

## CHAPTER 295

## LAWS RELATING TO VETERANS: GENERAL PROVISIONS

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- (a) Died in that service or from injuries sustained or disease contracted during a period of wartime service as defined in s. 1.01(14) or has died since or may hereafter die from diseases or disability resulting from such war service, or
- (b) Has been:
1. Determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100-percent total and permanent disability rating for compensation,
  2. Determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services, or
  3. Issued a valid identification card by the Department of Veterans' Affairs in accordance with s. 295.17,
- when the parents of such children have been bona fide residents of the state for 5 years next preceding their application for the benefits hereof, and subject to the rules, restrictions, and limitations hereof.
- (2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.
- History.**—s. 1, ch. 20966, 1941; s. 1, ch. 21655, 1943; s. 1, ch. 28195, 1953; s. 1, ch. 67-455; s. 16, ch. 69-180; s. 1, ch. 82-93; s. 2, ch. 83-71; s. 12, ch. 84-114; s. 11, ch. 87-356; s. 21, ch. 88-290; s. 25, ch. 89-207; s. 6, ch. 93-268; s. 20, ch. 95-143.
- 295.015 Children of prisoners of war and persons missing in action; education.**—
- (1) It is hereby declared to be the policy of the state to provide educational opportunity at state expense for dependent children either of whose parents became classified as prisoners of war or missing in action in the service of the Armed Forces of the United States during the Korean Conflict or during the Vietnam Era, as defined in s. 1.01(14), or civilian personnel captured while serving with the consent or authorization of the United States Government. Such educational opportunity shall be provided until such time as the parent so classified is returned alive or the parent's remains are recovered; provided that, in order to be eligible, the parents of such children must have been bona fide residents of the state for 5 years next preceding their application for the benefits hereof and must be permanent residents of the state on the effective date of this act.
- (2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.
- History.**—s. 2, ch. 72-346; s. 2, ch. 82-93; s. 13, ch. 84-114; s. 26, ch. 89-207; s. 21, ch. 95-143; s. 243, ch. 95-148.
- 295.016 Children of service members who died or became disabled in Operation Eagle Claw.**—
- (1) It is hereby declared to be a policy of the state to provide educational opportunity at state expense for the dependent children of any service member who died or suffered a service-connected 100-percent total and permanent disability rating for compensation as determined by the Veterans Administration, or who has been determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt

**295.01 Children of deceased or disabled veterans; education.**—

(1) It is hereby declared to be the policy of the state to provide educational opportunity at state expense for dependent children either of whose parents was a resident of the state at the time such parent entered the Armed Forces and:

of disability retirement pay from any branch of the United States Armed Services, in the Iranian rescue mission known as Operation Eagle Claw, which service member was residing in the state on April 25, 1980. A certified copy of a death certificate, a valid identification card issued by the Department of Veterans' Affairs in accordance with s. 295.17, a letter certifying the service-connected 100-percent total and permanent disability rating for compensation from the Veterans Administration, or a letter certifying the service-connected total and permanent disability rating of 100 percent for retirement pay from any branch of the United States Armed Services shall be prima facie evidence of the fact that the dependent children of the service member are eligible for such benefits.

(2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.

**History.**—s. 1, ch. 81-275; s. 3, ch. 83-71; s. 12, ch. 87-356; s. 22, ch. 88-290; s. 27, ch. 89-207; s. 244, ch. 95-148.

**295.017 Children of service members who died or became disabled in the Lebanon and Grenada military arenas; educational opportunity.—**

(1) It is hereby declared to be the policy of the state to provide educational opportunity at state expense for the dependent children of any service member who died or suffered a service-connected 100-percent total and permanent disability rating for compensation as determined by the Veterans Administration, or who has been determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services, while participating in a Multinational Peace Keeping Force in Lebanon during the period from September 17, 1982, through February 3, 1984, inclusive, or as a participant in Operation Urgent Fury in Grenada during the period from October 23, 1983, through November 2, 1983, inclusive, which service member was residing in the state during those periods of military action. A certified copy of a death certificate, a valid identification card issued in accordance with the provisions of s. 295.17, a letter certifying the service-connected 100-percent total and permanent disability rating for compensation from the Veterans Administration, or a letter certifying the service-connected total and permanent disability rating of 100 percent for retirement pay from any branch of the United States Armed Services shall be prima facie evidence of the fact that the dependent children of the service member are eligible for such benefits.

