

2017

## 2017 Summary of Legislation

Assembly Committee on Veterans Affairs

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# Assembly Committee on Veterans Affairs 2017 Summary of Legislation



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**Cover Photo-** 1st Lt. Donald B. Prell, a Battle of the Bulge survivor who was wounded and held as a prisoner of war in World War II, rides in the 21st annual Palm Springs Veterans Day Parade, Nov. 11, 2017, in Palm Springs, California. Prell was with the 106th Infantry Division during World War II, and later served with the 40th Infantry Division of the California National Guard. (Air National Guard photo by Senior Airman Crystal Housman)

## **Assembly Committee on Veterans Affairs 2017 Legislative Summary**

### **BILLS SENT TO GOVERNOR AND ENACTED RESOLUTIONS:**

#### **ASSEMBLY BILLS:**

**AB 153 (Chávez)**

**Chapter 576, Statutes of 2017**

*Military fraud.*

Modifies the language of the California Stolen Valor Act to conform to the federal Stolen Valor Act of 2013.

**AB 172 (Chávez)**

**Chapter 165, Statutes of 2017**

*Public postsecondary education: residency: dependents of armed forces members.*

Extends the resident classification for designated dependents of transferred and retired members of the Armed Forces of the United States to those dependents who have been admitted to a public postsecondary institution before the transfer or retirement. Requests the Regents of the University of California to establish the same residency benefits as those established by this bill for students enrolled at the University of California.

**AB 242 (Arambula, Patterson)**

**Chapter 222, Statutes of 2017**

*Certificates of death: veterans.*

Requires a person completing a certificate of death to record whether the decedent was ever in the Armed Forces of the United States. Also requires the State Department of Public Health to access data within the electronic death registration system to compile a report on veteran suicide in California and require the department to annually provide that report to the Legislature and the Department of Veterans Affairs, beginning January 1, 2019.

**AB 296 (Cervantes)**

**Vetoed**

*Task force: health of women veterans.*

Requires the Department of Veterans Affairs to create a task force to study the health of California women veterans. Requires the task force to study the health care needs of women veterans in the state, as specified. Also requires the task force to submit two reports to the Governor and the appropriate policy committees of the Legislature that includes the task force's findings and recommendations. Requires the task force, when conducting its study and preparing its reports, to consult with the United States Department of Veterans Affairs, the State Department of Public Health, the Department of Managed Health Care, and representatives of county veterans service offices.

**AB 363 (Quirk-Silva)**

**Chapter 579, Statutes of 2017**

*Driver's licenses: veteran designation.*

Prohibits a fee from being charged for the word "VETERAN" to be printed on the face of the driver's license or identification card if made by either a person who has been determined to have a current income level that meets the eligibility requirements for specified assistance

programs, or a person who can verify his or her status as a homeless person, in accordance with specified provisions.

**AB 376 (Chávez)**

**Chapter 188, Statutes of 2017**

*Veterans benefits: veteran farmers or ranchers.*

Requires the California Labor and Workforce Development Agency, the California Department of Veterans Affairs, and the California Department of Food and Agriculture, in consultation with the United States Department of Agriculture and the United States Farm Service Agency, and other federal agencies as needed, to identify and post specified information to assist veterans in entering farming or ranching careers.

**AB 431 (Bigelow)**

**Vetoed**

*Armories: homeless shelter.*

Deletes the list of armories to be made available and instead require the Adjutant General, upon request by a county or city, to make state-owned armories available for the purpose of providing temporary shelter for homeless persons for the above-described time period, unless the requested armory is not available due to operational requirements, in which case the bill would require, if practicable, the Adjutant General to provide an alternative state-owned armory for this use.

**AB 671 (Chávez)**

**Chapter 197, Statutes of 2017**

*Veterans: services.*

Authorizes a veterans memorial district to provide funding to providers of supportive services that improve the quality of life for veterans and their families, including, but not limited to, counseling, case management, and employment training and placement, as provided.

**AB 1057 (Weber)**

**Chapter 147, Statutes of 2017**

*Armories: sales: San Diego Armory.*

Requires the Director of General Services, with the approval of the Adjutant General, to offer an option to purchase a portion of the Military Department's San Diego Armory, as specified, to the San Diego Center for Children, a nonprofit organization. If the Department of General Services and the San Diego Center for Children do not reach and complete an agreement, as specified, this bill would authorize the sale of the armory pursuant to the above-referenced procedures.

**AB 1249 (Gray)**

**Vetoed**

*Property taxation: exemptions: veterans' organizations.*

Provides that the veterans' organization exemption from taxation shall not be denied to a property on the basis that the property is used for fraternal, lodge, or social club purposes, and would make specific findings and declarations in that regard. Also provides that the exemption shall not apply to any portion of a property that consists of a bar where alcoholic beverages are served.

