

By Senator Fasano

11-1378-03

See HB 1241

1 A bill to be entitled
2 An act relating to veterans' affairs; amending
3 s. 1.01, F.S.; revising the definition of the
4 term "veteran"; providing preference
5 eligibility to veterans who served in a
6 campaign or expedition for which a campaign
7 badge has been authorized or who serve during a
8 period of any future declaration of war by the
9 Congress; providing an end date to the Persian
10 Gulf War; amending s. 295.07, F.S.; excluding
11 active duty for training from criteria for
12 eligibility for veterans' appointment and
13 retention preference; amending s. 295.182,
14 F.S.; deleting timeframe for authorization to
15 receive contributions from public bodies to the
16 Florida World War II Veterans Memorial Matching
17 Trust Fund; amending s. 296.10, F.S.;
18 authorizing the automatic adjustment in
19 contributions to support a resident whenever
20 there is an increase in benefit amounts payable
21 under Title II of the Social Security Act;
22 providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. Subsection (14) of section 1.01, Florida
27 Statutes, is amended to read:

28 1.01 Definitions.--In construing these statutes and
29 each and every word, phrase, or part hereof, where the context
30 will permit:

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1 (14) The term "veteran" means a person who served in
2 the active military, naval, or air service and who was
3 discharged or released therefrom under honorable conditions
4 only or who later received an upgraded discharge under
5 honorable conditions, notwithstanding any action by the United
6 States Department of Veterans Affairs on individuals
7 discharged or released with other than honorable discharges.
8 To receive benefits as a wartime veteran, a veteran must have
9 served in a campaign or expedition for which a campaign badge
10 has been authorized or during a period beginning on the date
11 of any future declaration of war by the Congress of the United
12 States and ending on the date prescribed by presidential
13 proclamation or concurrent resolution of the Congress of the
14 United States, or a veteran must have served during one of the
15 following periods of wartime service:

16 (a) Spanish-American War: April 21, 1898, to July 4,
17 1902, and including the Philippine Insurrection and the Boxer
18 Rebellion.

19 (b) Mexican Border Period: May 9, 1916, to April 5,
20 1917, in the case of a veteran who during such period served
21 in Mexico, on the borders thereof, or in the waters adjacent
22 thereto.

23 (c) World War I: April 6, 1917, to November 11, 1918;
24 extended to April 1, 1920, for those veterans who served in
25 Russia; also extended through July 1, 1921, for those veterans
26 who served after November 11, 1918, and before July 2, 1921,
27 provided such veterans had at least 1 day of service between
28 April 5, 1917, and November 12, 1918.

29 (d) World War II: December 7, 1941, to December 31,
30 1946.

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1 (e) Korean Conflict: June 27, 1950, to January 31,
2 1955.

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

4 (g) Persian Gulf War: August 2, 1990, to January 2,
5 1992 and ending on the date thereafter prescribed by
6 presidential proclamation or by law.

7 Section 2. Paragraph (c) of subsection (1) of section
8 295.07, Florida Statutes, is amended to read:

9 295.07 Preference in appointment and retention.--

10 (1) The state and political subdivisions in the state
11 shall give preference in appointment and retention in
12 positions of employment to:

13 (c) A veteran of any war as defined in s. 1.01(14).
14 The veteran must have served at least 1 day during a wartime
15 period to be eligible for veterans' preference. Active duty
16 for training shall not be allowed for eligibility under this
17 paragraph.

18 Section 3. Subsection (2) of section 295.182, Florida
19 Statutes, is amended to read:

20 295.182 Florida World War II Veterans Memorial
21 Matching Trust Fund; contributions; use.--

22 (2) ~~For the 2002-2003 fiscal year only,~~The department
23 may receive contributions from public bodies as defined in s.
24 1.01(8). Public bodies are authorized to appropriate funds, in
25 lump sum or otherwise, for the purpose of making contributions
26 to the trust fund. ~~This subsection expires July 1, 2003.~~

27 Section 4. Section 296.10, Florida Statutes, is
28 amended to read:

29 296.10 Residents; contribution to support.--

30 (1)(a) Each resident of the home who receives a
31 pension, compensation, or gratuity from the United States

1 Government, or income from any other source of more than \$100
2 per month, with adjustments in accordance with paragraph (b),
3 shall contribute to his or her maintenance and support while a
4 resident of the home in accordance with a schedule of payment
5 determined by the administrator and approved by the director.
6 The total amount of such contributions must be to the fullest
7 extent possible, but may not exceed the actual cost of
8 operating and maintaining the home.

9 (b) Whenever there is an increase in benefit amounts
10 payable under Title II of the Social Security Act, 42 U.S.C.
11 ss. 401 et seq., as a result of a determination made under
12 section 215(i) of such act, 42 U.S.C. s. 415(i), the
13 administrator shall increase the amount that each resident
14 shall be allowed to retain. The increased amount will be
15 determined by the percentage used to increase the benefits
16 under the Social Security Act, 42 U.S.C. ss. 401 et seq. This
17 first such increase to residents' personal use funds will take
18 place on January 1, 2004, and shall be continued each ensuing
19 year that there is an increase in benefits under the said act.

20 Section 5. This act shall take effect upon becoming a
21 law.