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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2023	.	
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	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 27 - 311

and insert:

(1) As used in this section, the terms "Armed Forces" and "servicemember" shall have the same meanings as provided in s. 250.01.

(2) (a) ~~(1)~~ It is the policy of the state to provide educational opportunity at state expense for a dependent child, as defined in s. 1009.21(1), of a servicemember who children



756988

11 ~~either of whose parents entered the Armed Forces and:~~
12 ~~1.(a) Died as a result of service-connected injuries,~~
13 ~~disease, or disability sustained while on active duty; or~~
14 ~~2.(b) Has been:~~
15 ~~a.1. Determined by the United States Department of Veterans~~
16 ~~Affairs or its predecessor to have a service-connected 100-~~
17 ~~percent total and permanent disability rating for compensation;~~
18 ~~b.2. Determined to have a service-connected total and~~
19 ~~permanent disability rating of 100 percent and is in receipt of~~
20 ~~disability retirement pay from any branch of the United States~~
21 ~~Armed Forces Services; or~~
22 ~~c.3. Issued a valid identification card by the Department~~
23 ~~of Veterans' Affairs in accordance with s. 295.17~~
24
25 ~~when the parents of such children have been residents of the~~
26 ~~state for 1 year immediately preceding the death or the~~
27 ~~occurrence of such disability, and subject to the rules,~~
28 ~~restrictions, and limitations set forth in this section.~~
29 (b) The dependent child of a deceased servicemember is
30 eligible for educational benefits under this section if:
31 1. Immediately preceding the death of the servicemember,
32 Florida was listed as the servicemember's official home of
33 record in the Defense Enrollment Eligibility Reporting System
34 (DEERS) database for at least 6 months; or
35 2. The child qualifies as a resident for tuition purposes
36 under s. 1009.21.
37 (c) The dependent child of a disabled servicemember is
38 eligible for educational benefits under this section if:
39 1. Immediately preceding the occurrence of the



756988

40 servicemember's disability, Florida was listed as the
41 servicemember's official home of record in the Defense
42 Enrollment Eligibility Reporting System (DEERS) database for at
43 least 6 months; or

44 2. The child qualifies as a resident for tuition purposes
45 under s. 1009.21 and the servicemember has been a resident of
46 this state for at least 6 months.

47
48 All rules, restrictions, and limitations set forth in this
49 section shall apply.

50 (3)(2) It is also the declared policy of the this state to
51 provide educational opportunity at state expense for spouses of
52 deceased or disabled servicemembers.

53 (a) The unremarried spouse of a deceased servicemember is
54 eligible for educational, as defined in s. 250.01, qualifies for
55 the benefits under this section.

56 1. If the servicemember and his or her spouse had been
57 residents of the state for 1 year immediately preceding the
58 servicemember's death and the servicemember's death occurred
59 under the circumstances provided in subsection (1); and

60 2. if the unremarried spouse applies to use the benefit
61 within 5 years after the servicemember's death and:

62 1. Immediately preceding the servicemember's death, Florida
63 was listed as the servicemember's official home of record in the
64 Defense Enrollment Eligibility Reporting System (DEERS) database
65 for at least 6 months; or

66 2. The spouse qualifies as a resident for tuition purposes
67 under s. 1009.21.

68 (b) The dependent spouse of a disabled servicemember is



756988

69 eligible for educational, ~~as defined in s. 250.01, qualifies for~~
70 ~~the~~ benefits under this section:

71 ~~1.~~ if the servicemember and his or her spouse have been
72 married to each other for 1 year~~;~~ and:

73 ~~1.2.~~ ~~If the servicemember and his or her spouse have been~~
74 ~~residents of the state for 1 year~~ Immediately preceding the
75 occurrence of the servicemember's disability, Florida was listed
76 as the servicemember's official home of record in the Defense
77 Enrollment Eligibility Reporting System (DEERS) database for at
78 least 6 months; or

79 2. The spouse qualifies as a resident for tuition purposes
80 under s. 1009.21 and the servicemember has been a resident of
81 this state for at least 6 months. ~~and the disability meets the~~
82 ~~criteria set forth in subsection (1); and~~

83 ~~(c)3.~~ The eligibility for educational benefits under
84 paragraph (b) applies only during the duration of the marriage
85 and up to the point of termination of the marriage by
86 dissolution or annulment.

87
88 All rules, restrictions, and limitations set forth in this
89 section shall apply.

90 ~~(4)3)~~ Sections 295.03-295.05 and 1009.40 shall apply.

91 ~~(5)4)~~ The State Board of Education shall adopt rules for
92 administering this section.

93 ~~(6)5)~~ A child or spouse of a servicemember may receive
94 benefits under either this section or s. 295.061.

95 Section 2. Section 295.015, Florida Statutes, is amended to
96 read:

97 295.015 Children of prisoners of war and persons missing in



756988

98 action; education.-

99 (1) It is ~~hereby declared to be~~ the policy of the state to
100 provide educational opportunity at state expense for a dependent
101 child of a parent who ~~children either of whose parents~~ has been
102 classified as a prisoner of war or missing in action in the
103 service of the United States Armed Forces ~~of the United States~~
104 or in the capacity of civilian personnel captured while serving
105 with the consent or authorization of the United States
106 Government. Such educational opportunity shall be provided until
107 such time as the parent so classified is returned alive or the
108 parent's remains are recovered.

