

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:

11
 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, to September
49 1, 2010 ~~and ending on the date thereafter prescribed by~~
50 ~~presidential proclamation or 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

57 | personnel who die or become disabled in Operation Enduring
 58 | Freedom, ~~or~~ Operation Iraqi Freedom, or Operation New Dawn;
 59 | 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, 2003,
 75 | and ended August 31, 2010; or

76 | 3. Operation New Dawn, which began on September 1, 2010
 77 | ~~if such military personnel have been residents of the state~~
 78 | ~~during the period of military action.~~

79 | (b) Any of the following constitutes prima facie evidence
 80 | that the dependent children of military personnel under
 81 | paragraph (a) are eligible for educational benefits:

82 | 1. A certified copy of a death certificate; ~~or~~

83 | 2. A valid identification card issued in accordance with
 84 | the provisions of s. 295.17; ~~or~~

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85 3. A letter certifying the service-connected 100-percent
86 total and permanent disability rating for compensation from the
87 United States Department of Veterans Affairs;IT or

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

93 (2) Sections 295.03, 295.04, 295.05, and 1009.40 apply.
94 Section 3. This act shall take effect July 1, 2011.