(2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.

**History.**—s. 1, ch. 86-177; s. 13, ch. 87-356; s. 28, ch. 89-207; s. 245, ch. 95-148.

**295.018 Children of service members who died in Newfoundland air tragedy; educational opportunity.—**

(1) It is hereby declared to be the policy of the state to provide educational opportunity at state expense for the dependent children of those service members killed in the crash of a military transport airplane in Gander, Newfoundland, on December 12, 1985, while returning from Mideast peacekeeping duties in the Sinai Desert, which service members entered the military service from this state. A certified copy of a death certificate shall be

prima facie evidence of the fact that the dependent children of the service members are eligible for such benefits.

(2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.

**History.**—s. 2, ch. 86-177; s. 29, ch. 89-207; s. 246, ch. 95-148.

**295.019 Children of service members who died in U.S.S. Stark attack.—**

(1) It is hereby declared to be state policy to provide educational opportunity at state expense for the dependent children of those service members killed in the Iraqi missile attack on the U.S.S. Stark in the Persian Gulf on May 17, 1987, which service members claimed Florida as their home of record on the date of the attack.

(2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.

**History.**—s. 32, ch. 88-290; s. 18, ch. 90-302; s. 247, ch. 95-148.

**295.0195 Children of deceased or disabled military personnel who died or became disabled in the Mideast Persian Gulf military arena during hostilities with Iraq or in the military action in Panama known as Operation Just Cause.—**

(1) It is hereby declared to be the policy of the state to provide educational opportunity at state expense for the dependent children of those military personnel who died or suffered a service-connected 100-percent total and permanent disability rating for compensation as determined by the United States Department of Veterans Affairs, or who have been determined to have a service-connected total and permanent disability rating of 100 percent and are in receipt of disability retirement pay from any branch of the United States Armed Forces, while participating in the Mideast Persian Gulf arena during hostilities with Iraq, which began as Operation Desert Shield on August 5, 1990, through cessation of those hostilities, inclusive, or while participating in the military action in Panama known as Operation Just Cause during December 1989, if such military personnel were residents of the state during the period of military action. A certified copy of a death certificate, a valid identification card issued in accordance with the provisions of s. 295.17, a letter certifying the service-connected 100-percent total and permanent disability rating for compensation from the United States Department of Veterans Affairs, or a letter certifying the service-connected total and permanent disability rating of 100 percent for retirement pay from any branch of the United States Armed Forces shall be prima facie evidence of the fact that the dependent children of such military personnel are eligible for educational benefits.

(2) The provisions of ss. 240.404, 295.03, 295.04, and 295.05 shall apply.

**History.**—s. 2, ch. 91-166; s. 7, ch. 93-268.

**295.02 Use of funds; age, etc.—**All sums appropriated and expended under this chapter shall be used to pay tuition and registration fees, board, and room rent and to buy books and supplies for the children of deceased or disabled veterans or service members, as defined and limited in s. 295.01, s. 295.016, s. 295.017, s. 295.018, or s. 295.0195, or of parents classified as prisoners of war or missing in action, as defined and lim-

ited in s. 295.015, who are between the ages of 16 and 22 years and who are in attendance at a state-supported institution of higher learning, including a community college or vocational-technical school. Any child having entered upon a course of training or education under the provisions of this chapter, consisting of a course of not more than 4 years, and arriving at the age of 22 years before the completion of such course may continue the course and receive all benefits of the provisions of this chapter until the course is completed. The Department of Education shall administer this educational program subject to regulations of the department.

**History.**—s. 2, ch. 20966, 1941; s. 1, ch. 63-124; s. 2, ch. 63-204; s. 17, ch. 69-180; ss. 15, 35, ch. 69-106; s. 70, ch. 72-221; s. 1, ch. 72-346; s. 1, ch. 74-211; s. 2, ch. 81-275; s. 139, ch. 83-217; s. 3, ch. 86-177; s. 3, ch. 91-166; s. 21, ch. 91-221; s. 248, ch. 95-148.

