

House File 503 - Introduced

HOUSE FILE _____
BY COMMITTEE ON VETERANS
AFFAIRS

(SUCCESSOR TO HSB 65)

Passed House, Date _____ Passed Senate, 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 1229HV 83
4 ec/nh/5

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1 1 Section 1. Section 35.1, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3 2. "Veteran" means any of the following:
1 4 a. ~~"Veteran" means a~~ A resident of this state who served
1 5 in the armed forces of the United States at any time during
1 6 the following dates and who was discharged under honorable
1 7 conditions:
1 8 (1) World War I from April 6, 1917, through November 11,
1 9 1918.
1 10 (2) Occupation of Germany from November 12, 1918, through
1 11 July 11, 1923.
1 12 (3) American expeditionary forces in Siberia from November
1 13 12, 1918, through April 30, 1920.
1 14 (4) Second Haitian suppression of insurrections from 1919
1 15 through 1920.
1 16 (5) Second Nicaragua campaign with marines or navy in
1 17 Nicaragua or on combatant ships from 1926 through 1933.
1 18 (6) Yangtze service with navy and marines in Shanghai or
1 19 in the Yangtze valley from 1926 through 1927 and 1930 through
1 20 1932.
1 21 (7) China service with navy and marines from 1937 through
1 22 1939.
1 23 (8) World War II from December 7, 1941, through December
1 24 31, 1946.
1 25 (9) Korean Conflict from June 25, 1950, through January
1 26 31, 1955.
1 27 (10) Vietnam Conflict from February 28, 1961, through May
1 28 7, 1975.
1 29 (11) Lebanon or Grenada service from August 24, 1982,
1 30 through July 31, 1984.
1 31 (12) Panama service from December 20, 1989, through
1 32 January 31, 1990.
1 33 (13) Persian Gulf Conflict from August 2, 1990, through
1 34 the date the president or the Congress of the United States
1 35 declares a cessation of hostilities. However, if the United
2 1 States Congress enacts a date different from August 2, 1990,
2 2 as the beginning of the Persian Gulf Conflict for purposes of
2 3 determining whether a veteran is entitled to receive military
2 4 benefits as a veteran of the Persian Gulf Conflict, that date
2 5 shall be substituted for August 2, 1990.
2 6 b. ~~"Veteran" includes the following persons:~~
2 7 (1) Former members of the reserve forces of the United
2 8 States who served at least twenty years in the reserve forces
2 9 and who were discharged under honorable conditions. However,
2 10 a member of the reserve forces of the United States who
2 11 completed a minimum aggregate of ninety days of active federal
2 12 service, other than training, and was discharged under
2 13 honorable conditions, or was retired under Title X of the
2 14 United States Code shall be included as a veteran.
2 15 (2) Former members of the Iowa national guard who served
2 16 at least twenty years in the Iowa national guard and who were
2 17 discharged under honorable conditions. However, a member of
2 18 the Iowa national guard who was activated for federal duty,

2 19 other than training, for a minimum aggregate of ninety days,
2 20 and was discharged under honorable conditions or was retired
2 21 under Title X of the United States Code shall be included as a
2 22 veteran.

2 23 (3) Former members of the active, oceangoing merchant
2 24 marines who served during World War II at any time between
2 25 December 7, 1941, and December 31, 1946, both dates inclusive,
2 26 who were discharged under honorable conditions.

2 27 (4) Former members of the women's air force service pilots
2 28 and other persons who have been conferred veterans status
2 29 based on their civilian duties during World War II in
2 30 accordance with federal Pub. L. No. 95=202, 38 U.S.C. } 106.

2 31 (5) Former members of the armed forces of the United
2 32 States if any portion of their term of enlistment would have
2 33 occurred ~~within during~~ the time period ~~specified in paragraph~~
~~2 34 "a", subparagraph (9) of the Korean Conflict from June 25,~~
~~2 35 1950, through January 31, 1955,~~ but who instead opted to serve

3 1 five years in the reserve forces of the United States, as
3 2 allowed by federal law, and who were discharged under
3 3 honorable conditions.

3 4 (6) Members of the reserve forces of the United States who
3 5 have served at least twenty years in the reserve forces and
3 6 who continue to serve in the reserve forces.

3 7 (7) Members of the Iowa national guard who have served at
3 8 least twenty years in the Iowa national guard and who continue
3 9 to serve in the Iowa national guard.

