

Hernando County Ordinance 2005-04

Section 1. Creation and Administration

There is hereby created a program to be known as the Active Military Combat Duty Grant Program under the direction of the county administrator through such appropriate designated departments or offices of the county. The program shall award grants to families of active military personnel serving in combat duty who have established a homestead in Hernando County.

Section 2. Definitions

Active military combat duty. Active military combat duty means military personnel serving in an active capacity including but not limited to Active Duty personnel, Reservists, and National Guard personnel in currently designated combat zones.

Ad valorem taxes paid. Ad valorem taxes paid are those property taxes of Hernando County actually paid by the qualified military personnel for any ad valorem tax year included in this ordinance pursuant to section 27-73, which shall not include taxes levied by the Hernando County School Board, the Southwest Florida Water Management District, or any other governmental entity separate and apart from the board of county commissioners; nor shall ad valorem taxes associated with a municipal services taxing unit be included.

Currently designated combat zones. Those combat zones established pursuant to Presidential Executive Orders No. 13239 (Afghanistan and its airspace) and No. 12744 (the Persian Gulf, Red Sea, Gulf of Oman, part of the Arabian Sea that is north of 10 degrees N latitude and west of 68 degrees E longitude, Gulf of Aden, total land areas of Iraq, Kuwait, and Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates). The board of county commissioners may by resolution direct the county administrator or designee to extend the benefits of this ordinance to personnel serving in any subsequently designated combat zone which is the subject of a presidential executive order.

Homestead exemption. Homestead exemption means the property described in Section 6(a), Article VII of the State Constitution.

Proof of combat service. Proof of combat service may include the following: a copy of DD Form 214 or equivalent document, copy of official orders specifying actual dates of service, copy of paid travel pay vouchers with attached orders, letter from the respective unit commander or personnel office stating the active duty period, or any similar documentation required by the rules established by the Division of Veteran's Affairs.

Qualified military personnel (QMP). Qualified military personnel (QMP) include all residents who: (i) owned, resided and had a homestead exemption upon property in Hernando County on December 31 of any given year; (ii) were serving in the military; and (iii) were ordered into a currently designated combat zone during the 2002 ad valorem tax year or any subsequent ad valorem tax year.

Section 3. Grant Entitlement

The first year of the grant entitlement shall be for the 2002 ad valorem tax year. Qualified military personnel (QMP) shall be entitled to grants, not to exceed the lesser of one thousand dollars (\$1,000.00) per calendar year or the QMP's ad valorem county tax contribution, to assist in the maintenance and support of their families and homes where said QMP has served in active military combat duty. All applications of a QMP must be received no later than December 31, four (4) years after the year the QMP served in combat duty. The QMP as defined herein shall be entitled to a grant equivalent in the full amount of the lesser of one thousand dollars (\$1,000.00) per calendar year or the QMP's ad valorem taxes paid regardless of the number of days in active military combat duty in any particular ad valorem tax year. Grant entitlement applies only with respect to an ad valorem tax year in which the QMP served in active military combat duty in a currently designated combat zone.

Section 4. Application and award

- (a) Qualified military personnel may file with the county administrator or designated department or office and application, on a form approved by the county, for an active military combat duty grant providing the following:
 - (1) A certified copy of combat duty orders and proof of combat service in any particular ad valorem year or years covered by this ordinance.
 - (2) The owner name and address with respect to the property in Hernando County which qualifies the QMP for the grant, along with proof of homestead exemption and proof of payment of taxes by the QMP, for the calendar year or years of combat duty referenced in subsection (1) above.
- (b) If the county administrator or designee is satisfied that the QMP is fully qualified for a grant under this program, then each qualifying QMP's application shall be approved and the QMP shall be entitled to a grant in the amount of the maximum amount authorized hereunder of each qualifying ad valorem tax year.
- (c) The county administrator or designee may adopt policies consistent herewith to implement the active military combat duty grant program.

Section 5. Limitation of the amount of grant

The maximum amount of the grant per applicant for any ad valorem tax year covered hereunder shall not exceed the lesser of one thousand dollars (\$1,000.00) or the QMP's contribution to the county's services and growth, as defined by the QMP's ad valorem tax paid as defined herein. Such grants are also subject to funds appropriated.

Section 6. Penalty for Violation

If an applicant under this article, who has been awarded a grant, is found to have made any willfully false and material statement in the application for the grant, then the applicant shall be permanently disqualified from receiving any such grant in the future, and shall be subject to a civil penalty of one thousand dollars (\$1,000.00), in addition to repayment of any grant wrongfully received.