**295.03 Minimum requirements.**—Upon failure of any child benefited by the provisions of this chapter to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits thereof shall be withdrawn as to the child and no further moneys expended for his or her benefits so long as such failure or delinquency continues.

**History.**—s. 3, ch. 20966, 1941; s. 3, ch. 82-93; s. 4, ch. 86-177; s. 249, ch. 95-148.

**295.04 Appropriation; benefits.**—The sum necessary for the purposes of this chapter shall be appropriated in the General Appropriations Act for each fiscal year, provided that no student shall receive an amount in excess of tuition and registration fees. Only students in good standing in their respective institutions shall receive the benefits thereof, and no student shall receive such benefits for more than 12 quarters, 8 semesters, or 8 trimesters.

**History.**—s. 4, ch. 20966, 1941; s. 38, ch. 26869, 1951; s. 2, ch. 63-124; s. 17, ch. 65-130; s. 18, ch. 69-180; s. 1, ch. 73-305; s. 2, ch. 74-211; s. 3, ch. 82-93; s. 5, ch. 86-177.

**295.05 Admission; enrollment.**—Eligibility for admission is not affected by this chapter, but all children receiving benefits under this chapter shall be enrolled according to the customary rules and requirements of the institution attended.

**History.**—s. 5, ch. 20966, 1941; s. 3, ch. 82-93; s. 6, ch. 86-177.

**295.07 Preference in appointment and retention.**—

(1) The state and its political subdivisions shall give preference in appointment and retention in positions of employment to:

(a) Those disabled veterans:

1. Who have served on active duty in any branch of the Armed Forces of the United States, have been separated therefrom under honorable conditions, and have established the present existence of a service-connected disability which is compensable under public laws administered by the United States Department of Veterans Affairs, or

2. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the United States Department of Veterans Affairs and the Department of Defense.

(b) The spouse of any person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability,

cannot qualify for employment, and the spouse of any person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

(c) A veteran of any war as defined in s. 1.01(14).

(d) The unmarried widow or widower of a veteran who died of a service-connected disability.

(2) The following positions shall be exempt from the provisions of this section:

(a) Those positions that are exempt from the State Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the State Community College System and the School for the Deaf and the Blind shall be included.

(b) Those positions in political subdivisions of the state that are filled by officers elected by popular vote or persons appointed to fill vacancies in such offices and the personal secretary of each such officer, members of boards and commissions, persons employed on a temporary basis without benefits, city managers and county managers, heads of departments, management positions, policymaking positions, positions which require licensure as a physician, licensure as an osteopathic physician, licensure as a chiropractic physician, and positions which require that the employee be a member of The Florida Bar.

**History.**—s. 1, ch. 24201, 1947; s. 1, ch. 70-7; s. 1, ch. 77-422; s. 1, ch. 78-372; s. 1, ch. 80-370; s. 4, ch. 87-356; s. 1, ch. 89-323; s. 3, ch. 92-80.

**295.08 Competitive examination systems preference points; professional and scientific services.**—

For those positions for which an examination is used to determine the qualifications for entrance into employment with the state or its political subdivisions, 10 points shall be added to the earned ratings of any person included under s. 295.07(1)(a) or (b), and 5 points shall be added to the earned rating of any person included under s. 295.07(1)(c) and (d), provided that such person has obtained a qualifying score on the examination for the position. The names of persons eligible for preference shall be entered on an appropriate register or list in accordance with their respective augmented ratings. However, except for classes of positions with Federal Government designations of professional or technician for which the lowest range of the salary is over \$9,000 per annum, the names of all persons qualified to receive a 10-point preference whose service-connected disabilities have been rated by the United States Department of Veterans Affairs or its predecessor or the Department of Defense to be 30 percent or more shall be placed at the top of the appropriate register or employment list, in accordance with their respective augmented ratings. The respective augmented rating is the examination score or evaluated score in addition to the applicable veteran's preference points.

