



CHESTER J. CULVER  
GOVERNOR

## OFFICE OF THE GOVERNOR

PATTY JUDGE  
LT. GOVERNOR

May 5, 2008

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 2283**, an Act concerning eligibility for receiving a Vietnam Conflict veterans bonus for a certain period of active duty military service, providing a penalty, and including an effective date and retroactive applicability provision.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Culver", written over the word "Sincerely,".

Chester J. Culver  
Governor

CJC:bdj

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 2283

AN ACT  
CONCERNING ELIGIBILITY FOR RECEIVING A VIETNAM CONFLICT  
VETERANS BONUS FOR A CERTAIN PERIOD OF ACTIVE DUTY  
MILITARY SERVICE, PROVIDING A PENALTY, AND INCLUDING AN  
EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISION.

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

Section 1. NEW SECTION. 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.

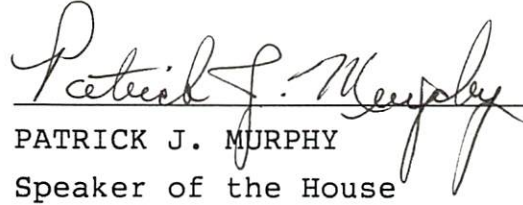
Sec. 2. Section 422.7, subsection 51, Code Supplement 2007, is amended to read as follows:

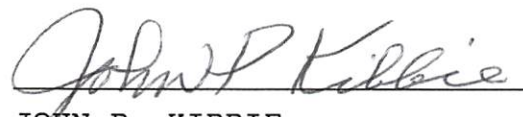
51. Subtract, to the extent included, the amount of any Vietnam Conflict veterans bonus provided pursuant to section 35A.8, subsection 5, and section 35A.8A.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.


Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act amending section 422.7, is retroactively applicable to

January 1, 2008, and is applicable for tax years beginning on and after that date.


  
PATRICK J. MURPHY  
Speaker of the House

  
JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2283, Eighty-second General Assembly.

  
MARK BRANDSGARD  
Chief Clerk of the House

Approved May 5th, 2008

  
CHESTER J. CULVER  
Governor