

HB 1189

2005  
CS

## CHAMBER ACTION

1 The Military & Veteran Affairs Committee recommends the  
2 following:

3  
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6  
7 A bill to be entitled  
8 An act relating to the education of children of deceased  
9 or disabled veterans; amending s. 295.01, F.S.; extending  
10 the opportunity to receive postsecondary educational  
11 benefits at state expense to the dependent children of  
12 certain dead or disabled veterans who were Florida  
13 residents when the death or disability occurred;  
14 decreasing the minimum required length of the parent's  
15 residency; amending s. 295.0185, F.S.; providing  
16 educational opportunity at state expense for dependent  
17 children of military personnel who die or suffer a  
18 specified disability in Operation Iraqi Freedom; amending  
19 s. 295.02, F.S.; authorizing the use of funds for  
20 educational opportunities for the children of certain  
21 deceased and disabled veterans; providing an effective  
22 date.

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

25  
26 Section 1. Section 295.01, Florida Statutes, is amended to  
27 read:

28 295.01 Children of deceased or disabled veterans;  
29 education.--

30 (1) It is hereby declared to be the policy of the state to  
31 provide educational opportunity at state expense for dependent  
32 children either of whose parents ~~was a resident of the state at~~  
33 ~~the time such parent~~ entered the Armed Forces and:

34 (a) Died as a result of service-connected injuries,  
35 disease, or disability sustained while on active duty; or

36 (b) Has been:

37 1. Determined by the United States Department of Veterans  
38 Affairs or its predecessor to have a service-connected 100-  
39 percent total and permanent disability rating for compensation;

40 2. Determined to have a service-connected total and  
41 permanent disability rating of 100 percent and is in receipt of  
42 disability retirement pay from any branch of the United States  
43 Armed Services; or

44 3. Issued a valid identification card by the Department of  
45 Veterans' Affairs in accordance with s. 295.17,

46  
47 when the parents of such children have been bona fide residents  
48 of the state for 1 year immediately ~~5 years next~~ preceding the  
49 death or occurrence of such disability ~~their application for the~~  
50 ~~benefits hereof~~, and subject to the rules, restrictions, and  
51 limitations set forth in this section ~~hereof~~.

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52           (2) Sections ~~The provisions of ss.~~ 295.03, 295.04, 295.05,  
53 and 1009.40 shall apply.

54           (3) The State Board of Education shall adopt rules for  
55 administering this section.

56           Section 2. Section 295.0185, Florida Statutes, is amended  
57 to read:

58           295.0185 Children of deceased or disabled military  
59 personnel who die or become disabled in Operation Enduring  
60 Freedom; or Operation Iraqi Freedom; educational opportunity.--

61           (1) It is declared to be the policy of the state to  
62 provide educational opportunity at state expense for the  
63 dependent children of those military personnel who die or suffer  
64 a service-connected 100-percent total and permanent disability  
65 rating for compensation as determined by the United States  
66 Department of Veterans Affairs, or who are determined  
67 to have a service-connected total and permanent disability  
68 rating of 100 percent and are in receipt of disability  
69 retirement pay from any branch of the United States Armed  
70 Services, while participating in Operation Enduring Freedom,  
71 which began on October 7, 2001, or while participating in  
72 Operation Iraqi Freedom, which began on March 19, 2003, if such  
73 military personnel have been residents of the state during the  
74 period of military action. A certified copy of a death  
75 certificate, a valid identification card issued in accordance  
76 with the provisions of s. 295.17, a letter certifying the  
77 service-connected 100-percent total and permanent disability  
78 rating for compensation from the United States Department of  
79 Veterans Affairs, or a letter certifying the service-connected

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80 total and permanent disability rating of 100 percent for  
 81 retirement pay from any branch of the United States Armed  
 82 Services is prima facie evidence that the dependent children of  
 83 such military personnel are eligible for educational benefits.

84 (2) Sections ~~The provisions of ss.~~ 295.03, 295.04, 295.05,  
 85 and 1009.40 apply.

86 Section 3. Section 295.02, Florida Statutes, is amended to  
 87 read:

88 295.02 Use of funds; age, etc.--All sums appropriated and  
 89 expended under this chapter shall be used to pay tuition and  
 90 registration fees, board, and room rent and to buy books and  
 91 supplies for the children of deceased or disabled veterans or  
 92 service members, as defined and limited in s. 295.01, s.  
 93 295.016, s. 295.017, s. 295.018, s. 295.0185, or s. 295.0195, or  
 94 of parents classified as prisoners of war or missing in action,  
 95 as defined and limited in s. 295.015, who are between the ages  
 96 of 16 and 22 years and who are in attendance at a state-  
 97 supported institution of higher learning, including a community  
 98 college or career center. Any child having entered upon a course  
 99 of training or education under the provisions of this chapter,  
 100 consisting of a course of not more than 4 years, and arriving at  
 101 the age of 22 years before the completion of such course may  
 102 continue the course and receive all benefits of the provisions  
 103 of this chapter until the course is completed. The Department of  
 104 Education shall administer this educational program subject to  
 105 regulations of the department.

106 Section 4. This act shall take effect July 1, 2005.