**History.**—s. 2, ch. 24201, 1947; s. 1, ch. 77-422; s. 14, ch. 84-114; s. 5, ch. 87-356; s. 8, ch. 93-268.

**295.085 Positions where an examination is not utilized; preferences.**—

(1) In all positions in which the appointment or employment of persons is not subject to a written exami-

nation, with the exception of those positions which are exempt pursuant to s. 295.07(2), preference in appointment and employment shall be given by the state and its political subdivisions first to those persons included under s. 295.07(1)(a) and (b), and second to those persons included under s. 295.07(1)(c) and (d), provided such persons possess the minimum qualifications necessary to the discharge of the duties involved.

(2) The Department of Veterans' Affairs shall be responsible for promulgating such rules or procedures as to ensure that those persons defined in s. 295.07 are given special consideration in the employing agency's selection and retention processes. These procedures shall include the award of point values as articulated in s. 295.08 if applicable, or where such point values are not relevant, shall include procedures to ensure those persons defined in s. 295.07 are given special consideration at each step of the employment selection process and are given special consideration in the retention of employees where layoffs are necessitated.

**History.**—s. 4, ch. 24201, 1947; s. 2, ch. 77-422; s. 3, ch. 78-372; s. 3, ch. 80-370; s. 15, ch. 84-114; s. 6, ch. 87-356; s. 2, ch. 89-323.

**Note.**—Former s. 295.10.

### **295.09 Reinstatement or reemployment; promotion preference.—**

(1)(a) When an employee of the state or any of its political subdivisions employed in a position subject or not subject to a career service system or other merit-type system, with the exception of those positions which are exempt pursuant to s. 295.07(2), has served in the Armed Forces of the United States and is discharged or separated therefrom with an honorable discharge, the state or its political subdivision shall reemploy or reinstate such person to the same position that he or she held prior to such service in the armed forces, or to an equivalent position, provided such person returns to the position within 1 year of his or her date of separation or, in cases of extended active duty, within 1 year of the date of discharge or separation subsequent to the extension. Such person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position. When an examination for promotion is utilized, such person shall be awarded preference points, as provided in s. 295.08, and shall be promoted ahead of all those who appear in an equal or lesser position on the promotional register, provided he or she first successfully passes the examination for the promotional position.

(b) The provisions of paragraph (a) shall also apply to a person who was a veteran when employed by the state or its political subdivision and who was recalled to extended active duty in the Armed Forces of the United States and was discharged or separated therefrom with an honorable discharge.

(c) The provisions of paragraphs (a) and (b) shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

(2) For the purposes of this section, "extended active duty" means active duty, other than for training, beyond the date of honorable discharge or separation, due to military requirements.

**History.**—s. 3, ch. 24201, 1947; s. 1, ch. 77-422; s. 2, ch. 78-372; s. 2, ch. 80-370; s. 3, ch. 89-323; s. 250, ch. 95-148.

**295.101 Employment preference; expiration.—**A veteran's employment preference shall be deemed to have expired after a person eligible pursuant to s. 295.07 has applied and been employed by any state or any agency of a political subdivision of the state.

**History.**—s. 7, ch. 87-356.

### **295.11 Investigation; administrative hearing for not employing preferred applicant.—**

(1) The Department of Veterans' Affairs or its designee shall, upon the written request of any person specified in s. 295.07, investigate any complaint filed with the department by such person when the person has made application with any state agency or any agency of a political subdivision of the state for a position of employment which was awarded to a nonveteran and the person feels aggrieved under this chapter. Such investigation shall be accomplished within existing amounts appropriated to the department.

(2) Upon completion of the investigation, the department shall furnish a copy of the investigative findings to the complainant and to the agency involved.

(3) When a satisfactory resolution to the complaint is not forthcoming, the department or its designee shall, upon written request of the complainant and with advisory assistance from the Department of Management Services, testify at the Public Employee Relations Commission hearing as to the investigative findings. The complainant, however, may be represented at the hearing by counsel of his or her choice at his or her expense.

(4) Jurisdiction to effectuate the purposes of ss. 295.07-295.09 shall vest with the Public Employees Relations Commission for appropriate administrative determination.

**History.**—s. 5, ch. 24201, 1947; ss. 18, 35, ch. 69-106; s. 3, ch. 77-422; s. 4, ch. 78-372; s. 33, ch. 79-190; s. 4, ch. 80-370; s. 79, ch. 86-163; s. 8, ch. 87-356; s. 23, ch. 88-290; s. 113, ch. 92-279; s. 55, ch. 92-326; s. 251, ch. 95-148.