109 (2) A dependent child is eligible for educational benefits
110 under this section if:

111 (a) ~~Immediately; provided that, in order to be eligible,~~
112 ~~the parents of such children must have been residents of the~~
113 ~~state for 1 year~~ preceding the event that led to the parent's
114 classification as a prisoner of war or missing in action by the
115 United States Government, Florida was listed as the parent's
116 official home of record in the Defense Enrollment Eligibility
117 Reporting System (DEERS) database for at least 6 months; or

118 (b) The child qualifies as a resident for tuition purposes
119 under s. 1009.21 and the parent has been a resident of this
120 state for at least 6 months.

121 (3) ~~(2) Sections 295.03-295.05~~ ~~The provisions of ss. 295.03-~~
122 ~~295.05~~ and 1009.40 shall apply.

123 Section 3. Section 295.016, Florida Statutes, is amended to
124 read:

125 295.016 Children of servicemembers who died or became
126 disabled in Operation Eagle Claw; education.-



756988

127 (1) It is the hereby declared to be a policy of the state
128 to provide educational opportunity at state expense for a the
129 dependent child children of a any servicemember who died or
130 suffered a service-connected 100-percent total and permanent
131 disability rating for compensation as determined by the United
132 States Department of Veterans Affairs, or who has been
133 determined to have a service-connected total and permanent
134 disability rating of 100 percent and is in receipt of disability
135 retirement pay from any branch of the United States Armed Forces
136 Services, while participating in the Iranian rescue mission
137 known as Operation Eagle Claw, ~~which servicemember was residing~~
138 ~~in the state on April 25, 1980.~~

139 (a) A certified copy of a death certificate, a valid
140 identification card issued by the Department of Veterans'
141 Affairs in accordance with s. 295.17, a letter certifying the
142 service-connected 100-percent total and permanent disability
143 rating for compensation from the United States Department of
144 Veterans Affairs, or a letter certifying the service-connected
145 total and permanent disability rating of 100 percent for
146 retirement pay from any branch of the United States Armed Forces
147 is Services shall be prima facie evidence ~~of the fact~~ that the
148 dependent child children of the servicemember is are eligible
149 for educational such benefits.

150 (b) In addition to the requirement provided in paragraph
151 (a), a dependent child is eligible for educational benefits
152 under this section if:

153 1. On April 25, 1980, Florida was listed as the
154 servicemember's official home of record in the Defense
155 Enrollment Eligibility Reporting System (DEERS) database; or



756988

156 2. The child qualifies as a resident for tuition purposes
157 under s. 1009.21 and the servicemember, if living, has been a
158 resident of this state for at least 6 months.

159 (2) Sections 295.03-295.05 ~~The provisions of ss. 295.03-~~
160 ~~295.05~~ and 1009.40 shall apply.

161 Section 4. Section 295.017, Florida Statutes, is amended to
162 read:

163 295.017 Children of servicemembers who died or became
164 disabled in the Lebanon and Grenada military arenas; education
165 ~~educational opportunity.~~-

166 (1) It is ~~hereby declared to be~~ the policy of the state to
167 provide educational opportunity at state expense for a the
168 dependent child children of a any servicemember who died or
169 suffered a service-connected 100-percent total and permanent
170 disability rating for compensation as determined by the United
171 States Department of Veterans Affairs, or who has been
172 determined to have a service-connected total and permanent
173 disability rating of 100 percent and is in receipt of disability
174 retirement pay from any branch of the United States Armed Forces
175 ~~Services~~, while participating in a Multinational Peace Keeping
176 Force in Lebanon ~~during the period~~ from September 17, 1982,
177 through February 3, 1984, inclusive, or while participating ~~as a~~
178 ~~participant~~ in Operation Urgent Fury in Grenada ~~during the~~
179 ~~period~~ from October 23, 1983, through November 2, 1983,
180 inclusive, ~~which servicemember was residing in the state during~~
181 ~~those periods of military action.~~

182 (a) A certified copy of a death certificate, a valid
183 identification card issued by the Department of Veterans'
184 Affairs in accordance with ~~the provisions of~~ s. 295.17, a letter



756988

185 certifying the service-connected 100-percent total and permanent
186 disability rating for compensation from the United States
187 Department of Veterans Affairs, or a letter certifying the
188 service-connected total and permanent disability rating of 100
189 percent for retirement pay from any branch of the United States
190 Armed Forces is Services shall be prima facie evidence ~~of the~~
191 ~~fact~~ that the dependent child children of the servicemember is
192 ~~are~~ eligible for educational such benefits.

193 (b) In addition to the requirement provided in paragraph
194 (a), a dependent child is eligible for educational benefits
195 under this section if:

196 1. During either period of military action, Florida was
197 listed as the servicemember's official home of record in the
198 Defense Enrollment Eligibility Reporting System (DEERS)
199 database; or

200 2. The child qualifies as a resident for tuition purposes
201 under s. 1009.21 and the servicemember, if living, has been a
202 resident of this state for at least 6 months.

