

# Senate File 578 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 453)  
(SUCCESSOR TO SSB 1317)

Passed Senate, Date \_\_\_\_\_ Passed House, 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, providing a tax exemption and a penalty, and  
4 including a retroactive applicability provision.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 SF 578  
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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 (6) The maximum compensation a person may receive pursuant  
2 34 to this subsection shall be reduced by the amount of any  
2 35 Vietnam veterans bonus received from the state by that person  
3 1 for service prior to July 1, 1973.

3 2 c. A person who knowingly makes a false statement relating  
3 3 to a material fact in supporting an application under this  
3 4 subsection is guilty of a serious misdemeanor. A person  
3 5 convicted pursuant to this subsection shall forfeit all  
3 6 benefits to which the person may have been entitled under this  
3 7 subsection.

3 8 d. All payments and allowances made under this subsection  
3 9 shall be exempt from taxation, levy, and sale on execution.

3 10 e. The bonus compensation authorized under this subsection  
3 11 shall be paid from moneys appropriated for that purpose.

3 12 f. A Vietnam Conflict veterans bonus fund is created in  
3 13 the state treasury. The Vietnam Conflict veterans bonus fund  
3 14 shall consist of all moneys appropriated to the fund to pay  
3 15 the bonus compensation authorized in this subsection.

3 16 Notwithstanding section 12C.7, interest or earnings on  
3 17 investments or time deposits of the moneys in the Vietnam  
3 18 Conflict veterans bonus fund shall be credited to the bonus  
3 19 fund. Section 8.33 does not apply to moneys appropriated to  
3 20 the Vietnam Conflict veterans bonus fund.

3 21 Sec. 2. Section 422.7, Code 2007, is amended by adding the  
3 22 following new subsection:

3 23 NEW SUBSECTION. 50. Subtract, to the extent included, the  
3 24 amount of any Vietnam Conflict veterans bonus provided  
3 25 pursuant to section 35A.8, subsection 5.

3 26 Sec. 3. VIETNAM CONFLICT VETERANS BONUS FUND  
3 27 APPROPRIATION. Notwithstanding any provision of section  
3 28 35A.13 to the contrary, there is appropriated from the  
3 29 veterans trust fund created in section 35A.13 to the  
3 30 department of veterans affairs for the fiscal year beginning  
3 31 July 1, 2007, and ending June 30, 2008, the following amount,  
3 32 or so much thereof as is necessary, to be used for the purpose  
3 33 designated:

3 34 For deposit in the Vietnam Conflict veterans bonus fund:  
3 35 ..... \$ 500,000

4 1 Sec. 4. RETROACTIVE APPLICABILITY. The section of this  
4 2 Act amending section 422.7, is retroactively applicable to  
4 3 January 1, 2007, and is applicable for tax years beginning on  
4 4 and after that date.

4 5 SF 578

4 6 ec:nh/cc/26