

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Education Appropriations Committee

BILL: CS/SB 1458

SPONSOR: Community Affairs Committee and Senator Constantine

SUBJECT: Education of Children of Deceased or Disabled Veterans

DATE: April 12, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Vickers</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/CS</u>
2.	<u>Bryant</u>	<u>Newman</u>	<u>EA</u>	<u>Favorable</u>
3.	_____	_____	<u>WM</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This committee substitute (CS) revises several provisions relating to post-secondary educational benefits for the dependents of deceased or disabled military veterans. The CS revises program eligibility requirements to eliminate the requirement that the deceased or disabled veteran must have been a Florida resident at the time of entry into the Armed Forces. In addition, the CS decreases the Florida residency requirement for qualifying veterans from 5 years to 1 year. Finally, the CS extends program eligibility to the dependents of veterans who die or are disabled while serving in Operation Iraqi Freedom.

This CS substantially amends sections 295.01, 295.0185, and 295.02 of the Florida Statutes.

II. Present Situation:

Section 295.01, F.S., establishes eligibility requirements for post-secondary scholarships for dependents of certain military veterans. Currently, this section provides financial assistance for the dependent children of military veterans who:

- (1) Were residents of the state at the time they entered the Armed Forces; and
- (2) Died as a result of service-connected injuries, disease, or disability sustained while on active duty; or have been determined to have a service-connected total and permanent disability rating of 100 percent; and
- (3) Had been bona fide residents of the state for 5 years preceding the application for benefits under this program.

Subsections 295.016-295.0195, F.S., specify military actions or conflicts that constitute eligible periods of military service for purposes of the scholarship program established in s. 295.01, F.S. For example, s. 295.017, F.S., authorizes the provision of certain educational opportunities for the children of service members who died or became disabled in the Lebanon (1982-1984) and Grenada (1983) military arenas. Similarly, s. 295.0185, F.S., provides scholarships for the children of deceased or disabled military personnel who died or became disabled in Operation Enduring Freedom (2001). Presently, ch. 295, F.S., does not extend similar state-sponsored educational benefits to the children of military personnel serving in Operation Iraqi Freedom.

Subsections 295.02-295.05, F.S., establish certain requirements relating to program eligibility and funding for dependent children of deceased or disabled veterans. For example, s. 295.02, F.S., provides that state financial assistance must be used to pay tuition and registration fees, board, and room rent and to buy books and supplies for qualifying dependents who are between the ages of 16 and 22 years and who are in attendance at a state-supported institution of higher learning, including a community college or career center. Similarly, s. 295.05, F.S., provides that eligibility for admission is not affected by the provisions of ch. 295, F.S., but all dependents receiving benefits under this chapter must be enrolled according to the customary rules and requirements of the institution attended.

State Board of Education Rule 6A-20.019, F.A.C., establishes additional eligibility requirements for this program. Eligible students are required to:

- Submit a completed Florida Financial Aid Application for Students by April 1.
- Be a dependent child between the ages of 16 years and 22 years of a Florida qualified veteran by the Florida Department of Veterans’ Affairs. All military actions and wars from World War I through the Persian Gulf War and Operation Just Cause may qualify program applicants.
- Meet Florida’s general post-secondary eligibility requirements.
- Be enrolled in a baccalaureate degree program.
- Not owe a repayment or be in default on any state or federal Title IV grant, scholarship, or loan program unless satisfactory arrangements to repay have been made.
- Not have previously received a bachelor’s degree.

Scholarships for Children of Deceased or Disabled Veterans

Year	Students Awarded	Average Award	Expended Funds	Appropriations
1999-00	142	\$1,513	\$214,861	\$333,250
2000-01	158	\$1,590	\$251,191	\$333,250
2001-02	168	\$1,768	\$297,062	\$333,250
2002-03	151	\$1,961	\$296,130	\$333,250
2003-04	157	\$2,053	\$322,294	\$333,250

Florida Department of Education, *Annual Report to the Commissioner*, 2004.

III. Effect of Proposed Changes:

The CS amends s. 295.01, F.S., to revise provisions relating to post-secondary educational benefits for the dependents of deceased or disabled military veterans. The CS revises program eligibility to eliminate the requirement that the deceased or disabled veteran must have been a Florida resident at the time of entry into the Armed Forces. Similarly, the CS eliminates the requirement that the qualifying veteran must have been a resident of the state for 5 years preceding the application for benefits, and provides that the veteran must have been a resident of the state for 1 year immediately preceding the death or occurrence of such disability.

The CS also amends s. 295.0185, F.S., to extend program eligibility to the dependents of veterans who die or are disabled while serving in Operation Iraqi Freedom.

The CS amends s. 295.02, F.S., to authorize the use of funds for educational benefits for the dependents of veterans who died or were disabled while participating in Operation Enduring Freedom and Operation Iraqi Freedom.

The CS provides for an effective date of July 1, 2005.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The CS would enable an unknown number of additional children of deceased or disabled veterans to qualify for post-secondary educational benefits.

C. Government Sector Impact:

The CS extends state post-secondary educational benefits to an unknown number of qualifying individuals.

Pursuant to Section 295.04 F.S., relating to children of deceased or disabled veterans education, 157 eligible students were funded at an average award of \$2052.83 for the 2003-04 academic year with an expenditure of \$322,294. The appropriation was \$333,250 leaving a balance of \$10,956, which could fund an additional five students without additional appropriations. The number of additional students who would be eligible for this scholarship program due to expansion of veteran parent eligibility is indeterminate at this time. Should more than 5 students apply or tuition increases require a higher expenditure, a pro-ration of the award could be required.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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