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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,
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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.

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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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