TO: Veterans

SPONSOR(S): Rep. Brown

STATUTE(S) AFFECTED: s. 295.17

COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) GOVERNMENTAL RULES AND REGULATIONS YEAS 5 NAYS 0
- (2) FINANCE AND TAXATION
- (3)
- (4)
- (5)

I. SUMMARY:

Section 295.17, Florida Statutes, requires the Florida Department of Veterans' Affairs to charge \$1.00 for a veteran's identification card. The identification card is issued to veterans who are permanent residents of this state and who:

-- have been adjudged by the United States Department of Veterans Affairs to have a 100 percent, service-connected permanent and total disability rating for compensation; or

-- have been determined to have a service-connected total and permanent disability rating of 100 percent and are in receipt of disability retirement pay from any branch of the United States Armed Services.

The ID card must be renewed by the veteran every four years.

This bill eliminates the \$1.00 fee for the veteran's ID card and eliminates the requirement for renewal every four years.

The Florida Department of Veterans' Affairs notes that the bill will save the department an indeterminate amount of staff time collecting and processing the fees for the veteran's identification cards.

The act takes effect July 1, 1997.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Section 295.17, Florida Statutes, authorizes the Florida Department of Veterans' Affairs to issue an identification card to any veteran, upon written request, who is a permanent resident of this state and who meets the following criteria:

1. The veteran has been adjudged by the United States Department of Veterans Affairs to have a 100 percent service-connected permanent and total disability rating for compensation.

or

2. The veteran has been determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services.

The card may be used by a veteran as proof of eligibility for any benefit provided by state law for 100 percent service-connected permanent and total disability. The card is not valid for proof under ss. 196.081, 196.091, and 196.24, Florida Statutes. Section 196.081, Florida Statutes, provides the homestead exemption for certain permanently and totally disabled veterans. Section 196.091, Florida Statutes, provides for the homestead exemption for veterans who are receiving or have received pecuniary assistance for a disability requiring specially adapted housing and required to use a wheelchair for transportation. Section 196.24, Florida Statutes, provides for exemption from taxation as head of a household pursuant to article VII, section 3(b) of the Florida Constitution for any ex-service member who is a bona fide resident of this state and who has been disabled 10 percent or more due to wartime service as defined in section 1.01(14), Florida Statutes or by misfortune. These sections require certification of the disability by the United States Government or the United States Department of Veterans Affairs.

The Florida Department of Veterans' Affairs is responsible for design, issuance, and control of the cards. There is currently a \$1.00 service charge of each identification card issued by the department. The cards are valid for four years and the veterans must apply to the department to renew the cards.

A noncriminal penalty and a fine of \$200 for misuse of the card is provided in section 295.17(3), Florida Statutes.

According to the Florida Department of Veterans' Affairs and the sponsor's office, collection of the fee and renewal of the cards cost the department more than the fee that is being collected. Additionally, once a veteran is determined to be 100 percent permanently and totally disabled, that status does not change over the veteran's lifetime.

B. EFFECT OF PROPOSED CHANGES:

This bill eliminates the \$1.00 fee that veterans are required to pay to obtain the identification card that certifies that the veteran is 100 percent permanently and totally disabled. The card would continue to be issued by the department, however, the bill would eliminate the requirement that the card be renewed every four years.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes. The bill reduces the obligation of veterans to obtain the disability identification card every four years.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

No.

- b. Does the bill require or authorize an increase in any fees?

No.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

Yes. The bill eliminates the \$1.00 fee for the veterans' identification card.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No. The bill does not eliminate entitlement to the veteran's identification card.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No. The bill eliminates the payment of the fee for the veterans' identification card.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. SECTION-BY-SECTION ANALYSIS:

Please see Effect of Proposed Changes section above.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

According to the Florida Department of Veterans' Affairs, the bill will save an indeterminate amount of staff time collecting and processing the fees for the veterans identification card.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

There is an indeterminate cost savings to the Florida Department of Veterans' Affairs by eliminating the fee and renewal of the veteran identification card.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

Individual veterans will save the cost of the identification card (\$1.00) and the renewal. They will also save the time and inconvenience of having to renew the identification card every four years.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

HB 115 was reported favorably by the Committee on Governmental Rules and Regulations on February 12, 1997.

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL RULES AND REGULATIONS

Prepared by:

Legislative Research Director:

Patrick L. "Booter" Imhof

Patrick L "Booter" Imhof