

Committee Substitute for Senate Bill No. 2378

An act relating to veterans' affairs; amending s. 1.01, F.S.; revising the definition of the term "veteran"; providing preference eligibility to veterans who served in a campaign or expedition for which a campaign badge has been authorized; providing an end date to the Persian Gulf War; amending s. 295.07, F.S.; excluding active duty for training from criteria for eligibility for veterans' appointment and retention preference; amending s. 295.182, F.S.; deleting timeframe for authorization to receive contributions from public bodies to the Florida World War II Veterans Memorial Matching Trust Fund; amending s. 296.10, F.S.; authorizing the automatic adjustment in contributions to support a resident whenever there is an increase in benefit amounts payable under Title II of the Social Security Act; providing an effective date.

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

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

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

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

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

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

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

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

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

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

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

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

295.07 Preference in appointment and retention.—

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

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

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

295.182 Florida World War II Veterans Memorial Matching Trust Fund; contributions; use.—

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

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

296.10 Residents; contribution to support.—

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

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

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

Approved by the Governor May 23, 2003.

Filed in Office Secretary of State May 23, 2003.