

SENATE BILL NO. 2191

Introduced by

Senators Lyson, Dever, Potter

Representatives Carlisle, Martinson

1 A BILL for an Act to amend and reenact subsections 7 and 8 of section 37-28-02 and section
2 37-28-03 of the North Dakota Century Code, relating to veterans' bonuses.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsections 7 and 8 of section 37-28-02 of the North
5 Dakota Century Code are amended and reenacted as follows:

6 7. "Resident" means a person who ~~has filed a North Dakota income tax return for the~~
7 ~~year prior to making application for benefits under this section and who:~~

- 8 a. Was born in and lived in the state of North Dakota until entrance into the
9 armed forces of the United States;
- 10 b. Was born in, but was temporarily living outside the state of North Dakota, not
11 having abandoned North Dakota residence at the time of entrance into the
12 armed forces of the United States; or
- 13 c. Was born elsewhere but had resided within the state of North Dakota for the
14 last six months before entrance into military service and had prior to or during
15 that six-month period:
- 16 (1) Voted in the state of North Dakota;
- 17 (2) Was an emancipated minor during such period of residence or had
18 lived with a parent or person standing in loco parentis who was a
19 resident; or
- 20 (3) Was not registered for voting in another state after being a resident.
- 21 d. "Resident" also means a veteran who was a bona fide resident of the state of
22 North Dakota at the time of entering the armed forces, as determined under
23 the rules of the adjutant general and the laws of this state.

1 8. "Veteran" means a member of the national guard or reserve component who was
2 activated under 10 U.S.C. 12302 and who completed honorable and faithful service
3 of more than thirty days on active duty in the armed forces of the United States at
4 any time during the period of service, or active component member ~~awarded the~~
5 ~~expeditionary medal or campaign badge for service of the regular active duty~~
6 armed forces of the United States who performed honorable and faithful service of
7 more than thirty days on active duty in the armed forces of the United States after
8 December 5, 1992, who was a resident of the state of North Dakota, and who has
9 not received bonus or adjusted compensation from another state for the period of
10 service.

11 **SECTION 2. AMENDMENT.** Section 37-28-03 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **37-28-03. Payment of adjusted compensation for domestic and foreign service.**

14 Each national guard ~~or~~, reserve component resident, or active component resident veteran
15 mobilized stateside is entitled to fifty dollars for each month or major fraction thereof for
16 domestic service, not to exceed nine hundred dollars. Each national guard, reserve, or active
17 component resident veteran of foreign service who received the expeditionary medal or
18 campaign badge is entitled to one hundred dollars for each month or major fraction thereof, not
19 to exceed one thousand eight hundred dollars. Combined totals for stateside and foreign
20 service may not exceed one thousand eight hundred dollars. If the veteran received a purple
21 heart for foreign service, the veteran is entitled to a payment of two thousand five hundred
22 dollars in lieu of monthly payments for adjusted compensation. If the veteran is deceased, the
23 veteran's beneficiary is entitled to any payments under this chapter to which the veteran would
24 have been entitled. Applications for adjusted compensation may be filed with the adjutant
25 general through June 30, 2007, or in the case of a soldier mobilized on June 30, 2007, not later
26 than six months after the end of the mobilization period of service.