

# House Study Bill 65

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
VETERANS AFFAIRS BILL)

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 1229DP 83  
4 ec/nh/5

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1 1 Section 1. Section 35.1, subsection 2, paragraph a, Code  
1 2 2009, 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 on  
1 5 active federal service, other than training, in the armed  
1 6 forces of the United States and who was discharged under  
1 7 honorable conditions.  
1 8 Sec. 2. Section 35.1, subsection 2, paragraph b,  
1 9 unnumbered paragraph 1, Code 2009, is amended to read as  
1 10 follows:  
1 11 "Veteran" also includes the following persons:  
1 12 Sec. 3. Section 35.1, subsection 2, paragraph b,  
1 13 subparagraphs (1), (2), and (5), Code 2009, are amended to  
1 14 read as follows:  
1 15 (1) Former members of the reserve forces of the United  
1 16 States who served at least twenty years in the reserve forces  
1 17 and who were discharged under honorable conditions. However,  
1 18 a member of the reserve forces of the United States who  
1 19 ~~completed a minimum aggregate of ninety days of active federal~~  
1 20 ~~service, other than training, and was discharged under~~  
1 21 ~~honorable conditions, or was retired under Title X of the~~  
1 22 United States Code shall be included as a veteran.  
1 23 (2) Former members of the Iowa national guard who served  
1 24 at least twenty years in the Iowa national guard and who were  
1 25 discharged under honorable conditions. However, a member of  
1 26 the Iowa national guard who ~~was activated for federal duty,~~  
1 27 ~~other than training, for a minimum aggregate of ninety days,~~  
1 28 ~~and was discharged under honorable conditions or was retired~~  
1 29 under Title X of the United States Code shall be included as a  
1 30 veteran.  
1 31 (5) Former members of the armed forces of the United  
1 32 States if any portion of their term of enlistment would have  
1 33 occurred ~~within during~~ the time period ~~specified in paragraph~~  
1 34 ~~"a", subparagraph (9) of the Korean Conflict from June 25,~~  
1 35 ~~1950, through January 31, 1955, but who instead opted to serve~~  
2 1 five years in the reserve forces of the United States, as  
2 2 allowed by federal law, and who were discharged under  
2 3 honorable conditions.  
2 4 Sec. 4. Section 35A.13, subsection 1, Code 2009, is  
2 5 amended by striking the subsection.  
2 6 Sec. 5. Section 331.608, subsection 9, Code 2009, is  
2 7 amended to read as follows:  
2 8 9. As used in this section, "veteran" means a veteran as  
2 9 defined in section 35.1, who enlisted or was inducted from the  
2 10 county, resided at any time in the county, or is buried in the  
2 11 county. For purposes of records maintained for claims filed  
2 12 under chapter 426A, "veteran" also means a veteran as defined  
2 13 in section ~~426A.11, subsection 4~~ 35.1.  
2 14 Sec. 6. Section 426A.11, subsection 4, Code 2009, is  
2 15 amended by striking the subsection.  
2 16 Sec. 7. Section 426A.12, Code 2009, is amended to read as  
2 17 follows:  
2 18 426A.12 EXEMPTIONS TO RELATIVES.  
2 19 1. In case any person in the foregoing classifications  
2 20 does not claim the exemption from taxation, it shall be

2 21 allowed in the name of the person to the same extent on the  
2 22 property of any one of the following persons in the order  
2 23 named:

2 24 ~~1- a.~~ The spouse, or surviving spouse remaining  
2 25 unmarried, of a veteran, as defined in ~~this chapter or in~~  
2 26 section 35.1, where they are living together or were living  
2 27 together at the time of the death of the veteran.

2 28 ~~2- b.~~ The parent whose spouse is deceased and who remains  
2 29 unmarried, of a veteran, as defined in ~~this chapter or in~~  
2 30 section 35.1, whether living or deceased, where the parent is,  
2 31 or was at the time of death of the veteran, dependent on the  
2 32 veteran for support.

2 33 ~~3- c.~~ The minor child, or children owning property as  
2 34 tenants in common, of a deceased veteran, as defined in ~~this~~  
2 35 ~~chapter or in~~ section 35.1.

3 1 ~~2.~~ No more than one tax exemption shall be allowed under  
3 2 this section or section 426A.11 in the name of a veteran, as  
3 3 defined in ~~this chapter or in~~ section 35.1.

3 4 Sec. 8. Section 523I.304, subsection 7, Code 2009, is  
3 5 amended to read as follows:

3 6 7. A cemetery owned and controlled by a governmental  
3 7 subdivision shall adopt and enforce a rule allowing any  
3 8 veteran who is a landowner or who lives within the  
3 9 governmental subdivision to purchase an interment space and to  
3 10 be interred within the cemetery. For the purposes of this  
3 11 section, "veteran" means the same as defined in section 35.1  
3 12 ~~or a resident of this state who served in the armed forces of~~  
3 13 ~~the United States, completed a minimum aggregate of ninety~~  
3 14 ~~days of active federal service, and was discharged under~~  
3 15 ~~honorable conditions.~~

3 16 Sec. 9. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
3 17 3, shall not apply to this Act.

3 18 EXPLANATION

3 19 This bill changes the definition of veteran in Code section  
3 20 35.1 to provide that a veteran includes a resident of this  
3 21 state who served on active federal service, other than  
3 22 training, in the armed forces of the United States and was  
3 23 discharged under honorable conditions, regardless of when the  
3 24 service occurred. Current law defines veteran to include a  
3 25 resident of the state who served in the armed forces of the  
3 26 United States only during certain periods of time encompassing  
3 27 various wars and conflicts. The bill makes corresponding  
3 28 changes in other sections of the Code to reflect the expanded  
3 29 definition of veteran in Code section 35.1.

3 30 The definition of veteran in Code section 35.1 applies to  
3 31 several provisions of the Code, including provisions  
3 32 concerning veterans' preference in employment, membership on  
3 33 the county commission of veteran affairs, indigent burial  
3 34 expenses and support, grave markers, hepatitis C awareness  
3 35 program, and property tax exemptions.

4 1 The bill may include a state mandate as defined in Code  
4 2 section 25B.3. The bill makes inapplicable Code section  
4 3 25B.2, subsection 3, which would relieve a political  
4 4 subdivision from complying with a state mandate if funding for  
4 5 the cost of the state mandate is not provided or specified.  
4 6 Therefore, political subdivisions are required to comply with  
4 7 any state mandate included in the bill.

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4 9 ec/nh/5.1