3 10 c. A resident of this state who served on active federal
3 11 service, other than training, in the armed forces of the
3 12 United States and who was discharged under honorable
3 13 conditions.

3 14 Sec. 2. Section 35A.13, subsection 1, Code 2009, is
3 15 amended by striking the subsection.

3 16 Sec. 3. Section 426A.11, subsection 2, Code 2009, is
3 17 amended to read as follows:

3 18 2. The property, not to exceed one thousand eight hundred
3 19 fifty=two dollars in taxable value of an honorably separated,
3 20 retired, furloughed to a reserve, placed on inactive status,
3 21 or discharged veteran, as defined in section 35.1, subsection
3 22 2, paragraph "a" or "b".

3 23 Sec. 4. Section 426A.12, Code 2009, is amended to read as
3 24 follows:

3 25 426A.12 EXEMPTIONS TO RELATIVES.

3 26 1. In case any person in the foregoing classifications
3 27 does not claim the exemption from taxation, it shall be
3 28 allowed in the name of the person to the same extent on the
3 29 property of any one of the following persons in the order
3 30 named:

3 31 1- a. The spouse, or surviving spouse remaining
3 32 unmarried, of a veteran, as defined in this chapter or in
3 33 section 35.1, subsection 2, paragraph "a" or "b", where they
3 34 are living together or were living together at the time of the
3 35 death of the veteran.

4 1 2- b. The parent whose spouse is deceased and who remains
4 2 unmarried, of a veteran, as defined in this chapter or in
4 3 section 35.1, subsection 2, paragraph "a" or "b", whether
4 4 living or deceased, where the parent is, or was at the time of
4 5 death of the veteran, dependent on the veteran for support.

4 6 3- c. The minor child, or children owning property as
4 7 tenants in common, of a deceased veteran, as defined in this
4 8 chapter or in section 35.1, subsection 2, paragraph "a" or
4 9 "b".

4 10 2. No more than one tax exemption shall be allowed under
4 11 this section or section 426A.11 in the name of a veteran, as
4 12 defined in this chapter or in section 35.1, subsection 2,
4 13 paragraph "a" or "b".

4 14 Sec. 5. Section 523I.304, subsection 7, Code 2009, is
4 15 amended to read as follows:

4 16 7. A cemetery owned and controlled by a governmental
4 17 subdivision shall adopt and enforce a rule allowing any
4 18 veteran who is a landowner or who lives within the
4 19 governmental subdivision to purchase an interment space and to
4 20 be interred within the cemetery. For the purposes of this
4 21 section, "veteran" means the same as defined in section 35.1
4 22 ~~or a resident of this state who served in the armed forces of~~
~~4 23 the United States, completed a minimum aggregate of ninety~~
~~4 24 days of active federal service, and was discharged under~~
~~4 25 honorable conditions.~~

4 26 Sec. 6. IMPLEMENTATION OF ACT. Section 25B.2, subsection
4 27 3, shall not apply to this Act.

4 28 EXPLANATION

4 29 This bill changes the definition of veteran in Code section

4 30 35.1 to provide that a veteran also includes a resident of
4 31 this state who served on active federal service, other than
4 32 training, in the armed forces of the United States and was
4 33 discharged under honorable conditions, regardless of when the
4 34 service occurred. Current law defines veteran to include a
4 35 resident of the state who served in the armed forces of the
5 1 United States only during certain periods of time encompassing
5 2 various wars and conflicts. The bill makes corresponding
5 3 changes in other sections of the Code to reflect the expanded
5 4 definition of veteran in Code section 35.1.

5 5 The definition of veteran in Code section 35.1 applies to
5 6 several provisions of the Code, including provisions
5 7 concerning veterans' preference in employment, membership on
5 8 the county commission of veteran affairs, indigent burial
5 9 expenses and support, grave markers, and the hepatitis C
5 10 awareness program.

5 11 However, the bill provides that the added definition of
5 12 veteran as provided in the bill does not apply relative to
5 13 property tax exemptions. Current law relative to the
5 14 definition of veteran for purposes of providing a property tax
5 15 exemption still applies and is not modified by the bill.

5 16 The bill may include a state mandate as defined in Code
5 17 section 25B.3. The bill makes inapplicable Code section
5 18 25B.2, subsection 3, which would relieve a political
5 19 subdivision from complying with a state mandate if funding for
5 20 the cost of the state mandate is not provided or specified.
5 21 Therefore, political subdivisions are required to comply with
5 22 any state mandate included in the bill.

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