

FEB 11 2004
STATE GOVERNMENT

HOUSE FILE 2219
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DANDEKAR, and STRUYK

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

A BILL FOR

1 An Act creating a Vietnam conflict veterans bonus for a certain
2 period of active duty military service, and providing a tax
3 exemption and a penalty.

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

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HF 2219

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

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

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

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

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

19 (5) The surviving unremarried widow or widower, child or
20 children, mother, father, or person standing in loco parentis,
21 in the order named and none other, of any deceased person,
22 shall be paid the compensation that the deceased person would
23 be entitled to pursuant to this subsection, if living, but if
24 any person has died or shall die, or is disabled, from
25 service-connected causes incurred during the period and in the
26 area from which the person is entitled to receive compensation
27 pursuant to this subsection, the person or the first survivor
28 as designated by this subsection, and in the order named,
29 shall be paid five hundred dollars or three hundred dollars,
30 whichever maximum amount applies pursuant to subparagraph (1)
31 or (2), regardless of the length of service.

32 c. A person who knowingly makes a false statement relating
33 to a material fact in supporting an application under this
34 subsection is guilty of a serious misdemeanor. A person
35 convicted pursuant to this subsection shall forfeit all

1 benefits to which the person may have been entitled under this
2 subsection.

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

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

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

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

17 EXPLANATION

18 This bill creates a Vietnam conflict veterans bonus for
19 persons who served on active duty in the United States armed
20 forces from July 1, 1973, through May 31, 1975. Eligible
21 persons may receive \$17.50 for each month that the person was
22 on active duty in the Vietnam service area, within the dates
23 specified, not to exceed a total sum of \$500. Persons who
24 served on active duty during the specified period but not in
25 the Vietnam service area may receive \$12.50 per month, not to
26 exceed \$300. The bonus payments are exempt from taxation,
27 levy, and execution. A criminal penalty is provided for a
28 submission of a fraudulent application for the bonus.

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