

Senate Study Bill 3202

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON BEALL)

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

A BILL FOR

1 An Act concerning the definition of veteran.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 6483XC 82
4 ec/nh/5

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1 1 Section 1. Section 35.1, subsection 2, paragraph a, Code
1 2 2007, is amended by striking the paragraph and inserting in
1 3 lieu thereof the following:
1 4 a. "Veteran" means a resident of this state who served in
1 5 the armed forces of the United States, who has completed a
1 6 minimum aggregate of ninety days of active federal service,
1 7 other than training, and who was discharged under honorable
1 8 conditions.
1 9 Sec. 2. Section 35.1, subsection 2, paragraph b,
1 10 unnumbered paragraph 1, Code 2007, is amended to read as
1 11 follows:
1 12 "Veteran" also includes the following persons:
1 13 Sec. 3. Section 35.1, subsection 2, paragraph b,
1 14 subparagraph (5), Code 2007, is amended to read as follows:
1 15 (5) Former members of the armed forces of the United
1 16 States if any portion of their term of enlistment would have
1 17 occurred ~~within during~~ the time period ~~specified in paragraph~~
~~1 18 "a", subparagraph (9) of the Korean Conflict from June 25,~~
1 19 ~~1950, through January 31, 1955,~~ but who instead opted to serve
1 20 five years in the reserve forces of the United States, as
1 21 allowed by federal law, and who were discharged under
1 22 honorable conditions.
1 23 Sec. 4. Section 35.1, subsection 2, paragraph b, Code
1 24 2007, is amended by adding the following new subparagraph:
1 25 NEW SUBPARAGRAPH. (8) Former members of the armed forces
1 26 of the United States, reserve forces, or Iowa national guard
1 27 who were honorably discharged due to injuries incurred while
1 28 in active federal service that precluded completion of a
1 29 minimum aggregate of ninety days of active federal service.
1 30 Sec. 5. Section 35A.13, subsection 1, Code Supplement
1 31 2007, is amended by striking the subsection.
1 32 Sec. 6. Section 331.608, subsection 9, Code 2007, is
1 33 amended to read as follows:
1 34 9. As used in this section, "veteran" means a veteran as
1 35 defined in section 35.1, who enlisted or was inducted from the
2 1 county, resided at any time in the county, or is buried in the
2 2 county. For purposes of records maintained for claims filed
2 3 under chapter 426A, "veteran" also means a veteran as defined
2 4 in section ~~426A.11, subsection 4~~ 35.1.
2 5 Sec. 7. Section 426A.11, subsection 4, Code 2007, is
2 6 amended by striking the subsection.
2 7 Sec. 8. Section 426A.12, Code 2007, is amended to read as
2 8 follows:
2 9 426A.12 EXEMPTIONS TO RELATIVES.
2 10 1. In case any person in the foregoing classifications
2 11 does not claim the exemption from taxation, it shall be
2 12 allowed in the name of the person to the same extent on the
2 13 property of any one of the following persons in the order
2 14 named:
2 15 ~~1-~~ a. The spouse, or surviving spouse remaining
2 16 unmarried, of a veteran, as defined in ~~this chapter or in~~
2 17 section 35.1, where they are living together or were living
2 18 together at the time of the death of the veteran.
2 19 ~~2-~~ b. The parent whose spouse is deceased and who remains

2 20 unmarried, of a veteran, as defined in this chapter or in
2 21 section 35.1, whether living or deceased, where the parent is,
2 22 or was at the time of death of the veteran, dependent on the
2 23 veteran for support.

2 24 ~~3- c.~~ The minor child, or children owning property as
2 25 tenants in common, of a deceased veteran, as defined in ~~this~~
2 26 ~~chapter or in~~ section 35.1.

2 27 ~~2.~~ No more than one tax exemption shall be allowed under
2 28 this section or section 426A.11 in the name of a veteran, as
2 29 defined in ~~this chapter or in~~ section 35.1.

2 30 Sec. 9. Section 483A.24, subsection 13, Code Supplement
2 31 2007, is amended to read as follows:

2 32 13. Upon payment of the fee of five dollars for a lifetime
2 33 fishing license or lifetime hunting and fishing combined
2 34 license, the department shall issue a lifetime fishing license
2 35 or lifetime hunting and fishing combined license to a resident
3 1 of Iowa who is a veteran, as defined in section 35.1, ~~or~~
3 2 ~~served in the armed forces of the United States for a minimum~~
3 3 ~~aggregate of ninety days of active federal service~~ and who was
3 4 disabled or was a prisoner of war during that veteran's
3 5 military service. The department shall prepare an application
3 6 to be used by a person requesting a lifetime fishing license
3 7 or lifetime hunting and fishing combined license under this
3 8 subsection. The department of veterans affairs shall assist
3 9 the department in verifying the status or claims of applicants
3 10 under this subsection. As used in this subsection, "disabled"
3 11 means entitled to compensation under the United States Code,
3 12 Title 38, ch. 11.

3 13 Sec. 10. Section 523I.304, subsection 7, Code Supplement
3 14 2007, is amended to read as follows:

3 15 7. A cemetery owned and controlled by a governmental
3 16 subdivision shall adopt and enforce a rule allowing any
3 17 veteran who is a landowner or who lives within the
3 18 governmental subdivision to purchase an interment space and to
3 19 be interred within the cemetery. For the purposes of this
3 20 section, "veteran" means the same as defined in section 35.1
3 21 ~~or a resident of this state who served in the armed forces of~~
3 22 ~~the United States, completed a minimum aggregate of ninety~~
3 23 ~~days of active federal service, and was discharged under~~
3 24 ~~honorable conditions.~~

3 25 Sec. 11. IMPLEMENTATION OF ACT. Section 25B.2, subsection
3 26 3, shall not apply to this Act.

3 27 EXPLANATION

3 28 This bill changes the definition of veteran in Code section
3 29 35.1 to provide that a veteran includes a resident of this
3 30 state who served in the armed forces of the United States, has
3 31 completed a minimum aggregate of ninety days of active federal
3 32 service, other than training, and was discharged under
3 33 honorable conditions, regardless of when the service occurred.
3 34 Current law defines veteran to include a resident of the state
3 35 who served in the armed forces of the United States only
4 1 during certain periods of time encompassing various wars and
4 2 conflicts. The definition of veteran is also changed to
4 3 include former members of the armed forces of the United
4 4 States, reserve forces, or Iowa national guard who were
4 5 honorably discharged due to injuries incurred while in active
4 6 federal service that precluded completion of a minimum
4 7 aggregate of ninety days of active federal service. The bill
4 8 makes corresponding changes in other sections of the Code to
4 9 reflect the expanded definition of veteran in Code section
4 10 35.1.

4 11 The definition of veteran in Code section 35.1 applies to
4 12 several provisions of the Code including provisions concerning
4 13 veterans preference in employment, membership on the county
4 14 commission of veteran affairs, indigent burial expenses and
4 15 support, grave markers, hepatitis C awareness program, and
4 16 property tax exemptions.

4 17 The bill may include a state mandate as defined in Code
4 18 section 25B.3. The bill makes inapplicable Code section
4 19 25B.2, subsection 3, which would relieve a political
4 20 subdivision from complying with a state mandate if funding for
4 21 the cost of the state mandate is not provided or specified.
4 22 Therefore, political subdivisions are required to comply with
4 23 any state mandate included in the bill.

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