

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.