**AB 1361 (Eduardo Garcia)**

**Chapter 449, Statutes of 2017**

*Municipal water districts: water service: Indian tribes.*

Authorizes a municipal water district, until January 1, 2023, to apply to a local agency formation commission to extend water service to Indian lands and prohibits the LAFCO from denying the application.

**AB 1365 (Reyes)****Chapter 509, Statutes of 2017**

*Veterans homes: planning strategy.*

Requires the Department of Veterans Affairs, on or before February 1, 2019, and annually thereafter, to submit to the Legislature and post on its Internet Web site a specified financial report of the veterans homes located in Barstow, Chula Vista, Fresno, Lancaster, Redding, Ventura, West Los Angeles, and Yountville. Further requires the department to review the use of a veterans home, using specified factors, no later than 5 years before the expiration of a specified use restriction imposed by federal law to determine the best continued, unrestricted use of the veterans home. Also requires the department, every 5 years after the date of the expiration of the use restriction, to review the veterans home, using specified factors, to determine its best continued use.

**AB 1403 (Obernolte)****Chapter 797, Statutes of 2017**

*Military and overseas voters.*

Permits a military or overseas voter to apply in person to the voter's elections official for permission to register after the closing date of registration if the military or overseas voter is required to move under official active duty military orders after the closing date of registration. Requires an elector who seeks permission to register pursuant to this bill to furnish a copy of his or her official military orders in order to be registered.

**AB 1618 (Cervantes)****Chapter 416, Statutes of 2017**

*Veteran service provider.*

Creates a certification for charitable entities that serve veterans, certifying that the entity meets certain minimum standards and the entity is thus a "Certified California Veteran Service Provider" (VSP). Also creates a competitive grant program under CalVet to provide grants to VSPs.

**AB 1709 (Committee on Veterans Affairs)****Chapter 304, Statutes of 2017**

*Armories: sales: local agencies.*

Amends the current armory sale process to require that an armory be offered for sale to a local agency, defined as every city, whether organized under general law or by charter, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property, prior to being offered for sale to private entities or individuals.

**AB 1710 (Committee on Veterans Affairs)****Chapter 591, Statutes of 2017**

*Prohibited discrimination against service members.*

Conforms state law to the federal Uniformed Services Employment and Reemployment Rights Act by protecting service members from hostile work environments in their civilian jobs.

**AB 1711 (Committee on Veterans Affairs)****Chapter 92, Statutes of 2017**

*State military reserve personnel: leave benefits.*

Provides that a member of the State Military Reserve be granted military leave and other specified benefits on the same basis as a member of the National Guard or other military reserve member.

**ACR 112 (Choi)****Chapter 92, Statutes of 2017**

*Korean American veterans of the Vietnam conflict.*

Commends Korean American veterans of the Vietnam conflict for their service to the United States.

**ACR 114 (Bloom)****Chapter 149, Statutes of 2017***World War I Commemoration.*

Proclaims support for the mission of the California World War One Centennial Task Force, by designating the time period between August 5, 2017, and November 11, 2018, inclusive, to be observed as the commemoration period of the 100th anniversary of the United States' involvement in World War I.

SENATE BILLS**SB 156 (Anderson)****Chapter 497, Statutes of 2017***Military and veterans: transition assistance: citizenship.*

Requires the transition assistance program for veterans to provide information to noncitizens who are leaving military service in California or who have already been discharged from military service in California on how to become citizens, including information on where to acquire state legal assistance.

**SB 330 (Berryhill)****Chapter 281, Statutes of 2017***Building permit fees: waiver.*

Authorizes each city, county, or city and county to waive or reduce all building permit fees for improvements to the home of a veteran with a qualifying disability that are made to accommodate that disability.

**SB 339 (Roth)****Chapter 595, Statutes of 2017***Veterans treatment courts: Judicial Council assessment and survey.*

Requires the Judicial Council, if certain funding is provided, to report to the Legislature, on or before June 1, 2020, on a study of veterans and veterans treatment courts that includes a statewide assessment of veterans treatment courts currently in operation and a survey of counties that do not operate veterans treatment courts that identifies barriers to program implementation and assesses the need for veterans treatment courts in those counties.

**SB 410 (Nguyen)****Chapter 237, Statutes of 2017***Civil service: veterans' hiring preference: active duty members.*

Authorizes the Department of Human Resources or the designated appointing authority, in order to facilitate a request for veterans' preference from a currently serving active duty member of the United States Armed Forces, to use a signed document by the applicant's commanding officer of the military to verify that applicant's military service. Requires the department or designated authority, before the applicant enters state service with the benefit of veterans' preference, to otherwise require the same proof of eligibility for veterans' preference generally used.

