

SENATE FILE 2247

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SCHOENJAHN, WOOD, FRAISE, and
GRONSTAL

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act creating veteran's bonuses for service during the Vietnam
2 Conflict, Persian Gulf Conflict, Afghanistan Conflict, and the
3 Iraqi Conflict for a certain period of active duty military
4 service, providing tax exemptions and a penalty.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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STATE GOVERNMENT
SF 2247

1 Section 1. Section 35A.8, Code Supplement 2005, is amended
2 by adding the following new subsections:

3 NEW SUBSECTION. 5. a. The executive director shall
4 provide for the administration of the bonus authorized in this
5 subsection. The commission shall adopt rules, pursuant to
6 chapter 17A, as necessary to administer this subsection
7 including but not limited to application procedures and
8 procedures for the investigation, approval or disapproval, and
9 payment of claims.

10 b. (1) A person who served on active duty for not less
11 than one hundred twenty days in the armed forces of the United
12 States at any time between July 1, 1973, and May 31, 1975,
13 both dates inclusive, and who at the time of entering into
14 active duty service was a legal resident of the state of Iowa,
15 and who had maintained the person's residence in this state
16 for a period of at least six months immediately before
17 entering into active duty service, and was honorably
18 discharged or separated from active duty service, or is still
19 in active service in an honorable status, or has been retired,
20 or has been furloughed to a reserve, or has been placed on
21 inactive status, is entitled to receive from moneys
22 appropriated for that purpose the sum of seventeen dollars and
23 fifty cents for each month that the person was on active duty
24 service in the Vietnam service area, within the dates
25 specified in this subparagraph, if the veteran earned either a
26 Vietnam service medal or an armed forces expeditionary medal-
27 Vietnam or can otherwise establish service in the Vietnam
28 service area during that period. Compensation under this
29 subparagraph shall not exceed a total sum of five hundred
30 dollars. Compensation for a fraction of a month shall not be
31 considered unless the fraction is sixteen days or more, in
32 which case the fraction shall be computed as a full month.

33 (2) A person otherwise qualified under this paragraph "b"
34 except that the person did not earn either a Vietnam service
35 medal or an armed forces expeditionary medal-Vietnam, and did

1 not serve in the Vietnam service area during the period
2 between July 1, 1973, and May 31, 1975, both dates inclusive,
3 is entitled to receive from moneys appropriated for that
4 purpose the sum of twelve dollars and fifty cents for each
5 month that the person was on active duty service, within the
6 dates specified in subparagraph (1). Compensation under this
7 subparagraph shall not exceed a total sum of three hundred
8 dollars. Compensation for a fraction of a month shall not be
9 considered unless the fraction is sixteen days or more, in
10 which case the fraction shall be computed as a full month.

11 (3) A person is not entitled to compensation pursuant to
12 this subsection if the person received a bonus or compensation
13 similar to that provided in this subsection from another
14 state.

15 (4) A person is not entitled to compensation pursuant to
16 this subsection if the person was on active duty service after
17 July 1, 1973, and the person refused on conscientious,
18 political, religious, or other grounds, to be subject to
19 military discipline.

20 (5) The surviving unremarried widow or widower, child or
21 children, mother, father, or person standing in loco parentis,
22 in the order named and none other, of any deceased person,
23 shall be paid the compensation that the deceased person would
24 be entitled to pursuant to this subsection, if living.

25 However, if any person has died or shall die, or is disabled,
26 from service-connected causes incurred during the period and
27 in the area from which the person is entitled to receive
28 compensation pursuant to this subsection, the person or the
29 first survivor as designated by this subparagraph, and in the
30 order named, shall be paid five hundred dollars or three
31 hundred dollars, whichever maximum amount would have applied
32 pursuant to subparagraph (1) or (2), regardless of the length
33 of service.

34 c. A person who knowingly makes a false statement relating
35 to a material fact in supporting an application under this

1 subsection is guilty of a serious misdemeanor. A person
2 convicted pursuant to this subsection shall forfeit all
3 benefits to which the person may have been entitled under this
4 subsection.