203 (2) Sections 295.03-295.05 ~~The provisions of ss. 295.03-~~
204 ~~295.05~~ and 1009.40 shall apply.

205 Section 5. Section 295.0185, Florida Statutes, is amended
206 to read:

207 295.0185 Children of servicemembers who died or became
208 ~~deceased or disabled military personnel who die or become~~
209 ~~disabled in Operation Enduring Freedom or Operation Iraqi~~
210 ~~Freedom; education educational opportunity.~~

211 (1) It is ~~declared to be~~ the policy of the state to provide
212 educational opportunity at state expense for a ~~the~~ dependent
213 child children of a servicemember who died or suffered these



756988

214 ~~military personnel who die or suffer~~ a service-connected 100-
215 percent total and permanent disability rating for compensation
216 as determined by the United States Department of Veterans
217 Affairs, or who has been ~~are~~ determined to have a service-
218 connected total and permanent disability rating of 100 percent
219 and is ~~are~~ in receipt of disability retirement pay from any
220 branch of the United States Armed Forces Services, while
221 participating in Operation Enduring Freedom, which began on
222 October 7, 2001, or while participating in Operation Iraqi
223 Freedom, which began on March 19, 2003, ~~if such military~~
224 ~~personnel have been residents of the state during the period of~~
225 ~~military action.~~

226 (a) A certified copy of a death certificate, a valid
227 identification card issued by the Department of Veterans'
228 Affairs in accordance with ~~the provisions of~~ s. 295.17, a letter
229 certifying the service-connected 100-percent total and permanent
230 disability rating for compensation from the United States
231 Department of Veterans Affairs, or a letter certifying the
232 service-connected total and permanent disability rating of 100
233 percent for retirement pay from any branch of the United States
234 Armed Forces Services is prima facie evidence that the dependent
235 child children of such servicemember is ~~military personnel are~~
236 eligible for educational benefits.

237 (b) In addition to the requirement provided in paragraph
238 (a), a dependent child is eligible for educational benefits
239 under this section if:

240 1. During either period of military action, Florida was
241 listed as the servicemember's official home of record in the
242 Defense Enrollment Eligibility Reporting System (DEERS)



756988

243 database; or

244 2. The dependent child qualifies as a resident for tuition
245 purposes under s. 1009.21 and the servicemember, if living, has
246 been a resident of this state for at least 6 months.

247 (2) Sections 295.03-295.05 and 1009.40 shall apply.

248 Section 6. Section 295.0195, Florida Statutes, is amended
249 to read:

250 295.0195 Children of servicemembers ~~deceased or disabled~~
251 ~~military personnel~~ who died or became disabled in the Mideast
252 Persian Gulf military arena during hostilities with Iraq or in
253 the military action in Panama known as Operation Just Cause;
254 education.-

255 (1) It is ~~hereby declared to be~~ the policy of the state to
256 provide educational opportunity at state expense for a the
257 dependent child ~~children~~ of a servicemember ~~those military~~
258 ~~personnel~~ who died or suffered a service-connected 100-percent
259 total and permanent disability rating for compensation as
260 determined by the United States Department of Veterans Affairs,
261 or who has ~~have~~ been determined to have a service-connected
262 total and permanent disability rating of 100 percent and is ~~are~~
263 in receipt of disability retirement pay from any branch of the
264 United States Armed Forces, while participating in the Mideast
265 Persian Gulf arena during hostilities with Iraq, which began as
266 Operation Desert Shield on August 5, 1990, through cessation of
267 those hostilities, inclusive, or while participating in the
268 military action in Panama known as Operation Just Cause during
269 December 1989, ~~if such military personnel were residents of the~~
270 ~~state during the period of military action.~~

271 (a) A certified copy of a death certificate, a valid



756988

272 identification card issued by the Department of Veterans'
273 Affairs in accordance with ~~the provisions of~~ s. 295.17, a letter
274 certifying the service-connected 100-percent total and permanent
275 disability rating for compensation from the United States
276 Department of Veterans Affairs, or a letter certifying the
277 service-connected total and permanent disability rating of 100
278 percent for retirement pay from any branch of the United States
279 Armed Forces is ~~shall be~~ prima facie evidence ~~of the fact~~ that
280 the dependent child ~~children~~ of such servicemember ~~is~~ military
281 ~~personnel~~ are eligible for educational benefits.

282 (b) In addition to the requirement provided in paragraph
283 (a), a dependent child is eligible for educational benefits
284 under this section if:

285 1. During either period of military action, Florida was
286 listed as the servicemember's official home of record in the
287 Defense Enrollment Eligibility Reporting System (DEERS)
288 database; or

289 2. The child qualifies as a resident for tuition purposes
290 under s. 1009.21 and the servicemember, if living, has been a
291 resident of this state for at least 6 months.

293 ===== T I T L E A M E N D M E N T =====

294 And the title is amended as follows:

295 Delete line 5

296 and insert:

297 defining terms; revising