**295.123 Deserters and others; inapplicability of chapter.—**The provisions of this chapter shall not apply to any person who has been classified by any branch of the Armed Forces of the United States as a deserter or who received less than an honorable discharge upon separation or discharge from the Armed Forces.

**History.**—s. 5, ch. 77-422.

**295.124 State approving agency for veterans' education and training.—**The Department of Veterans' Affairs shall act as the state approving agency for purposes of veterans' education and training, in accordance with 38 U.S.C. s. 1771 and the applicable annual contract between the state and the Federal Government.

**History.**—s. 1, ch. 80-140; s. 16, ch. 84-114; s. 24, ch. 88-290.

### **295.125 Preference for admission to vocational training.—**

(1) It is the intent of the Legislature through enactment of this section to assist returning veterans of the Southeast Asian conflict to train themselves for a civilian future. Although the provisions of this section apply only to state-supported vocational-technical facilities and programs, it is the further intent of the Legislature to encourage privately supported vocational-technical schools and centers to join with the state in assisting our

returning veterans by providing preferences for them in admission procedures and standards.

(2) In determining order of admission or acceptance for students, every vocational training center, vocational-technical school, or vocational program which receives state funding or support shall give preference as provided in subsection (3) to a person who served in the Armed Forces of the United States at any time during the Vietnam Era, as defined in s. 1.01(14), and who has been separated therefrom under honorable conditions, if such person's enrollment is directly related to his or her present employment or to his or her securing employment.

(3) The name of each person qualified for preference under the provisions of subsection (2) shall be placed on the waiting list for acceptance or admission, if any, in a position which would reflect the same order of preference as if the person had been placed on the waiting list 36 months previously or on the day he or she entered the Armed Forces of the United States, whichever is later.

**History.**—s. 1, ch. 74-210; s. 1, ch. 77-174; s. 1, ch. 77-214; s. 17, ch. 84-114; s. 22, ch. 95-143; s. 252, ch. 95-148.

**295.13 Disability of minority of veterans and spouse removed, benefits under Servicemen's Readjustment Act.**—The disability of minority of any person otherwise eligible for a loan, or guaranty or insurance of a loan, pursuant to chapter 37 of Title 38 U.S.C., "Home, Farm and Business Loans," and the disability of the minor spouse of any eligible veteran, in connection with any transaction entered into pursuant to that Act of the Congress, as heretofore or hereafter amended, shall not affect the binding effect of any obligation incurred by such eligible person or spouse as an incident to any such transaction, including incurring of indebtedness and acquiring, encumbering, selling, releasing, or conveying property, or any interest therein, if all or part of any such obligation is guaranteed or insured by the United States Government or the Veterans Administration pursuant to such act and amendments thereto; or if the Veterans Administration is the creditor, by reason of a loan or a sale pursuant to such act and amendments. This section does not create, or render enforceable, any other or greater rights or liabilities than would exist if neither such person nor such spouse were a minor.

**History.**—s. 1, ch. 28204, 1953; s. 24, ch. 69-353; s. 18, ch. 84-114.

#### 295.14 Penalties.—

(1) When the Public Employees Relations Commission, after a hearing on notice conducted according to rules promulgated by the commission, determines that a violation of s. 295.07, s. 295.08, s. 295.085(1), or s. 295.09(1)(a) or (b) has occurred and sustains the veteran seeking redress, the commission shall order the offending agency, employee, or officer of the state to comply with the provisions of s. 295.07, s. 295.08, s. 295.085(1), or s. 295.09(1)(a) or (b); and, in the event of a violation of s. 295.09(1)(a) or (b) the commission may issue an order to compensate such veteran for the loss of any wages incurred as a result of such violation, which order shall be conclusive on the agency, employee, or officer concerned. The action of the commission shall be

in writing and shall be served on the parties concerned by certified mail with return receipt requested.

