

By the Committee on Education Appropriations; and Senator  
Baker

602-2151-06

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; amending s. 295.02,  
13                    F.S.; specifying uses of funds appropriated for  
14                    such educational opportunities; amending s.  
15                    295.03, F.S., relating to withdrawal of  
16                    benefits upon failure to comply with minimum  
17                    educational requirements; revising terminology;  
18                    amending s. 295.05, F.S., relating to  
19                    enrollment as a prerequisite to receipt of  
20                    benefits; revising terminology; providing an  
21                    effective date.

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

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

27                    295.01 Children of deceased or disabled veterans;  
28 spouses of deceased or disabled servicemembers; education.--

29                    (1) It is hereby declared to be the policy of the  
30 state to provide educational opportunity at state expense for  
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1 dependent children either of whose parents entered the Armed  
2 Forces and:

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

5 (b) Has been:

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

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

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

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

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

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

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

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

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

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

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

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

15  
16 All rules, restrictions, and limitations set forth in this  
17 section shall apply.

18           ~~(3)(2)~~ Sections 295.03, 295.04, 295.05, and 1009.40  
19 shall apply.

20           ~~(4)(3)~~ The State Board of Education shall adopt rules  
21 for administering this section.

22           Section 2. Section 295.02, Florida Statutes, is  
23 amended to read:

24           295.02 Use of funds; age, etc.--

25           (1) All Sums appropriated and expended to carry out  
26 the provisions of s. 295.01(1) under this chapter shall be  
27 used to pay tuition and registration fees, board, and room  
28 rent and to buy books and supplies for the children of  
29 deceased or disabled veterans or service members, as defined  
30 and limited in s. 295.01, s. 295.016, s. 295.017, s. 295.018,  
31 s. 295.0185, or s. 295.0195, or of parents classified as

1 prisoners of war or missing in action, as defined and limited  
2 in s. 295.015, who are between the ages of 16 and 22 years and  
3 who are in attendance at a state-supported institution of  
4 higher learning, including a community college or career  
5 center. Any child having entered upon a course of training or  
6 education under the provisions of this chapter, consisting of  
7 a course of not more than 4 years, and arriving at the age of  
8 22 years before the completion of such course may continue the  
9 course and receive all benefits of the provisions of this  
10 chapter until the course is completed.

11 (2) Sums appropriated and expended to carry out the  
12 provisions of s. 295.01(2) shall be used to pay tuition and  
13 registration fees for the spouses of deceased or disabled  
14 veterans or servicemembers, as defined and limited in s.  
15 295.01, who are enrolled at a state-supported institution of  
16 higher learning, including a community college or career  
17 center. Notwithstanding the benefits-disbursement provision in  
18 s. 295.04, such funds shall be applicable for up to 110  
19 percent of the number of required credit hours of an initial  
20 baccalaureate degree or certificate program for which the  
21 spouse is enrolled.

22 (3) The Department of Education shall administer this  
23 educational program subject to regulations of the department.

24 Section 3. 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 4. 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 5. This act shall take effect July 1, 2006.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
13 COMMITTEE SUBSTITUTE FOR  
14 Senate Bill 2034

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15 The Committee Substitute for SB 2034 provides that educational  
16 benefits for qualifying spouses of deceased or disabled  
17 veterans or service members are limited to 110% of the  
18 required credit hours for the initial baccalaureate or  
19 certificate program in which they enroll, and clarifies that  
20 age limitations established in S.295.02 for children of  
21 deceased or disabled veterans to participate in educational  
22 benefits under the existing program do not apply to qualifying  
23 spouses.

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