

House Study Bill 585 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON ZIRKELBACH)

A BILL FOR

1 An Act creating a veterans combat bonus for active duty
2 military service during certain military conflicts, making
3 an appropriation, and providing a penalty and tax exemption.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **35A.8B Veterans combat bonus —**
2 **penalty — fund.**

3 1. For purposes of this section, "*eligible military service*"
4 means any of the following:

5 a. Active duty military service at any time from August 24,
6 1982, through July 31, 1984, in which the veteran can establish
7 service in the conflict in Lebanon or Grenada.

8 b. Active duty military service at any time from December
9 20, 1989, through January 31, 1990, in which the veteran can
10 establish service in the conflict in Panama.

11 c. Active duty military service at any time between August
12 2, 1990, and November 30, 1995, both dates inclusive, in the
13 Persian Gulf Conflict, if the veteran earned a national defense
14 service medal for service in the Persian Gulf Conflict or can
15 otherwise establish service in the Persian Gulf Conflict during
16 that period.

17 d. Active duty military service at any time between October
18 24, 2001, and ending on the date the president or the Congress
19 of the United States declares a cessation of hostilities,
20 both dates inclusive, in the Afghanistan Conflict, if the
21 veteran earned an Afghanistan Campaign medal for service in the
22 Afghanistan Conflict or can otherwise establish service in the
23 Afghanistan Conflict during that period.

24 e. Active duty military service at any time between March
25 19, 2003, and ending on the date the president or the Congress
26 of the United States declares a cessation of hostilities, both
27 dates inclusive, in the Iraqi Conflict, if the veteran earned
28 an Iraq Campaign medal for service in the Iraqi Conflict or can
29 otherwise establish service in the Iraqi Conflict during that
30 period.

31 2. The executive director shall provide for the
32 administration of the bonus authorized in this section. The
33 department shall adopt rules, pursuant to chapter 17A, as
34 necessary to administer this section including but not limited
35 to application procedures and procedures for the investigation,

1 approval or disapproval, and payment of claims.

2 3. *a.* A person who served on active duty for not less
3 than one hundred twenty days in the armed forces of the United
4 States in eligible military service, and who at the time
5 of entering into active duty service was a legal resident
6 of the state of Iowa, and who had maintained the person's
7 residence in this state for a period of at least six months
8 immediately before entering into active duty service, and was
9 honorably discharged or separated from active duty service,
10 or is still in active service in an honorable status, or has
11 been retired, or has been furloughed to a reserve, or has been
12 placed on inactive status, is entitled to receive from moneys
13 appropriated for that purpose the sum of seventeen dollars and
14 fifty cents for each month that the person was in eligible
15 military service. Maximum compensation for all periods of
16 eligible military service shall not exceed a total sum of five
17 hundred dollars. Compensation for a fraction of a month shall
18 not be considered unless the fraction is sixteen days or more,
19 in which case the fraction shall be computed as a full month.

20 *b.* A person is not entitled to compensation pursuant to this
21 section for a period of eligible military service if the person
22 received a bonus or compensation similar to that provided in
23 this section from another state for that period of service.

24 *c.* The surviving unremarried widow or widower, child or
25 children, mother, father, or person standing in loco parentis,
26 in the order named and none other, of any deceased person,
27 shall be paid the compensation that the deceased person would
28 be entitled to pursuant to this section, if living. However,
29 if any person has died or shall die, or is disabled, from
30 service-connected causes incurred during eligible military
31 service and in the area from which the person is entitled to
32 receive compensation pursuant to this section, the person or
33 the first survivor as designated by this paragraph, and in the
34 order named, shall be paid five hundred dollars, regardless of
35 the length of service.

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

6 5. All payments and allowances made under this section shall
7 be exempt from taxation, levy, and sale on execution.

8 6. The bonus compensation authorized under this section
9 shall be paid from moneys appropriated for that purpose.

7. A veterans combat bonus fund is created in the state treasury under the control of the department. The veterans combat bonus fund shall consist of all moneys appropriated to the fund to pay the bonus compensation authorized in this section. Notwithstanding section 12C.7, interest or earnings on investments or time deposits of the moneys in the veterans combat bonus fund shall be credited to the bonus fund. Section 8.33 does not apply to moneys appropriated to the veterans combat bonus fund.

19 Sec. 2. VETERANS COMBAT BONUS FUND APPROPRIATION. There
20 is appropriated from the general fund of the state to the
21 department of veterans affairs for the fiscal year beginning
22 July 1, 2010, and ending June 30, 2011, the following amount,
23 or so much thereof as is necessary, to be used for the purpose
24 designated:

25 For deposit in the veterans combat bonus fund:

26 \$ 500,000

27 EXPLANATION

28 This bill creates a veterans combat bonus for persons who
29 served on active duty in the United States armed forces during
30 the Lebanon or Grenada Conflict, the Panama Conflict, the
31 Persian Gulf Conflict, the Afghanistan Conflict, or the Iraqi
32 Conflict. Eligible persons may receive \$17.50 for each month
33 that the person was on active duty during any of the conflicts
34 up to a maximum bonus of \$500. The bonus payments are exempt
35 from taxation, levy, and execution. A criminal penalty is

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1 provided for submission of a fraudulent application for the
2 bonus. The bill also appropriates \$500,000 from the general
3 fund of the state for deposit in the veterans combat bonus fund
4 for payment of bonuses.