(2) When reparation is sought through civil action in a court of competent jurisdiction, any agency, employee, or officer of the state or a political subdivision thereof found in violation of any provision of this act shall, in addition to any other edict issued by the court, be required to pay the costs of suit and reasonable attorney's fees incurred in such action and shall be required to pay as damages such amount as the court may award, any law to the contrary notwithstanding.

(3) Any employee or officer found liable pursuant to a second or subsequent violation of the provisions of this section shall forfeit his or her position.

**History.**—s. 6, ch. 77-422; s. 5, ch. 78-372; s. 61, ch. 79-164; s. 5, ch. 80-370; s. 80, ch. 86-163; s. 9, ch. 87-356; s. 253, ch. 95-148.

**295.15 Legislative intent.**—It is the intent of the Legislature to provide preference and priority in the hiring practices of this state as set forth in this chapter. In all written job announcements and audio and video advertisements used by employing agencies of the state and its political subdivisions, there shall be a notation that certain veterans and spouses of veterans receive preference and priority in employment by the state and are encouraged to apply for the positions being filled.

**History.**—s. 6, ch. 77-422.

**295.151 Application of ch. 78-372.**—The provisions of chapter 78-372, Laws of Florida, shall not be deemed to apply to retired military personnel insofar as this act grants a point preference to such persons in applying for employment.

**History.**—s. 6, ch. 78-372.

**295.16 Disabled veterans exempt from certain license or permit fee.**—No totally and permanently disabled veteran who is a resident of Florida and honorably discharged from the Armed Forces, who has been issued a valid identification card by the Department of Veterans' Affairs in accordance with s. 295.17 or has been determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100-percent disability rating for compensation, or who has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the uniformed armed services, shall be required to pay any license or permit fee, by whatever name known, to any county or municipality in order to make improvements upon a mobile home owned by the veteran which is used as the veteran's residence, provided such improvements are limited to ramps, widening of doors, and similar improvements for the purpose of making the mobile home habitable for veterans confined to wheelchairs.

**History.**—s. 1, ch. 78-69; s. 4, ch. 83-71; s. 25, ch. 88-290; s. 9, ch. 93-268.

#### 295.17 Identification cards.—

(1)(a) The Department of Veterans' Affairs may issue an identification card to any veteran who is a permanent resident of the state and who has been adjudged by the United States Department of Veterans Affairs or its predecessor to have a 100-percent, ser-

vice-connected permanent and total disability rating for compensation, or who has been determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services, upon the written request of such veteran. Such card may be used by the veteran as proof of eligibility for any benefit provided by state law for 100-percent, service-connected permanently and totally disabled veterans except those benefits provided by ss. 196.081, 196.091, and 196.24. The identification card shall bear a statement that it is unlawful for any person other than the veteran to whom it was issued to use the card.

(b) The department is responsible for design and content of the identification card and shall adopt rules and procedures relating to the eligibility and application for and issuance and control of identification cards. There shall be a service charge of \$1 for each identification card issued by the department.

(2) Such identification card shall be valid for 4 years after the date of issuance; however, the department may, if necessary, issue an identification card which is valid for less than 4 years. Each veteran who holds an identification card issued by the department may apply to the department to renew such card.

(3) It is unlawful for any person to:

(a) Display, cause or permit to be displayed, or have in his or her possession any fictitious, fraudulently altered, or fraudulently obtained identification card.

(b) Lend his or her identification card to any person or knowingly permit the use thereof by another.

(c) Display or represent any identification card which has not been issued to the person as being his or her card.

(d) Permit any unlawful use of an identification card issued to him or her.

(e) Photograph, photostat, duplicate, or in any way reproduce any identification card or facsimile thereof in such a manner that the photograph, photostat, duplicate, reproduction, or facsimile could be mistaken for a valid identification card or display or have in his or her possession any such photograph, photostat, duplicate, reproduction, or facsimile.

(f) Display or cause or permit to be displayed his or her identification card after such card has expired.

(4) Any person who violates any provision of subsection (3) is guilty of a noncriminal violation and shall be punished by a fine of \$200.

**History.**—s. 1, ch. 80-61; s. 31, ch. 81-167; s. 31, ch. 83-55; s. 14, ch. 87-356; s. 26, ch. 88-290; s. 10, ch. 93-268; s. 254, ch. 95-148.