

By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Fasano

301-2104-03

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

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Subsection (14) of section 1.01, Florida
26 Statutes, is amended to read:

27 1.01 Definitions.--In construing these statutes and
28 each and every word, phrase, or part hereof, where the context
29 will permit:

30 (14) The term "veteran" means a person who served in
31 the active military, naval, or air service and who was

1 discharged or released therefrom under honorable conditions
2 only or who later received an upgraded discharge under
3 honorable conditions, notwithstanding any action by the United
4 States Department of Veterans Affairs on individuals
5 discharged or released with other than honorable discharges.
6 To receive benefits as a wartime veteran, a veteran must have
7 served in a campaign or expedition for which a campaign badge
8 has been authorized or a veteran must have served during one
9 of the following periods of wartime service:

10 (a) Spanish-American War: April 21, 1898, to July 4,
11 1902, and including the Philippine Insurrection and the Boxer
12 Rebellion.

13 (b) Mexican Border Period: May 9, 1916, to April 5,
14 1917, in the case of a veteran who during such period served
15 in Mexico, on the borders thereof, or in the waters adjacent
16 thereto.

17 (c) World War I: April 6, 1917, to November 11, 1918;
18 extended to April 1, 1920, for those veterans who served in
19 Russia; also extended through July 1, 1921, for those veterans
20 who served after November 11, 1918, and before July 2, 1921,
21 provided such veterans had at least 1 day of service between
22 April 5, 1917, and November 12, 1918.

23 (d) World War II: December 7, 1941, to December 31,
24 1946.

25 (e) Korean Conflict: June 27, 1950, to January 31,
26 1955.

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

28 (g) Persian Gulf War: August 2, 1990, to January 2,
29 1992 and ending on the date thereafter prescribed by
30 presidential proclamation or by law.

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

3 295.07 Preference in appointment and retention.--

4 (1) The state and political subdivisions in the state
5 shall give preference in appointment and retention in
6 positions of employment to:

7 (c) A veteran of any war as defined in s. 1.01(14).

8 The veteran must have served at least 1 day during a wartime
9 period to be eligible for veterans' preference. Active duty
10 for training shall not be allowed for eligibility under this
11 paragraph.

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

14 295.182 Florida World War II Veterans Memorial
15 Matching Trust Fund; contributions; use.--

16 (2) ~~For the 2002-2003 fiscal year only,~~The department
17 may receive contributions from public bodies as defined in s.
18 1.01(8). Public bodies are authorized to appropriate funds, in
19 lump sum or otherwise, for the purpose of making contributions
20 to the trust fund. ~~This subsection expires July 1, 2003.~~

21 Section 4. Section 296.10, Florida Statutes, is
22 amended to read:

23 296.10 Residents; contribution to support.--

24 (1)(a) Each resident of the home who receives a
25 pension, compensation, or gratuity from the United States
26 Government, or income from any other source of more than \$100
27 per month, with adjustments in accordance with paragraph (b),
28 shall contribute to his or her maintenance and support while a
29 resident of the home in accordance with a schedule of payment
30 determined by the administrator and approved by the director.
31 The total amount of such contributions must be to the fullest

1 extent possible, but may not exceed the actual cost of
2 operating and maintaining the home.

3 (b) Whenever there is an increase in benefit amounts
4 payable under Title II of the Social Security Act, 42 U.S.C.
5 ss. 401 et seq., as a result of a determination made under
6 section 215(i) of such act, 42 U.S.C. s. 415(i), the
7 administrator shall increase the amount that each resident
8 shall be allowed to retain. The increased amount will be
9 determined by the percentage used to increase the benefits
10 under the Social Security Act, 42 U.S.C. ss. 401 et seq. This
11 first such increase to residents' personal use funds will take
12 place on January 1, 2004, and shall be continued each ensuing
13 year that there is an increase in benefits under the said act.

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

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17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 Senate Bill 2378

20 The committee substitute deletes a provision in the bill that
21 provided a definition for future wartime veterans based on
22 future congressional and presidential actions.
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