

By the Committee on Community Affairs; and Senator Constantine

578-1736-05

1 A bill to be entitled
 2 An act relating to the education of children of
 3 deceased or disabled veterans; amending s.
 4 295.01, F.S.; extending the opportunity to
 5 receive postsecondary educational benefits at
 6 state expense to the dependent children of
 7 certain dead or disabled veterans who were
 8 Florida residents when the death or disability
 9 occurred; decreasing the minimum required
 10 length of the parent's residency; amending s.
 11 295.0185, F.S.; providing educational
 12 opportunity at state expense for dependent
 13 children of military personnel who die or
 14 suffer a specified disability in Operation
 15 Iraqi Freedom; amending s. 295.02, F.S.;
 16 authorizing the use of funds for educational
 17 opportunities for the children of certain
 18 deceased and disabled veterans; providing an
 19 effective date.
 20

21 Be It Enacted by the Legislature of the State of Florida:
 22

23 Section 1. Section 295.01, Florida Statutes, is
 24 amended to read:

25 295.01 Children of deceased or disabled veterans;
 26 education.--

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

3 (b) Has been:

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

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

12 3. Issued a valid identification card by the
13 Department of Veterans' Affairs in accordance with s. 295.17,
14
15 when the parents of such children have been bona fide
16 residents of the state for 1 year immediately ~~5 years next~~
17 ~~preceding the death or occurrence of such disability their~~
18 ~~application for the benefits hereof~~, and subject to the rules,
19 restrictions, and limitations set forth in this section
20 hereof.

21 (2) Sections ~~The provisions of ss.~~ 295.03, 295.04,
22 295.05, and 1009.40 shall apply.

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

25 Section 2. Section 295.0185, Florida Statutes, is
26 amended to read:

27 295.0185 Children of deceased or disabled military
28 personnel who die or become disabled in Operation Enduring
29 Freedom or Operation Iraqi Freedom; educational opportunity.--

30 (1) It is declared to be the policy of the state to
31 provide educational opportunity at state expense for the

1 dependent children of those military personnel who die or
2 suffer a service-connected 100-percent total and permanent
3 disability rating for compensation as determined by the United
4 States Department of Veterans Affairs, or who are determined
5 to have a service-connected total and permanent disability
6 rating of 100 percent and are in receipt of disability
7 retirement pay from any branch of the United States Armed
8 Services, while participating in Operation Enduring Freedom,
9 which began on October 7, 2001, or while participating in
10 Operation Iraqi Freedom, which began on March 19, 2003, if
11 such military personnel have been residents of the state
12 during the period of military action. A certified copy of a
13 death certificate, a valid identification card issued in
14 accordance with the provisions of s. 295.17, a letter
15 certifying the service-connected 100-percent total and
16 permanent disability rating for compensation from the United
17 States Department of Veterans Affairs, or a letter certifying
18 the service-connected total and permanent disability rating of
19 100 percent for retirement pay from any branch of the United
20 States Armed Services is prima facie evidence that the
21 dependent children of such military personnel are eligible for
22 educational benefits.

23 (2) The provisions of ss. 295.03, 295.04, 295.05, and
24 1009.40 apply.

25 Section 3. Section 295.02, Florida Statutes, is
26 amended to read:

27 295.02 Use of funds; age, etc.--All sums appropriated
28 and expended under this chapter shall be used to pay tuition
29 and registration fees, board, and room rent and to buy books
30 and supplies for the children of deceased or disabled veterans
31 or service members, as defined and limited in s. 295.01, s.

1 | 295.016, s. 295.017, s. 295.018, s. 295.0185, or s. 295.0195,
2 | or of parents classified as prisoners of war or missing in
3 | action, as defined and limited in s. 295.015, who are between
4 | the ages of 16 and 22 years and who are in attendance at a
5 | state-supported institution of higher learning, including a
6 | community college or career center. Any child having entered
7 | upon a course of training or education under the provisions of
8 | this chapter, consisting of a course of not more than 4 years,
9 | and arriving at the age of 22 years before the completion of
10 | such course may continue the course and receive all benefits
11 | of the provisions of this chapter until the course is
12 | completed. The Department of Education shall administer this
13 | educational program subject to regulations of the department.

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

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16 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
17 | COMMITTEE SUBSTITUTE FOR
18 | Senate Bill 1458

19 | The CS revises several provisions relating to post-secondary
20 | educational benefits for the dependents of deceased or
21 | disabled military veterans. The CS revises program eligibility
22 | requirements to eliminate the requirement that the deceased or
23 | disabled veteran must have been a Florida resident at the time
24 | of entry into Armed Forces.

25 | The CS extends Program eligibility to the dependents of
26 | veterans who die or are disabled while serving in Operation
27 | Iraqi Freedom.
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