

# 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.)

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Prepared By: Military Affairs and Domestic Security Committee

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BILL: CS/SB 412

INTRODUCER: Military Affairs and Domestic Security Committee and Senator Baker

SUBJECT: Education/Children of POWs or MIAs

DATE: February 20, 2007

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pardue	Skelton	MS	Fav/CS
2.			HI	
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## I. Summary:

This bill extends educational benefits to dependent children of Florida resident parents who have been declared prisoners of war or missing in action since the Viet Nam era. The bill extends the benefit to children of certain military and civilian personnel.

Minimal fiscal impact is expected because the potential population of applicants for educational benefits under this bill is extremely small.

This bill amends section 295.015 of the Florida Statutes:

## II. Present Situation:

Official government sources list a total of one service member missing in action from the 1991 Persian Gulf War and one service member prisoner of war from the current operation in Iraq (Operation Iraqi Freedom).<sup>1</sup> Unofficial sources list one additional service member recently declared missing-captured in Iraq in December 2006 and 11 civilians missing in Iraq.<sup>2</sup>

Section 295.015, Florida Statutes (F.S.), currently provides for educational benefits at state expense to dependent children of certain Florida residents who have been classified prisoners of war (POW) or missing in action (MIA) in the Korean Conflict and the Viet Nam era. In order for dependent children to qualify for these benefits, a POW or MIA must have been a bona fide

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<sup>1</sup> Congressional Research Service, *POWs and MIAs: Status and Accounting Issues*, June 1, 2006.

<sup>2</sup> Source: <http://www.aiipowmia.com/stats.html>. Note: Detailed information about the civilians listed as missing in Iraq was unavailable. It is unknown if they were serving in a capacity with the consent or authorization of the United States Government or how such a list was compiled. Further, it is unknown how many would qualify as Florida residents.

Florida resident for 5 years preceding an application for benefits and be a permanent resident of Florida on the effective date of the act. The benefit applies to dependent children whose parents were classified as prisoners of war or missing in action while serving in the U. S. Armed Forces or in the capacity of civilian personnel captured while serving with the consent or authorization of the United States Government.

### **III. Effect of Proposed Changes:**

This committee substitute deletes the reference to persons who were classified prisoners of war or missing in action in the Korean Conflict and the Viet Nam era. The effect of this change is to expand the category to include all Florida residents who have been classified prisoners of war or missing in action. The bill would extend educational benefits at state expense to dependent children of those additional persons.

This committee substitute also reduces the Florida residency requirement from 5 years to 1 year prior to an event resulting in said resident being declared a prisoner of war or missing in action. Further, it deletes statute language that could be interpreted as limiting the eligibility for educational benefits to only those who were Florida residents at the time the act was originally passed in 1972.

The bill provides for an effective date of July 1, 2007.

### **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:**

None.

**C. Government Sector Impact:**

The potential population of persons who would qualify for educational benefits based on a declaration of a parent as a prisoner of war or missing in action is small. Minimal fiscal impact is expected from this bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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

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## **VIII. Summary of Amendments:**

None.

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