

35A.8A Vietnam Conflict veterans bonus — limited residency requirement — appropriation.

1. *a.* A person who served on active duty for not less than one hundred twenty days in the armed forces of the United States at any time between July 1, 1958, and May 31, 1975, both dates inclusive, and who was inducted into active duty service from the state of Iowa and was honorably discharged or separated from active duty service, or is still in active service in an honorable status, or has been retired, or has been furloughed to a reserve, or has been placed on inactive status is entitled to receive from moneys appropriated for that purpose the sum of seventeen dollars and fifty cents for each month that the person was on active duty service in the Vietnam service area, within the dates specified in this paragraph, if the veteran earned either a Vietnam service medal or an armed forces expeditionary medal-Vietnam or can otherwise establish service in the Vietnam service area during that period. Compensation under this paragraph shall not exceed a total sum of five hundred dollars. Compensation for a fraction of a month shall not be considered unless the fraction is sixteen days or more, in which case the fraction shall be computed as a full month.

b. A person otherwise qualified under paragraph “a” except that the person did not earn either a Vietnam service medal or an armed forces expeditionary medal-Vietnam and did not serve in the Vietnam service area during the period between July 1, 1958, and May 31, 1975, both dates inclusive, is entitled to receive from moneys appropriated for that purpose the sum of twelve dollars and fifty cents for each month that the person was on active duty service, within the dates specified in paragraph “a”. Compensation under this paragraph shall not exceed a total sum of three hundred dollars. Compensation for a fraction of a month shall not be considered unless the fraction is sixteen days or more, in which case the fraction shall be computed as a full month.

2. A person otherwise eligible to receive compensation pursuant to [subsection 1](#) shall be entitled to compensation pursuant to [this section](#) if all of the following requirements are met:

a. The person has not received a bonus or compensation similar to that provided in [this section](#) from this state or another state.

b. The person was on active duty service after July 1, 1958, and the person did not refuse on conscientious, political, religious, or other grounds, to be subject to military discipline.

c. The person made application for a bonus or compensation similar to that provided in [this section](#) from this state and was denied compensation because the person did not meet applicable residency requirements.

d. The person files an application for compensation under [this section](#) in a manner determined by the department of veterans affairs by July 1, 2010.

3. The surviving unremarried widow or widower, child or children, mother, father, or person standing in loco parentis, in the order named and none other, of any deceased person shall be paid the compensation that the deceased person would be entitled to pursuant to [this section](#), if living. However, if any person has died or shall die, or is disabled, from service-connected causes incurred during the period and in the area from which the person is entitled to receive compensation pursuant to [this section](#), the person or the first survivor as designated by [this subsection](#), and in the order named, shall be paid five hundred dollars or three hundred dollars, whichever maximum amount would have applied pursuant to [subsection 1](#), paragraph “a” or “b”, regardless of the length of service.

4. A person who knowingly makes a false statement relating to a material fact in supporting an application under [this section](#) is guilty of a serious misdemeanor. A person convicted pursuant to [this section](#) shall forfeit all benefits to which the person may have been entitled under [this section](#).

5. All payments and allowances made under [this section](#) shall be exempt from taxation, levy, and sale on execution.

6. The bonus compensation authorized under [this section](#) shall be paid from moneys appropriated for Vietnam Conflict veterans’ bonuses.

7. The executive director of the department of veterans affairs shall provide for the administration of the bonus authorized in [this section](#). The department shall adopt rules, pursuant to [chapter 17A](#), as necessary to administer [this section](#) including but not limited to application procedures, investigation, approval or disapproval, and payment of claims.

The department may expend up to one percent of the moneys appropriated for the bonus compensation authorized under [this section](#) for administrative costs associated with the requirements of [this section](#).

8. [This section](#) is repealed June 30, 2011.

2008 Acts, ch 1131, §1, 3

Referred to in [§422.7](#)