

By Senator Baker

20-1319-06

See HB

1 A bill to be entitled

2 An act relating to educational opportunities

3 for children and spouses of deceased or

4 disabled veterans and servicemembers; amending

5 s. 295.01, F.S.; providing that it is the

6 declared policy of the state to provide

7 educational opportunity at state expense for

8 spouses of deceased or disabled servicemembers;

9 providing criteria for qualification for such

10 benefits for unremarried spouses of deceased

11 servicemembers and dependent spouses of

12 disabled servicemembers; specifying uses of

13 funds appropriated for such educational

14 opportunities; amending s. 295.03, F.S.,

15 relating to withdrawal of benefits upon failure

16 to comply with minimum educational

17 requirements; revising terminology; amending s.

18 295.05, F.S., relating to enrollment as a

19 prerequisite to receipt of benefits; revising

20 terminology; providing an effective date.

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

24 Section 1. Section 295.01, Florida Statutes, is

25 amended to read:

26 295.01 Children of deceased or disabled veterans;

27 spouses of deceased or disabled servicemembers; education.--

28 (1) It is hereby declared to be the policy of the

29 state to provide educational opportunity at state expense for

30 dependent children either of whose parents entered the Armed

31 Forces and:

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,
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15 when the parents of such children have been ~~bona fide~~
16 residents of the state for 1 year immediately preceding the
17 death or occurrence of such disability, and subject to the
18 rules, restrictions, and limitations set forth in this
19 section.

20 (2) It is also the declared policy of the state to
21 provide educational opportunity at state expense for spouses
22 of deceased or disabled servicemembers.

23 (a) The unremarried spouse of a deceased
24 servicemember, as defined in s. 250.01, qualifies for the
25 benefits under this section:

26 1. If the servicemember and his or her spouse had been
27 residents of the state for 1 year immediately preceding the
28 servicemember's death and the servicemember's death occurred
29 under the circumstances provided in subsection (1); and

30 2. If the unremarried spouse applies to use the
31 benefit within 5 years after the servicemember's death.

1 (b) The dependent spouse of a disabled servicemember,
2 as defined in s. 250.01, qualifies for the benefits under this
3 section:

4 1. If the servicemember and his or her spouse have
5 been married to each other for 1 year; and

6 2. If the servicemember and his or her spouse have
7 been residents of the state for 1 year immediately preceding
8 the occurrence of the servicemember's disability and the
9 disability meets the criteria set forth in subsection (1); and

10 3. Only during the duration of the marriage and up to
11 the point of termination of the marriage by dissolution or
12 annulment.

13
14 Notwithstanding s. 295.02, funds appropriated to carry out the
15 provisions of this subsection may only be used for tuition and
16 registration fees at state-supported institutions of higher
17 learning, including community colleges and career centers. All
18 rules, restrictions, and limitations set forth in this section
19 shall apply.

20 ~~(3)(2)~~ Sections 295.03, 295.04, 295.05, and 1009.40
21 shall apply.

22 ~~(4)(3)~~ The State Board of Education shall adopt rules
23 for administering this section.

24 Section 2. Section 295.03, Florida Statutes, is
25 amended to read:

26 295.03 Minimum requirements.--Upon failure of any
27 student ~~child~~ benefited by the provisions of this chapter to
28 comply with the ordinary and minimum requirements of the
29 institution attended, both as to discipline and scholarship,
30 the benefits thereof shall be withdrawn as to the student
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1 ~~child~~ and no further moneys expended for his or her benefits
2 so long as such failure or delinquency continues.

3 Section 3. Section 295.05, Florida Statutes, is
4 amended to read:

5 295.05 Admission; enrollment.--Eligibility for
6 admission is not affected by this chapter, but all students
7 ~~children~~ receiving benefits under this chapter shall be
8 enrolled according to the customary rules and requirements of
9 the institution attended.

10 Section 4. This act shall take effect July 1, 2006.

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