5 d. All payments and allowances made under this subsection
6 shall be exempt from taxation, levy, and sale on execution.

7 e. The bonus compensation authorized under this subsection
8 shall be paid from moneys appropriated for that purpose.

9 f. A Vietnam Conflict veterans bonus fund is created in
10 the state treasury. The Vietnam Conflict veterans bonus fund
11 shall consist of all moneys appropriated to the fund to pay
12 the bonus compensation authorized in this subsection.

13 Notwithstanding section 12C.7, interest or earnings on
14 investments or time deposits of the moneys in the Vietnam
15 Conflict veterans bonus fund shall be credited to the bonus
16 fund. Section 8.33 does not apply to moneys appropriated to
17 the Vietnam Conflict veterans bonus fund.

18 NEW SUBSECTION. 6. a. The executive director shall
19 provide for the administration of the bonus authorized in this
20 subsection. The commission shall adopt rules, pursuant to
21 chapter 17A, as necessary to administer this subsection
22 including but not limited to application procedures and
23 procedures for the investigation, approval or disapproval, and
24 payment of claims.

25 b. (1) A person who served on active duty for not less
26 than one hundred twenty days in the armed forces of the United
27 States at any time between August 2, 1990, and November 30,
28 1995, both dates inclusive, and who at the time of entering
29 into active duty service was a legal resident of the state of
30 Iowa, and who had maintained the person's residence in this
31 state for a period of at least six months immediately before
32 entering into active duty service, and was honorably
33 discharged or separated from active duty service, or is still
34 in active service in an honorable status, or has been retired,
35 or has been furloughed to a reserve, or has been placed on

1 inactive status, is entitled to receive from moneys
2 appropriated for that purpose the sum of seventeen dollars and
3 fifty cents for each month that the person was on active duty
4 service in the Persian Gulf Conflict, within the dates
5 specified in this subparagraph, if the veteran earned a
6 national defense service medal for service in the Persian Gulf
7 Conflict or can otherwise establish service in the Persian
8 Gulf Conflict during that period. Compensation under this
9 subparagraph shall not exceed a total sum of five hundred
10 dollars. Compensation for a fraction of a month shall not be
11 considered unless the fraction is sixteen days or more, in
12 which case the fraction shall be computed as a full month.

13 (2) A person is not entitled to compensation pursuant to
14 this subsection if the person received a bonus or compensation
15 similar to that provided in this subsection from another
16 state.

17 (3) The surviving unremarried widow or widower, child or
18 children, mother, father, or person standing in loco parentis,
19 in the order named and none other, of any deceased person,
20 shall be paid the compensation that the deceased person would
21 be entitled to pursuant to this subsection, if living.
22 However, if any person has died or shall die, or is disabled,
23 from service-connected causes incurred during the period and
24 in the area from which the person is entitled to receive
25 compensation pursuant to this subsection, the person or the
26 first survivor as designated by this subparagraph, and in the
27 order named, shall be paid five hundred dollars, regardless of
28 the length of service.

29 c. A person who knowingly makes a false statement relating
30 to a material fact in supporting an application under this
31 subsection is guilty of a serious misdemeanor. A person
32 convicted pursuant to this subsection shall forfeit all
33 benefits to which the person may have been entitled under this
34 subsection.

35 d. All payments and allowances made under this subsection

1 shall be exempt from taxation, levy, and sale on execution.

2 e. The bonus compensation authorized under this subsection
3 shall be paid from moneys appropriated for that purpose.

4 f. A Persian Gulf Conflict veterans bonus fund is created
5 in the state treasury. The Persian Gulf Conflict veterans
6 bonus fund shall consist of all moneys appropriated to the
7 fund to pay the bonus compensation authorized in this
8 subsection. Notwithstanding section 12C.7, interest or
9 earnings on investments or time deposits of the moneys in the
10 Persian Gulf Conflict veterans bonus fund shall be credited to
11 the bonus fund. Section 8.33 does not apply to moneys
12 appropriated to the Persian Gulf Conflict veterans bonus fund.

