

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senator Altman

605-04511-11

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49 (i) Operation Iraqi Freedom: March 19, 2003, to August 31,
50 2010 ~~and ending on the date thereafter prescribed by~~
51 ~~presidential proclamation or by law.~~

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

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

57 295.0185 Children of deceased or disabled military
58 personnel who die or become disabled in Operation Enduring

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59 Freedom, ~~or~~ Operation Iraqi Freedom, or Operation New Dawn;
60 educational opportunity.—

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

73 1. Operation Enduring Freedom, which began on October 7,
74 2001; ~~or while participating in~~

75 2. Operation Iraqi Freedom, which began on March 19, 2003,
76 and ended August 31, 2010; or

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

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

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

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

86 3. A letter certifying the service-connected 100-percent
87 total and permanent disability rating for compensation from the

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88 United States Department of Veterans Affairs;r or

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

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

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