

**2005–2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB–0529/P2insV  
RPN:.....

**SECTION 1.** 45.001 (4) of the statutes is amended to read:

45.001 (4) (a) ~~Except as used in s. 45.358 or 45.37 or subch. II or unless otherwise modified, and except as provided in par. (b), “veteran”~~ “Veteran means any person who has served on active duty for at least one qualifying term of service under honorable conditions in, or has been terminated by an honorable discharge from, [the underlined language is taken from s. 45.001 (4) (b) – is it necessary?] the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, except service on active duty for training purposes, and who meets all of the following conditions:

1. ~~Except as provided in par. (c), is a resident of and living in this state at the time of making application, or is deceased, and meets one of the following conditions:~~

a. ~~Has served~~ served for 90 days or more during a war period or under section 1 of executive order 10957 dated August 10, 1961, in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle East crisis under s. 45.34 [     ].

b. ~~Was entitled or whose term of service entitled him or her to receive the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, the Vietnam service medal established by executive order 11231 on July 8, 1965, the navy expeditionary medal, or the marine corps expeditionary medal.~~

c. ~~Has served for 90 days or more during a war period or under section 1 of executive order 10957 dated August 10, 1961, or if having served less than 90 days or who has served on active duty in the U.S. armed forces for 2 continuous years or more or the full period of the individual’s initial service obligation, whichever is less.~~

~~or who was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service connected or died in service.~~

~~d. Has served on active duty in the U.S. armed forces for 2 continuous years or more or the full period of the individual's initial service obligation, whichever is less. An individual discharged or for reasons of hardship or a service-connected disability or released due to a reduction in the U.S. armed forces prior to the completion of the required period of service is eligible, regardless of the actual time served, or who died in service.~~

~~2. Except as provided in par. (c), is a resident of and living in this state at the time of making application or is deceased, and meets one of the following conditions:~~

~~a. His or her selective service local board, if any, and home of record at the time of entry or reentry into active service as shown on the veteran's report of separation from the U.S. armed forces for a qualifying period were in this state.~~

~~b. Was a resident of this state at the time of entry or reentry into active duty.~~

~~c. Has been a resident of this state for any consecutive 12-month period after entry or reentry into service and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets that residency requirement when he or she later applies for any other benefit under this chapter that requires that residency.~~

~~(b) If the person had more than one qualifying term of service under par. (a) 1., at least one term of service must have been under honorable conditions or have been terminated by an honorable discharge for the purpose of establishing eligibility under this section and s. 45.37 (1a).~~

~~(c) Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on date of application to qualify for benefits from the department.~~

History: 2001 a. 103 ss. 69, 70, 95 to 97, 99 to 102; 2003 a. 83.

**SECTION 2.** 45.015 of the statutes is amended to read:

**45.015 Eligibility for benefits. (1)** Any person whose service on active duty with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces makes that person eligible for general U.S. department of veterans affairs benefits shall be considered to have served under honorable conditions for purposes of this chapter.

**SECTION 3.** 45.015 (2), (3), and (4) of the statutes are created to read:

45.015 **(2)** Except as provided in sub. (3), to be eligible for benefits under this chapter a veteran shall be a resident of and living in this state at the time of making application or is deceased, and meet one of the following conditions:

(a) His or her selective service local board, if any, and home of record at the time of entry or reentry into active service as shown on the veteran's report of separation from the U.S. armed forces for a qualifying period were in this state.

(b) Was a resident of this state at the time of entry or reentry into active duty.

(c) Was a resident of this state for any consecutive 12-month period after entry or reentry into service and before the date of his or her application or death.

**(3)** Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on date of application to qualify for benefits from the department. *[from 45.001 (4) (c)]*

**(4)** If the department determines that a person applying for a benefit under any subchapter meets the residency requirement under sub. (2) (c) the department may

not require the person to reestablish that he or she meets that residency requirement when he or she later applies for any other benefit under this chapter that requires that residency. *[from 45.001 (4) (a) 2.c.]*