13 NEW SUBSECTION. 7. a. The executive director shall
14 provide for the administration of the bonus authorized in this
15 subsection. The commission shall adopt rules, pursuant to
16 chapter 17A, as necessary to administer this subsection
17 including but not limited to application procedures and
18 procedures for the investigation, approval or disapproval, and
19 payment of claims.

20 b. (1) A person who served on active duty for not less
21 than one hundred twenty days in the armed forces of the United
22 States at any time between October 24, 2001, and ending on the
23 date the president or the Congress of the United States
24 declares a cessation of hostilities, both dates inclusive, and
25 who at the time of entering into active duty service was a
26 legal resident of the state of Iowa, and who had maintained
27 the person's residence in this state for a period of at least
28 six months immediately before entering into active duty
29 service, and was honorably discharged or separated from active
30 duty service, or is still in active service in an honorable
31 status, or has been retired, or has been furloughed to a
32 reserve, or has been placed on inactive status, is entitled to
33 receive from moneys appropriated for that purpose the sum of
34 seventeen dollars and fifty cents for each month that the
35 person was on active duty service in the Afghanistan Conflict,

1 within the dates specified in this subparagraph, if the
2 veteran earned an Afghanistan Campaign Medal for service in
3 the Afghanistan Conflict or can otherwise establish service in
4 the Afghanistan Conflict during that period. Compensation
5 under this subparagraph shall not exceed a total sum of five
6 hundred dollars. Compensation for a fraction of a month shall
7 not be considered unless the fraction is sixteen days or more,
8 in which case the fraction shall be computed as a full month.

9 (2) A person is not entitled to compensation pursuant to
10 this subsection if the person received a bonus or compensation
11 similar to that provided in this subsection from another
12 state.

13 (3) The surviving unremarried widow or widower, child or
14 children, mother, father, or person standing in loco parentis,
15 in the order named and none other, of any deceased person,
16 shall be paid the compensation that the deceased person would
17 be entitled to pursuant to this subsection, if living.
18 However, if any person has died or shall die, or is disabled,
19 from service-connected causes incurred during the period and
20 in the area from which the person is entitled to receive
21 compensation pursuant to this subsection, the person or the
22 first survivor as designated by this subparagraph, and in the
23 order named, shall be paid five hundred dollars, regardless of
24 the length of service.

25 c. A person who knowingly makes a false statement relating
26 to a material fact in supporting an application under this
27 subsection is guilty of a serious misdemeanor. A person
28 convicted pursuant to this subsection shall forfeit all
29 benefits to which the person may have been entitled under this
30 subsection.

31 d. All payments and allowances made under this subsection
32 shall be exempt from taxation, levy, and sale on execution.

33 e. The bonus compensation authorized under this subsection
34 shall be paid from moneys appropriated for that purpose.

35 f. An Afghanistan Conflict veterans bonus fund is created

1 in the state treasury. The Afghanistan Conflict veterans
2 bonus fund shall consist of all moneys appropriated to the
3 fund to pay the bonus compensation authorized in this
4 subsection. Notwithstanding section 12C.7, interest or
5 earnings on investments or time deposits of the moneys in the
6 Afghanistan Conflict veterans bonus fund shall be credited to
7 the bonus fund. Section 8.33 does not apply to moneys
8 appropriated to the Afghanistan Conflict veterans bonus fund.

9 NEW SUBSECTION. 8. a. The executive director shall
10 provide for the administration of the bonus authorized in this
11 subsection. The commission shall adopt rules, pursuant to
12 chapter 17A, as necessary to administer this subsection
13 including but not limited to application procedures and
14 procedures for the investigation, approval or disapproval, and
15 payment of claims.

