

1                   A bill to be entitled  
 2           An act relating to veterans' affairs; amending s. 1.01,  
 3           F.S.; expanding the definition of the term "veteran" for  
 4           purposes of construction of the Florida Statutes; amending  
 5           s. 295.0185, F.S.; providing educational opportunity at  
 6           state expense for dependent children of military personnel  
 7           who die or suffer certain disability in specified military  
 8           operations; providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (14) of section 1.01, Florida  
 13   Statutes, is amended to read:

14           1.01 Definitions.—In construing these statutes and each  
 15   and every word, phrase, or part hereof, where the context will  
 16   permit:

17           (14) The term "veteran" means a person who served in the  
 18   active military, naval, or air service and who was discharged or  
 19   released therefrom under honorable conditions only or who later  
 20   received an upgraded discharge under honorable conditions,  
 21   notwithstanding any action by the United States Department of  
 22   Veterans Affairs on individuals discharged or released with  
 23   other than honorable discharges. To receive benefits as a  
 24   wartime veteran, a veteran must have served in a campaign or  
 25   expedition for which a campaign badge has been authorized or a  
 26   veteran must have served during one of the following periods of  
 27   wartime service:

28           (a) Spanish-American War: April 21, 1898, to July 4, 1902,

29 and including the Philippine Insurrection and the Boxer  
 30 Rebellion.

31 (b) Mexican Border Period: May 9, 1916, to April 5, 1917,  
 32 in the case of a veteran who during such period served in  
 33 Mexico, on the borders thereof, or in the waters adjacent  
 34 thereto.

35 (c) World War I: April 6, 1917, to November 11, 1918;  
 36 extended to April 1, 1920, for those veterans who served in  
 37 Russia; also extended through July 1, 1921, for those veterans  
 38 who served after November 11, 1918, and before July 2, 1921,  
 39 provided such veterans had at least 1 day of service between  
 40 April 5, 1917, and November 12, 1918.

41 (d) World War II: December 7, 1941, to December 31, 1946.

42 (e) Korean Conflict: June 27, 1950, to January 31, 1955.

43 (f) Vietnam Era: February 28, 1961, to May 7, 1975.

44 (g) Persian Gulf War: August 2, 1990, to January 2, 1992.

45 (h) Operation Enduring Freedom: October 7, 2001, and  
 46 ending on the date thereafter prescribed by presidential  
 47 proclamation or by law.

48 (i) Operation Iraqi Freedom: March 19, 2003, and ending on  
 49 the date thereafter prescribed by presidential proclamation or  
 50 by law.

51 (j) Operation New Dawn: September 1, 2010, and ending on  
 52 the date thereafter prescribed by presidential proclamation or  
 53 by law.

54 Section 2. Section 295.0185, Florida Statutes, is amended  
 55 to read:

56 295.0185 Children of deceased or disabled military

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57 personnel who die or become disabled in Operation Enduring  
 58 Freedom, ~~or~~ Operation Iraqi Freedom, Operation New Dawn, or  
 59 other military operations; educational opportunity.-

60 (1) (a) It is declared to be the policy of the state to  
 61 provide educational opportunity at state expense for the  
 62 dependent children of those military personnel who die or suffer  
 63 a service-connected 100-percent total and permanent disability  
 64 rating for compensation as determined by the United States  
 65 Department of Veterans Affairs, or who are determined to have a  
 66 service-connected total and permanent disability rating of 100  
 67 percent and are in receipt of disability retirement pay from any  
 68 branch of the United States Armed Services, while participating  
 69 in any of the following military operations, if such military  
 70 personnel have been residents of the state during the period of  
 71 military action:

72 1. Operation Enduring Freedom, which began on October 7,  
 73 2001; ~~or while participating in~~

74 2. Operation Iraqi Freedom, which began on March 19,  
 75 2003; ~~or~~

76 3. Operation New Dawn, which began on September 1, 2010;  
 77 or

78 4. Other military operations in the Global War on  
 79 Terrorism subsequent to September 11, 2001, prescribed by  
 80 presidential proclamation or by law ~~if such military personnel~~  
 81 ~~have been residents of the state during the period of military~~  
 82 ~~action.~~

83 (b) Any of the following constitutes prima facie evidence  
 84 that the dependent children of military personnel under

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85 paragraph (a) are eligible for educational benefits:

86 1. A certified copy of a death certificate;τ

87 2. A valid identification card issued in accordance with  
88 the provisions of s. 295.17;τ

89 3. A letter certifying the service-connected 100-percent  
90 total and permanent disability rating for compensation from the  
91 United States Department of Veterans Affairs;τ or

92 4. A letter certifying the service-connected total and  
93 permanent disability rating of 100 percent for retirement pay  
94 from any branch of the United States Armed Services ~~is prima~~  
95 ~~facie evidence that the dependent children of such military~~  
96 ~~personnel are eligible for educational benefits.~~

97 (2) Sections 295.03, 295.04, 295.05, and 1009.40 apply.

98 Section 3. This act shall take effect July 1, 2011.