

CHAPTER 2010-177

Committee Substitute for House Bill No. 1003

An act relating to veterans; amending s. 496.406, F.S.; exempting certain veterans' organizations from requirements to file registration statements with the Department of Agriculture and Consumer Services; amending s. 295.187, F.S.; revising the definition of the term "service-disabled veteran" for purposes of the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; amending s. 296.06, F.S.; revising eligibility requirements for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; revising eligibility requirements for admittance into a licensed health care facility operated by the Department of Veterans' Affairs; providing an effective date.

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

Section 1. Section 496.406, Florida Statutes, is amended to read:

496.406 Exemption from registration.—The following charitable organizations and sponsors are exempt from the requirements of s. 496.405:

(1) A person who is soliciting for a named individual, provided that all the contributions collected without any deductions whatsoever are turned over to the beneficiary for her or his use and provided that the person has complied with the requirements of s. 496.413.

(2) A charitable organization or sponsor which limits solicitation of contributions to the membership of the charitable organization or sponsor. For the purposes of this paragraph, the term "membership" does not include those persons who are granted a membership upon making a contribution as a result of a solicitation.

(3) Any division, department, post, or chapter of a veterans' service organization granted a federal charter under Title 36, U.S.C.

Section 2. Paragraph (b) of subsection (3) of section 295.187, Florida Statutes, is amended to read:

295.187 Florida Service-Disabled Veteran Business Enterprise Opportunity Act.—

(3) DEFINITIONS.—For the purpose of this section, the term:

(b) "Service-disabled veteran" means a veteran who is a permanent Florida resident with a service-connected disability of ~~10 percent or greater~~ as determined by the United States Department of Veterans Affairs or who has been terminated from military service by reason of disability by the United States Department of Defense.

Section 3. Subsection (2) of section 296.06, Florida Statutes, is amended to read:

296.06 State policy; eligibility requirements.—

(2) To be eligible for residency in the home, a veteran must:

(a) Have wartime service as provided in s. 1.01(14) or peacetime service as defined in s. ~~ss. 1.01(14)~~ and 296.02.

(b) Have been a resident of the state for 1 year immediately preceding application and be a resident of the state at the time of application.

(c) Not be mentally ill, habitually inebriated, or addicted to drugs.

(d) Not owe money to the department for services rendered during any previous stay at a department facility.

(e) Have applied for all financial assistance reasonably available through governmental sources.

(f) Have been approved as eligible for care and treatment by the United States Department of Veterans Affairs.

Section 4. Subsection (1) of section 296.36, Florida Statutes, is amended to read:

296.36 Eligibility and priority of admittance.—

(1) To be eligible for admittance to the home, the person must be a veteran as provided defined in s. 1.01(14) or have eligible peacetime service as defined in s. 296.02 and must:

(a) Be in need of nursing home care.

(b) Have been a resident of the state for 1 year immediately preceding, and at the time of application for, admission to the home.

(c) Not owe money to the department for services rendered during any previous stay at a department facility.

(d) Have applied for all financial assistance reasonably available through governmental sources.

(e) Have been approved as eligible for care and treatment by the United States Department of Veterans Affairs.

Section 5. This act shall take effect July 1, 2010.

Approved by the Governor June 1, 2010.

Filed in Office Secretary of State June 1, 2010.