

ENROLLED

HB 1189, Engrossed 1

2005 Legislature

1 A bill to be entitled

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

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Section 295.01, Florida Statutes, is amended to
21 read:

22 295.01 Children of deceased or disabled veterans;
23 education.--

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

ENROLLED
 HB 1189, Engrossed 1

2005 Legislature

- 28 (a) Died as a result of service-connected injuries,
 29 disease, or disability sustained while on active duty; or
 30 (b) Has been:
 31 1. Determined by the United States Department of Veterans
 32 Affairs or its predecessor to have a service-connected 100-
 33 percent total and permanent disability rating for compensation;
 34 2. Determined to have a service-connected total and
 35 permanent disability rating of 100 percent and is in receipt of
 36 disability retirement pay from any branch of the United States
 37 Armed Services; or
 38 3. Issued a valid identification card by the Department of
 39 Veterans' Affairs in accordance with s. 295.17,

40
 41 when the parents of such children have been bona fide residents
 42 of the state for 1 year immediately ~~5 years next~~ preceding the
 43 death or occurrence of such disability ~~their application for the~~
 44 ~~benefits hereof~~, and subject to the rules, restrictions, and
 45 limitations set forth in this section ~~hereof~~.

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

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

50 Section 2. Section 295.0185, Florida Statutes, is amended
 51 to read:

52 295.0185 Children of deceased or disabled military
 53 personnel who die or become disabled in Operation Enduring
 54 Freedom, or Operation Iraqi Freedom; educational opportunity.--

ENROLLED

HB 1189, Engrossed 1

2005 Legislature

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

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

80 Section 3. Section 295.02, Florida Statutes, is amended to
81 read:

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2005 Legislature

82 295.02 Use of funds; age, etc.--All sums appropriated and
83 expended under this chapter shall be used to pay tuition and
84 registration fees, board, and room rent and to buy books and
85 supplies for the children of deceased or disabled veterans or
86 service members, as defined and limited in s. 295.01, s.
87 295.016, s. 295.017, s. 295.018, s. 295.0185, or s. 295.0195, or
88 of parents classified as prisoners of war or missing in action,
89 as defined and limited in s. 295.015, who are between the ages
90 of 16 and 22 years and who are in attendance at a state-
91 supported institution of higher learning, including a community
92 college or career center. Any child having entered upon a course
93 of training or education under the provisions of this chapter,
94 consisting of a course of not more than 4 years, and arriving at
95 the age of 22 years before the completion of such course may
96 continue the course and receive all benefits of the provisions
97 of this chapter until the course is completed. The Department of
98 Education shall administer this educational program subject to
99 regulations of the department.

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