

By the Committee on Governmental Oversight and Accountability;
and Senator Aronberg

585-03558-10

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1 A bill to be entitled
2 An act relating to veterans; amending s. 496.406,
3 F.S.; exempting certain veterans' organizations from
4 requirements to file registration statements with the
5 Department of Agriculture and Consumer Services;
6 amending s. 295.187, F.S.; revising the definition of
7 the term "service-disabled veteran" for purposes of
8 the Florida Service-Disabled Veteran Business
9 Enterprise Opportunity Act; amending s. 296.06, F.S.;
10 revising eligibility requirements for residency in the
11 Veterans' Domiciliary Home of Florida; amending s.
12 296.36, F.S.; revising eligibility requirements for
13 admittance into a licensed health care facility
14 operated by the Department of Veterans' Affairs;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 496.406, Florida Statutes, is amended to
20 read:

21 496.406 Exemption from registration.—The following
22 charitable organizations and sponsors are exempt from the
23 requirements of s. 496.405:

24 (1) A person who is soliciting for a named individual,
25 provided that all the contributions collected without any
26 deductions whatsoever are turned over to the beneficiary for her
27 or his use and provided that the person has complied with the
28 requirements of s. 496.413.

29 (2) A charitable organization or sponsor which limits

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30 solicitation of contributions to the membership of the
31 charitable organization or sponsor. For the purposes of this
32 paragraph, the term "membership" does not include those persons
33 who are granted a membership upon making a contribution as a
34 result of a solicitation.

35 (3) Any division, department, post, or chapter of a
36 veterans' service organization granted a federal charter under
37 Title 36, U.S.C.

38 Section 2. Paragraph (b) of subsection (3) of section
39 295.187, Florida Statutes, is amended to read:

40 295.187 Florida Service-Disabled Veteran Business
41 Enterprise Opportunity Act.—

42 (3) DEFINITIONS.—For the purpose of this section, the term:

43 (b) "Service-disabled veteran" means a veteran who is a
44 permanent Florida resident with a service-connected disability
45 ~~of 10 percent or greater~~ as determined by the United States
46 Department of Veterans Affairs or who has been terminated from
47 military service by reason of disability by the United States
48 Department of Defense.

49 Section 3. Subsection (2) of section 296.06, Florida
50 Statutes, is amended to read:

51 296.06 State policy; eligibility requirements.—

52 (2) To be eligible for residency in the home, a veteran
53 must:

54 (a) Have wartime service as provided in s. 1.01(14) or
55 peacetime service as defined in s. ss. 1.01(14) ~~and~~ 296.02.

56 (b) Have been a resident of the state for 1 year
57 immediately preceding application and be a resident of the state
58 at the time of application.

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59 (c) Not be mentally ill, habitually inebriated, or addicted
60 to drugs.

61 (d) Not owe money to the department for services rendered
62 during any previous stay at a department facility.

63 (e) Have applied for all financial assistance reasonably
64 available through governmental sources.

65 (f) Have been approved as eligible for care and treatment
66 by the United States Department of Veterans Affairs.

67 Section 4. Subsection (1) of section 296.36, Florida
68 Statutes, is amended to read:

69 296.36 Eligibility and priority of admittance.—

70 (1) To be eligible for admittance to the home, the person
71 must be a veteran as provided ~~defined~~ in s. 1.01(14) or have
72 eligible peacetime service as defined in s. 296.02 and must:

73 (a) Be in need of nursing home care.

74 (b) Have been a resident of the state for 1 year
75 immediately preceding, and at the time of application for,
76 admission to the home.

77 (c) Not owe money to the department for services rendered
78 during any previous stay at a department facility.

79 (d) Have applied for all financial assistance reasonably
80 available through governmental sources.

81 (e) Have been approved as eligible for care and treatment
82 by the United States Department of Veterans Affairs.

83 Section 5. This act shall take effect July 1, 2010.