

# House File 425 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON VETERANS  
AFFAIRS

(SUCCESSOR TO HF 124)

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, making an  
3 appropriation, and providing a tax exemption and a penalty.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1196HV 82  
6 ec/gg/14

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1 1 Section 1. Section 35A.8, Code 2007, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 5. a. The executive director shall  
1 4 provide for the administration of the bonus authorized in this  
1 5 subsection. The commission shall adopt rules, pursuant to  
1 6 chapter 17A, as necessary to administer this subsection  
1 7 including but not limited to application procedures,  
1 8 investigation, approval or disapproval, and payment of claims.  
1 9 b. (1) A person who served on active duty for not less  
1 10 than one hundred twenty days in the armed forces of the United  
1 11 States at any time between July 1, 1973, and May 31, 1975,  
1 12 both dates inclusive, and who at the time of entering into  
1 13 active duty service was a legal resident of the state of Iowa,  
1 14 and who had maintained the person's residence in this state  
1 15 for a period of at least six months immediately before  
1 16 entering into active duty service, and was honorably  
1 17 discharged or separated from active duty service, or is still  
1 18 in active service in an honorable status, or has been retired,  
1 19 or has been furloughed to a reserve, or has been placed on  
1 20 inactive status is entitled to receive from moneys  
1 21 appropriated for that purpose the sum of seventeen dollars and  
1 22 fifty cents for each month that the person was on active duty  
1 23 service in the Vietnam service area, within the dates  
1 24 specified in this subparagraph, if the veteran earned either a  
1 25 Vietnam service medal or an armed forces expeditionary medal=  
1 26 Vietnam or can otherwise establish service in the Vietnam  
1 27 service area during that period. Compensation under this  
1 28 subparagraph shall not exceed a total sum of five hundred  
1 29 dollars. Compensation for a fraction of a month shall not be  
1 30 considered unless the fraction is sixteen days or more, in  
1 31 which case the fraction shall be computed as a full month.  
1 32 (2) A person otherwise qualified under this paragraph "b"  
1 33 except that the person did not earn either a Vietnam service  
1 34 medal or an armed forces expeditionary medal=Vietnam, and did  
1 35 not serve in the Vietnam service area during the period  
2 1 between July 1, 1973, and May 31, 1975, both dates inclusive,  
2 2 is entitled to receive from moneys appropriated for that  
2 3 purpose the sum of twelve dollars and fifty cents for each  
2 4 month that the person was on active duty service, within the  
2 5 dates specified in subparagraph (1). Compensation under this  
2 6 subparagraph shall not exceed a total sum of three hundred  
2 7 dollars. Compensation for a fraction of a month shall not be  
2 8 considered unless the fraction is sixteen days or more, in  
2 9 which case the fraction shall be computed as a full month.  
2 10 (3) A person is not entitled to compensation pursuant to  
2 11 this subsection if the person received a bonus or compensation  
2 12 similar to that provided in this subsection from another  
2 13 state.  
2 14 (4) A person is not entitled to compensation pursuant to  
2 15 this subsection if the person was on active duty service after  
2 16 July 1, 1973, and the person refused on conscientious,

2 17 political, religious, or other grounds, to be subject to  
2 18 military discipline.

2 19 (5) The surviving unremarried widow or widower, child or  
2 20 children, mother, father, or person standing in loco parentis,  
2 21 in the order named and none other, of any deceased person  
2 22 shall be paid the compensation that the deceased person would  
2 23 be entitled to pursuant to this subsection, if living.  
2 24 However, if any person has died or shall die, or is disabled,  
2 25 from service-connected causes incurred during the period and  
2 26 in the area from which the person is entitled to receive  
2 27 compensation pursuant to this subsection, the person or the  
2 28 first survivor as designated by this subparagraph, and in the  
2 29 order named, shall be paid five hundred dollars or three  
2 30 hundred dollars, whichever maximum amount would have applied  
2 31 pursuant to subparagraph (1) or (2), regardless of the length  
2 32 of service.

2 33 c. A person who knowingly makes a false statement relating  
2 34 to a material fact in supporting an application under this  
2 35 subsection is guilty of a serious misdemeanor. A person  
3 1 convicted pursuant to this subsection shall forfeit all  
3 2 benefits to which the person may have been entitled under this  
3 3 subsection.

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

3 6 e. The bonus compensation authorized under this subsection  
3 7 shall be paid from moneys appropriated for that purpose.

3 8 f. A Vietnam Conflict veterans bonus fund is created in  
3 9 the state treasury. The Vietnam Conflict veterans bonus fund  
3 10 shall consist of all moneys appropriated to the fund to pay  
3 11 the bonus compensation authorized in this subsection.  
3 12 Notwithstanding section 12C.7, interest or earnings on  
3 13 investments or time deposits of the moneys in the Vietnam  
3 14 Conflict veterans bonus fund shall be credited to the bonus  
3 15 fund. Section 8.33 does not apply to moneys appropriated to  
3 16 the Vietnam Conflict veterans bonus fund.

3 17 Sec. 2. VIETNAM CONFLICT VETERANS BONUS FUND  
3 18 APPROPRIATION. There is appropriated from the general fund of  
3 19 the state to the department of veterans affairs for the fiscal  
3 20 year beginning July 1, 2007, and ending June 30, 2008, the  
3 21 following amount, or so much thereof as is necessary, to be  
3 22 used for the purpose designated:

3 23 For deposit in the Vietnam Conflict veterans bonus fund:  
3 24 ..... \$ 500,000

3 25 EXPLANATION

3 26 This bill creates a Vietnam Conflict veterans bonus for  
3 27 persons who served on active duty in the United States armed  
3 28 forces from July 1, 1973, through May 31, 1975. Eligible  
3 29 persons may receive \$17.50 for each month that the person was  
3 30 on active duty in the Vietnam service area, within the dates  
3 31 specified, not to exceed a total sum of \$500. Persons who  
3 32 served on active duty during the specified period but not in  
3 33 the Vietnam service area may receive \$12.50 per month, not to  
3 34 exceed \$300. The bonus payments are exempt from taxation,  
3 35 levy, and execution. A criminal penalty is provided for a  
4 1 submission of a fraudulent application for the bonus. The  
4 2 bill also appropriates \$500,000 to the Vietnam Conflict  
4 3 veterans bonus fund created in the bill.

4 4 LSB 1196HV 82

4 5 ec:nh/gg/14