



HB 1241

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1 A bill to be entitled

2 An act relating to veterans' affairs; amending s. 1.01,  
3 F.S.; revising the definition of the term "veteran";  
4 providing preference eligibility to veterans who served in  
5 a campaign or expedition for which a campaign badge has  
6 been authorized or who serve during a period of any future  
7 declaration of war by the Congress; providing an end date  
8 to the Persian Gulf War; amending s. 295.07, F.S.;  
9 excluding active duty for training from criteria for  
10 eligibility for veterans' appointment and retention  
11 preference; amending s. 295.182, F.S.; deleting timeframe  
12 for authorization to receive contributions from public  
13 bodies to the Florida World War II Veterans Memorial  
14 Matching Trust Fund; amending s. 296.10, F.S.; authorizing  
15 the automatic adjustment in contributions to support a  
16 resident whenever there is an increase in benefit amounts  
17 payable under Title II of the Social Security Act;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Subsection (14) of section 1.01, Florida  
23 Statutes, is amended to read:

24 1.01 Definitions.--In construing these statutes and each  
25 and every word, phrase, or part hereof, where the context will  
26 permit:

27 (14) The term "veteran" means a person who served in the  
28 active military, naval, or air service and who was discharged or  
29 released therefrom under honorable conditions only or who later  
30 received an upgraded discharge under honorable conditions,



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31 notwithstanding any action by the United States Department of  
32 Veterans Affairs on individuals discharged or released with  
33 other than honorable discharges. To receive benefits as a  
34 wartime veteran, a veteran must have served in a campaign or  
35 expedition for which a campaign badge has been authorized or  
36 during a period beginning on the date of any future declaration  
37 of war by the Congress of the United States and ending on the  
38 date prescribed by presidential proclamation or concurrent  
39 resolution of the Congress of the United States, or a veteran  
40 must have served during one of the following periods of wartime  
41 service:

42 (a) Spanish-American War: April 21, 1898, to July 4, 1902,  
43 and including the Philippine Insurrection and the Boxer  
44 Rebellion.

45 (b) Mexican Border Period: May 9, 1916, to April 5, 1917,  
46 in the case of a veteran who during such period served in  
47 Mexico, on the borders thereof, or in the waters adjacent  
48 thereto.

49 (c) World War I: April 6, 1917, to November 11, 1918;  
50 extended to April 1, 1920, for those veterans who served in  
51 Russia; also extended through July 1, 1921, for those veterans  
52 who served after November 11, 1918, and before July 2, 1921,  
53 provided such veterans had at least 1 day of service between  
54 April 5, 1917, and November 12, 1918.

55 (d) World War II: December 7, 1941, to December 31, 1946.

56 (e) Korean Conflict: June 27, 1950, to January 31, 1955.

57 (f) Vietnam Era: February 28, 1961, to May 7, 1975.

58 (g) Persian Gulf War: August 2, 1990, to January 2, 1992  
59 ~~and ending on the date thereafter prescribed by presidential~~  
60 ~~proclamation or by law.~~



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61 Section 2. Paragraph (c) of subsection (1) of section  
62 295.07, Florida Statutes, is amended to read:

63 295.07 Preference in appointment and retention.--

64 (1) The state and political subdivisions in the state  
65 shall give preference in appointment and retention in positions  
66 of employment to:

67 (c) A veteran of any war as defined in s. 1.01(14). The  
68 veteran must have served at least 1 day during a wartime period  
69 to be eligible for veterans' preference. Active duty for  
70 training shall not be allowed for eligibility under this  
71 paragraph.

72 Section 3. Subsection (2) of section 295.182, Florida  
73 Statutes, is amended to read:

74 295.182 Florida World War II Veterans Memorial Matching  
75 Trust Fund; contributions; use.--

76 (2) ~~For the 2002-2003 fiscal year only,~~ The department may  
77 receive contributions from public bodies as defined in s.  
78 1.01(8). Public bodies are authorized to appropriate funds, in  
79 lump sum or otherwise, for the purpose of making contributions  
80 to the trust fund. ~~This subsection expires July 1, 2003.~~

81 Section 4. Section 296.10, Florida Statutes, is amended to  
82 read:

83 296.10 Residents; contribution to support.--

84 (1)(a) Each resident of the home who receives a pension,  
85 compensation, or gratuity from the United States Government, or  
86 income from any other source of more than \$100 per month, with  
87 adjustments in accordance with paragraph (b), shall contribute  
88 to his or her maintenance and support while a resident of the  
89 home in accordance with a schedule of payment determined by the  
90 administrator and approved by the director. The total amount of



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91 such contributions must be to the fullest extent possible, but  
 92 may not exceed the actual cost of operating and maintaining the  
 93 home.

94 (b) Whenever there is an increase in benefit amounts  
 95 payable under Title II of the Social Security Act, 42 U.S.C. ss.  
 96 401 et seq., as a result of a determination made under section  
 97 215(i) of such act, 42 U.S.C. s. 415(i), the administrator shall  
 98 increase the amount that each resident shall be allowed to  
 99 retain. The increased amount will be determined by the  
 100 percentage used to increase the benefits under the Social  
 101 Security Act, 42 U.S.C. ss. 401 et seq. This first such increase  
 102 to residents' personal use funds will take place on January 1,  
 103 2004, and shall be continued each ensuing year that there is an  
 104 increase in benefits under the said act.

105 Section 5. This act shall take effect upon becoming a law.