**SB 455 (Newman)****Chapter 239, Statutes of 2017***Pupil enrollment: military dependents.*

Amends the residency requirements for dependents of active-duty military personnel, by specifying that dependents of military personnel meet the residency requirement for attending a school, if the parent is transferred or pending transfer to any military installation in California.

**SB 626 (Dodd)****Chapter 465, Statutes of 2017**

*Tribal gaming: compact ratification.*

Ratifies the amendment to the Compact between the State of California and the Federated Indians of the Graton Rancheria executed on August 18, 2017 and provides that in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the California Environmental Quality Act. Also stipulates, except as expressly provided, that none of the provisions shall be construed to exempt a city, county, or city, and county, or the Department of Transportation, or any state agency or local jurisdictions, from CEQA requirements.

**SB 728 (Newman, Jackson)****Chapter 596, Statutes of 2017**

*State public employees: sick leave: veterans with service-related disabilities.*

Grants a state officer or employee who serves as a member of the National Guard or federal military reserve force who is called up to active service and as a result sustains a service-connected disability rated at 30% or more by the United States Department of Veterans Affairs an additional credit for sick leave with pay of up to 96 hours for the purpose of undergoing medical treatment, including mental health treatment, for his or her service-connected disability. Requires that the sick leave be credited to a qualifying officer or employee on the effective date of the employee's disability rating decision from the United States Department of Veterans Affairs or on the first day that the qualifying employee begins, or returns to, employment after active duty, whichever is later, and remain available for use for the following 12 months of employment.

**SB 731 (Newman, Jackson)****Chapter 597, Statutes of 2017**

*Public school employees: former or current members of the Armed Forces of the United States or California National Guard: leave of absence for illness or injury.*

Grants to current classified and certificated school employees – who are former active duty members of the United States Armed Forces or who are former or current members of the National Guard or a federal military reserve component, and who have a qualifying service-connected disability – additional, pre-banked paid leave to undergo medical treatment for their service-connected disabilities.

**SB 747 (Newman)****Chapter 221, Statutes of 2017**

*State military: officer commissions.*

Repeals the requirement that commissioned officers of the California National Guard (CNG) must reside within California in order to retain their state military commissions, and generally authorizes CNG officers to transfer to other reserve organizations after they make permanent changes of address outside of California.

**SB 776 (Newman)****Chapter 599, Statutes of 2017**

*Corrections: veterans' benefits.*

Requires the Department of Veterans Affairs to assign employees to state prisons to assist incarcerated veterans in applying for and receiving federal benefits for which they may be eligible.



## **BILLS IN LEGISLATURE:**

The following bills, if enacted would do the following:

### **ASSEMBLY BILLS:**

#### **AB 70 (Allen)**

*California National Guard: improper payments.*

Requires the Military Department, upon an appropriation of funds by the Legislature, to assume sole financial liability for any required payment to the federal government of an enlistment bonus, student loan repayment, or any other incentive payments improperly authorized by the California National Guard between January 1, 2006, and December 31, 2010, including any interest charges or other associated fees. Also requires the department upon an appropriation of funds by the Legislature, to repay to any member of the California National Guard who has repaid to the federal government any of these improperly authorized payments the amount the member has repaid, including any interest charges or other associated fees.

*Referred to Assembly Com. on V.A. In committee: Set, first hearing. Hearing canceled at the request of author.*

#### **AB 85 (Rodriguez)**

*General assistance: employable veterans.*

Enacts the “General Assistance ‘Thank You for Your Service’ Act of 2017.” Requires counties to exclude an eligible employable veteran from the existing prohibition against receiving general assistance/general relief (GA/GR) for more than three months in any 12-month period. Also allows a county to opt out of the extended eligibility period for GA to eligible veterans by enacting an ordinance, by July 1, 2018, stating that an eligible veteran is subject to the three month limitation.

*Referred to Senate Com. on V.A. In committee: Set, first hearing. Held without recommendation.*

#### **AB 349 (McCarty)**

*Civil service: preference: special immigrant visa holder.*

Requires a person who assisted the United States military and was issued a specified special immigrant visa and who achieves a passing score on an entrance examination to be ranked in the top of the resulting eligibility list unless a veteran, widow, or widower of a veteran, or the spouse of a 100% disabled veteran is in the top rank, in which case, the special immigrant visa holder shall be ranked in the next highest rank.

*Read second time and amended. Re-referred to Senate Com. on JUD. In committee: Set, first hearing. Hearing canceled at the request of author.*

#### **AB 353 (Voepel)**

*Employment policy: voluntary veterans’ preference.*

Enacts the Voluntary Veterans’ Preference Employment Policy Act and authorizes a private employer to establish a veterans’ preference employment policy.

