

FEB 5 2004
STATE GOVERNMENT

HOUSE FILE 2181
BY STEVENS, DANDEKAR, STRUYK,
and QUIRK

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

A BILL FOR

1 An Act creating a Persian Gulf conflict veterans bonus and
2 providing a tax exemption and a penalty.

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

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HF 2181

1 Section 1. Section 35A.8, Code Supplement 2003, is amended
2 by adding the following new subsection:

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,
8 investigation, approval or disapproval, and payment of claims.

9 b. (1) Each person who served on active duty in the armed
10 forces of the United States at any time between August 2,
11 1990, and December 5, 1995, both dates inclusive, and who at
12 the time of entering into active duty service was a legal
13 resident of the state of Iowa, and who had maintained the
14 person's residence in this state for a period of at least six
15 months immediately before entering into active duty service,
16 and was honorably discharged or separated from active duty
17 service, is entitled to receive from moneys appropriated for
18 that purpose the sum of twelve dollars and fifty cents for
19 each month that the person was on active duty service, within
20 the dates specified in this paragraph, not to exceed a total
21 sum of five hundred dollars. Compensation for a fraction of a
22 month shall not be considered unless the fraction is sixteen
23 days or more, in which case the fraction shall be computed as
24 a full month.

25 (2) A person is not entitled to compensation pursuant to
26 this subsection if the person received a bonus or compensation
27 similar to that provided in this subsection from another
28 state.

29 (3) A person is not entitled to compensation pursuant to
30 this subsection if the person was on active duty service after
31 August 2, 1990, and the person refused on conscientious,
32 political, religious, or other grounds to be subject to
33 military discipline.

34 (4) The surviving unremarried widow or widower, child or
35 children, mother, father, or person standing in loco parentis,

1 in the order named and none other, of any deceased person,
2 shall be paid the compensation that the deceased person would
3 be entitled to pursuant to this subsection, if living, but if
4 any person has died or shall die, or is disabled, from
5 service-connected causes incurred during the period and in the
6 area from which the person is entitled to receive compensation
7 pursuant to this subsection, the person or the first survivor
8 as designated by this subsection, and in the order named,
9 shall be paid five hundred dollars, regardless of the length
10 of service.

11 c. A person who knowingly makes a false statement relating
12 to a material fact in supporting an application under this
13 subsection is guilty of a serious misdemeanor. A person
14 convicted pursuant to this subsection shall forfeit all
15 benefits to which the person may have been entitled under this
16 subsection.

17 d. All payments and allowances made under this subsection
18 shall be exempt from taxation and from levy and sale on
19 execution.

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

22 f. A Persian Gulf conflict veterans bonus fund is created
23 in the state treasury. The Persian Gulf conflict veterans
24 bonus fund shall consist of all moneys appropriated to the
25 fund to pay the bonus compensation authorized in this
26 subsection. Notwithstanding section 12C.7, interest or
27 earnings on investments or time deposits of the moneys in the
28 Persian Gulf conflict veterans bonus fund shall be credited to
29 the bonus fund. Section 8.33 does not apply to moneys
30 appropriated to the Persian Gulf conflict veterans bonus fund.

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EXPLANATION

32 This bill creates a Persian Gulf conflict veterans bonus
33 for persons who served on active duty in the United States
34 armed forces during the period August 2, 1990, through
35 December 5, 1995. Eligible persons may receive \$12.50 for

1 each month that the person was on active duty, within the
2 dates specified, not to exceed a total sum of \$500. The
3 payments are exempt from taxation, levy, and execution. A
4 criminal penalty is provided for submission of a fraudulent
5 application for the bonus. Payment of the bonuses is subject
6 to the making of an appropriation by the general assembly.

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