



HB 1241

2003  
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## CHAMBER ACTION

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6 The Committee on Judiciary recommends the following:

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8 **Committee Substitute**

9 Remove the entire bill and insert:

10 A bill to be entitled

11 An act relating to veterans' affairs; amending s. 1.01,  
12 F.S.; revising the definition of the term "veteran";  
13 providing preference eligibility to veterans who served in  
14 a campaign or expedition for which a campaign badge has  
15 been authorized; providing an end date to the Persian Gulf  
16 War; amending s. 295.07, F.S.; excluding active duty for  
17 training from criteria for eligibility for veterans'  
18 appointment and retention preference; amending s. 295.182,  
19 F.S.; deleting timeframe for authorization to receive  
20 contributions from public bodies to the Florida World War  
21 II Veterans Memorial Matching Trust Fund; amending s.  
22 296.10, F.S.; authorizing the automatic adjustment in  
23 contributions to support a resident whenever there is an  
24 increase in benefit amounts payable under Title II of the  
25 Social Security Act; providing an effective date.

26  
27 Be It Enacted by the Legislature of the State of Florida:  
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29 Section 1. Subsection (14) of section 1.01, Florida  
30 Statutes, is amended to read:

31 1.01 Definitions.--In construing these statutes and each  
32 and every word, phrase, or part hereof, where the context will  
33 permit:

34 (14) The term "veteran" means a person who served in the  
35 active military, naval, or air service and who was discharged or  
36 released therefrom under honorable conditions only or who later  
37 received an upgraded discharge under honorable conditions,  
38 notwithstanding any action by the United States Department of  
39 Veterans Affairs on individuals discharged or released with  
40 other than honorable discharges. To receive benefits as a  
41 wartime veteran, a veteran must have served in a campaign or  
42 expedition for which a campaign badge has been authorized or a  
43 veteran must have served during one of the following periods of  
44 wartime service:

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

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

52 (c) World War I: April 6, 1917, to November 11, 1918;  
53 extended to April 1, 1920, for those veterans who served in  
54 Russia; also extended through July 1, 1921, for those veterans  
55 who served after November 11, 1918, and before July 2, 1921,



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56 provided such veterans had at least 1 day of service between  
57 April 5, 1917, and November 12, 1918.

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

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

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

61 (g) Persian Gulf War: August 2, 1990, to January 2, 1992

62 ~~and ending on the date thereafter prescribed by presidential~~  
63 ~~proclamation or by law.~~

64 Section 2. Paragraph (c) of subsection (1) of section  
65 295.07, Florida Statutes, is amended to read:

66 295.07 Preference in appointment and retention.--

67 (1) The state and political subdivisions in the state  
68 shall give preference in appointment and retention in positions  
69 of employment to:

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

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

77 295.182 Florida World War II Veterans Memorial Matching  
78 Trust Fund; contributions; use.--

79 (2) ~~For the 2002-2003 fiscal year only,~~ The department may  
80 receive contributions from public bodies as defined in s.  
81 1.01(8). Public bodies are authorized to appropriate funds, in  
82 lump sum or otherwise, for the purpose of making contributions  
83 to the trust fund. ~~This subsection expires July 1, 2003.~~



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84 Section 4. Section 296.10, Florida Statutes, is amended to  
85 read:

86 296.10 Residents; contribution to support.--

87 (1)(a) Each resident of the home who receives a pension,  
88 compensation, or gratuity from the United States Government, or  
89 income from any other source of more than \$100 per month, with  
90 adjustments in accordance with paragraph (b), shall contribute  
91 to his or her maintenance and support while a resident of the  
92 home in accordance with a schedule of payment determined by the  
93 administrator and approved by the director. The total amount of  
94 such contributions must be to the fullest extent possible, but  
95 may not exceed the actual cost of operating and maintaining the  
96 home.

97 (b) Whenever there is an increase in benefit amounts  
98 payable under Title II of the Social Security Act, 42 U.S.C. ss.  
99 401 et seq., as a result of a determination made under section  
100 215(i) of such act, 42 U.S.C. s. 415(i), the administrator shall  
101 increase the amount that each resident shall be allowed to  
102 retain. The increased amount will be determined by the  
103 percentage used to increase the benefits under the Social  
104 Security Act, 42 U.S.C. ss. 401 et seq. This first such increase  
105 to residents' personal use funds will take place on January 1,  
106 2004, and shall be continued each ensuing year that there is an  
107 increase in benefits under the said act.

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