*Referred to Senate Committee on Judiciary. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD. In committee: Set, first hearing. Failed passage. Reconsideration granted.*

**AB 513 (Voepel)**

*Uniform and travel costs.*

Increases the amount of a combined uniform and travel allowance to be paid to each volunteer member of the State Military Reserve or Naval Militia on or before the last day of the month following the volunteer member's completion of one year of satisfactory service, and annually thereafter following the completion of any subsequent full year of satisfactory service.

*Referred to Assembly Com. on V.A. In committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 737 (Baker, Melendez)**

*California Vietnam Veterans Memorial.*

Provides for the establishment of an "In Memory" plaque to be affixed to the Memorial to collectively honor those Vietnam veterans who died as a result of subsequent illness or injury, including physical or mental injury, as specified, that can reasonably be presumed to have resulted from military service during the Vietnam War but who would not be eligible under the new criteria for individual listing on the Memorial. Revises the eligibility criteria for the name of a deceased Vietnam veteran to be listed on the memorial or in the database requiring the deceased veteran to have been born or raised in, or a resident of, California.

*Referred to Assembly Com. on V.A. In committee: Set, first hearing. Hearing canceled at the request of author. From committee chair, with author's amendments: Amend, and re-refer to Com. on V.A. Read second time and amended. Re-referred to Com. On V.A. In committee: Set, second hearing. Hearing canceled at the request of the author.*

**AB 897 (Travis Allen)**

*Military identification.*

Requires the Military Department to provide members of the state Military Reserve who honorably serve 10 years or more with a retired identification card that is suitable to assist access to state and local benefits that the retired member may be entitled to, as specified.

*Referred to Assembly Com. on V.A. In committee: Set, first hearing. Hearing canceled at the request of author. In committee: Set, second hearing. Testimony taken.*

**AB 998 (Grayson)**

*Veterans homes: internet Web site.*

Requires the Department of Veterans Affairs on or before January 1, 2019, to create an admissions page on its Internet Web site that incorporates an online application option for veterans seeking admission to a home, a user-friendly wait list, contact information for an applicant to ask for assistance regarding the application process, and information on the number of veterans currently on the wait list for each level of care at each home.

*Referred to Senate Com. on V.A.*

**AB 1275 (Irwin)**

*Department of Veterans Affairs: monitoring outcomes for veterans: Director of Employment Development: disclosure of information.*

Requires the California Department of Veterans Affairs to develop outcome and related indicators for veterans to help assess the status of veterans and veteran services in order to improve services.

*In Senate Com. on Appropriations: Set, first hearing. Hearing canceled at the request of author. In committee: Referred to APPR. Suspense file. In committee: Held under submission.*

**AB 1477 (Brough)**

*Veterans' preferences: voluntary policy.*

Enacts the Voluntary Veterans' Preference Employment Policy Act to authorize a private employer to establish and maintain a written veterans' preference employment policy, to be applied uniformly to hiring decisions, to give a voluntary preference for hiring or retaining a veteran over another qualified applicant or employee.

*Referred to Committees on V.A. and L. & E.*

SENATE BILLS:

**SB 409 (Nguyen)**

*Veterans' homes: services: complex mental and behavioral health needs.*

Requires the Department of Veterans Affairs to conduct a survey to assess the ability of veterans' homes to assist veterans with complex mental and behavioral health needs, and develop a plan to accommodate that population, as prescribed. Requires the Department to submit the plan and any recommendations for future legislation necessary to achieve its objectives to the Legislature by January 1, 2019.

*Referred to Assembly Com. on APPR. In committee: Placed on APPR. suspense file. Held in committee and under submission.*

**SB 485 (Nielsen, Newman)**

*Veterans' homes.*

Requires the California Department of Veterans Affairs to adopt statewide policies and procedures, by regulation, for operation of the state veterans home system; implement a statewide electronic health records system; and correct and update outdated terminology and references within the portion of the Military and Veterans Code that governs state veterans' homes.

*Referred to Assembly Committee on V.A. From committee with author's amendments. Read second time and amended. Re-referred to Com. On V.A. Set for first hearing canceled at the request of the author.*

**SB 694 (Newman)**

*California Community Colleges: Veteran Resource Centers.*

Requires the Chancellor's Office of the California Community Colleges to ensure that each of its campuses provides a dedicated on-campus Veteran Resource Center that offers services to help student veterans transition successfully from military life to educational success through the core components of academics, wellness, and camaraderie and would require those Veteran Resource Centers, at a minimum, to be open for 25 hours a week, be staffed by veterans whenever possible, be 400 square feet and fully accessible, and provide enrolled student veterans with specified.

*Referred to Assembly Coms. On V.A. and HIGHER ED. Set for first hearing canceled at the request of the author.*