16 b. (1) A person who served on active duty for not less
17 than one hundred twenty days in the armed forces of the United
18 States at any time between March 19, 2003, and ending on the
19 date the president or the Congress of the United States
20 declares a cessation of hostilities, both dates inclusive, and
21 who at the time of entering into active duty service was a
22 legal resident of the state of Iowa, and who had maintained
23 the person's residence in this state for a period of at least
24 six months immediately before entering into active duty
25 service, and was honorably discharged or separated from active
26 duty service, or is still in active service in an honorable
27 status, or has been retired, or has been furloughed to a
28 reserve, or has been placed on inactive status, is entitled to
29 receive from moneys appropriated for that purpose the sum of
30 seventeen dollars and fifty cents for each month that the
31 person was on active duty service in the Iraqi Conflict,
32 within the dates specified in this subparagraph, if the
33 veteran earned an Iraq Campaign medal for service in the Iraqi
34 Conflict or can otherwise establish service in the Iraqi
35 Conflict during that period. Compensation under this

1 subparagraph shall not exceed a total sum of five hundred
2 dollars. Compensation for a fraction of a month shall not be
3 considered unless the fraction is sixteen days or more, in
4 which case the fraction shall be computed as a full month.

5 (2) A person is not entitled to compensation pursuant to
6 this subsection if the person received a bonus or compensation
7 similar to that provided in this subsection from another
8 state.

9 (3) The surviving unremarried widow or widower, child or
10 children, mother, father, or person standing in loco parentis,
11 in the order named and none other, of any deceased person,
12 shall be paid the compensation that the deceased person would
13 be entitled to pursuant to this subsection, if living.
14 However, if any person has died or shall die, or is disabled,
15 from service-connected causes incurred during the period and
16 in the area from which the person is entitled to receive
17 compensation pursuant to this subsection, the person or the
18 first survivor as designated by this subparagraph, and in the
19 order named, shall be paid five hundred dollars, regardless of
20 the length of service.

21 c. A person who knowingly makes a false statement relating
22 to a material fact in supporting an application under this
23 subsection is guilty of a serious misdemeanor. A person
24 convicted pursuant to this subsection shall forfeit all
25 benefits to which the person may have been entitled under this
26 subsection.

27 d. All payments and allowances made under this subsection
28 shall be exempt from taxation, levy, and sale on execution.

29 e. The bonus compensation authorized under this subsection
30 shall be paid from moneys appropriated for that purpose.

31 f. An Iraqi Conflict veterans bonus fund is created in the
32 state treasury. The Iraqi Conflict veterans bonus fund shall
33 consist of all moneys appropriated to the fund to pay the
34 bonus compensation authorized in this subsection.

35 Notwithstanding section 12C.7, interest or earnings on

1 investments or time deposits of the moneys in the Iraqi
2 Conflict veterans bonus fund shall be credited to the bonus
3 fund. Section 8.33 does not apply to moneys appropriated to
4 the Iraqi Conflict veterans bonus fund.

5 EXPLANATION

6 This bill creates several veteran's bonuses. The bill
7 provides a Vietnam Conflict veteran's bonus for persons who
8 served on active duty in the United States armed forces from
9 July 1, 1973, through May 31, 1975, a Persian Gulf Conflict
10 veteran's bonus for persons who served on active duty in the
11 United States armed forces from August 2, 1990, through
12 November 30, 1995, in the Persian Gulf Conflict, an
13 Afghanistan Conflict veteran's bonus for service during that
14 conflict beginning on October 24, 2001, and an Iraqi Conflict
15 veteran's bonus for service during that conflict beginning
16 March 19, 2003. Eligible persons may receive \$17.50 for each
17 month that the person was on active duty in the Vietnam
18 service area, the Persian Gulf Conflict, the Afghanistan
19 Conflict, or the Iraqi Conflict within the dates specified,
20 not to exceed a total sum of \$500. Persons who served on
21 active duty during the specified period for the Vietnam
22 service bonus only but not in the Vietnam service area may
23 receive \$12.50 per month, not to exceed \$300. The bonus
24 payments are exempt from taxation, levy, and execution. A
25 criminal penalty is provided for a submission of a fraudulent
26 application for the bonus.

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