

# CALIFORNIA STATE COMMANDERS VETERANS COUNCIL

## LEGISLATIVE UPDATE

### AUGUST 11, 2021

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#### **Budget**

The state budget was passed by the legislature and signed by the governor on June 28. The budget included funding for deferred maintenance at Barstow and Yountville veterans homes, an increase of the financing for County Veterans Service Officers, and \$25 million in grant funds for California veteran service providers that provide services to veterans. For more information about grant funding requirements, visit Cal Vet website ([https://www.calvet.ca.gov/Pages/\\$25-Million-Grant-Program-for-Veterans-in-Governor's-California-Comeback-Plan.aspx](https://www.calvet.ca.gov/Pages/$25-Million-Grant-Program-for-Veterans-in-Governor's-California-Comeback-Plan.aspx)). These funds will be distributed to certified Veteran Service Providers (VSP) upon approval of grant application. For detailed information on VSP qualification, MVC Section 800 ([https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=880.&lawCode=MVC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=880.&lawCode=MVC)).

#### **Key Issues**

One of the top bills that is still moving through the legislative process is SB 661 by Senator Josh Newman (D-Fullerton) which seeks to allow CalVet the authority to refinance veteran home loans underwritten by the CalVet Home Loan Program. SB 661 would also make eligible for lending, members of the California National Guard or reserve component who has completed not less than a six-year commitment and was released under honorable conditions.

Kudos to Meghan Callahan and Lena Carmona of Callahan Public Affairs, Pete Conaty, and the CSCVC for working very hard to getting the VoterVoice advocacy tool implemented; whereupon it was used to bolster the Council's support of SB 661. VoterVoice is an interactive grass root advocacy tool that allows the public to directly signal support for legislation and public policy.

VoterVoice was also used to great effect in the Council's campaign to make veterans who obtained their vaccine from the VA eligible for the "Vax for the Win" which is California's vaccine incentive program. Through VoterVoice, California's veterans made hundreds of direct communications with the CalVet Secretary, the legislature, and the governor.

Each year, there are reintroductions of veterans bills that are complex, costly, or both that failed passage in the previous legislative session. The reintroduced bills may require new strategies to contain costs, build new coalitions of support, further educate the legislature, or find alternative ways to achieve the same goal. Below is a partial list of those perennial issues and the bills undertaken this year to achieve those policy changes.

- Professional licensure for veterans and military spouses.
  - AB 107-Salas: Licensure: veterans and military spouses
  - AB 225-Gray: Department of Consumer Affairs: boards: veterans: military spouses: licenses
  - AB 1026-Smith: Business licenses: veterans

- Elimination of the \$5 fee for the “VETERAN” designation on the driver’s license.
  - AB 1151-Smith: Driver’s licenses: \$5 fee veteran designation
- Suicide Task Force / Ending military and veterans suicide.
  - AB 1470 (Mathis R) Ending Military Suicide Task Force
- Property tax exemption for disabled veterans.
  - SB 658 (Grove R) Property tax: exemptions: disabled veterans

## California Small Business COVID-19 Relief Grant Program

This year we have continued to educate Council members about the California Small Business COVID-19 Relief Grant Program. We encouraged everyone to apply for the grants and we hope the information provided was helpful. This was an unprecedented time for everyone and thank you for your commitment to the veterans you serve.

### Important legislative dates

August 16 —Legislature reconvenes from Summer Recess.

August 27 —Last day for fiscal committees to meet and report bills to the Floor.

August 30 - September 10 —Floor Session Only.

September 10 —Last day for each house to pass bills.

October 10 —Last day for Governor to sign or veto bills passed by the Legislature on or before September 10 and in the Governor's possession after September 10.

### 2021 LEGISLATION the CSCVC has taken positions on:

TO ACCESS THE LEGISLATURE’S WEBSITE WHICH HAS THE LANGUAGE, STATUS, VOTES, AND ANALYSES OF ALL LEGISLATION FROM 1999 TO THE PRESENT, GO TO:

<https://leginfo.legislature.ca.gov/faces/home.xhtml>

#### AB 107 (Salas D) Licensure: veterans and military spouses.

**Status:** 7/15/2021-Read second time and amended. Re-referred to Com. on APPR.

**Location:** Senate

**Summary:** Current law requires a board within the Department of Consumer Affairs to issue, after appropriate investigation, certain types of temporary licenses to an applicant if the applicant meets specified requirements, including that the applicant supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and the applicant submits an application to the board that includes a signed affidavit attesting to the fact that the applicant meets all of the requirements for a temporary license and that the information submitted in the application is accurate, to the best of the applicant’s knowledge. This bill would expand the requirement to issue temporary licenses to practice a profession or vocation to include licenses issued by any board within the department, except as provided. The bill would require an applicant for a temporary license to provide to the board documentation that the applicant has passed a California law and ethics examination if otherwise required by the board for the profession or vocation for which the applicant seeks licensure.

Position Support

[AB 225](#) **(Gray D) Department of Consumer Affairs: boards: veterans: military spouses: licenses.**  
**Status:** 7/14/2021-Failed Deadline (May be acted upon Jan 2022)  
**Location:** Senate 2 YEAR BILL  
**Summary:** Current law requires specified boards within the Department of Consumer Affairs to issue, after appropriate investigation, certain types of temporary licenses to an applicant if the applicant meets specified requirements, including that the applicant supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and the applicant holds a current, active, and unrestricted license that confers upon the applicant the authority to practice, in another state, district, or territory of the United States, the profession or vocation for which the applicant seeks a temporary license from the board. This bill would expand the eligibility for a temporary license to an applicant who meets the specified criteria and who supplies evidence satisfactory to the board that the applicant is a veteran of the Armed Forces of the United States within 60 months of separation from active duty under other than dishonorable conditions, a veteran of the Armed Forces of the United States within 120 months of separation from active duty under other than dishonorable conditions and a resident of California prior to entering into military service, or an active duty member of the Armed Forces of the United States with official orders for separation within 90 days under other than dishonorable conditions.

Position Support

[AB 291](#) **(Sevarto R) Income taxation: exclusion: military survivor benefits.**  
**Status:** 3/22/2021-In committee: Hearing postponed by committee.  
**Location:** 1/28/2021-A. REV. & TAX  
**Summary:** Current law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives that the tax expenditure will achieve, detailed performance indicators, and data collection requirements. This bill, for taxable years beginning on or after January 1, 2021, and before January 1, 2026, would provide an exclusion from gross income for all survivor benefits or payments received on or after January 1, 2021, and before January 1, 2026, under the federal Survivor Benefit Plan. The bill would require the Franchise Tax Board to submit, on or before December 1, 2025, a report to the Legislature on the income brackets of taxpayers who claimed this exclusion, and would provide findings and declarations relating to the goals, purposes, and objectives of this exclusion.

Position Support

[AB 305](#) **(Maienschein D) Veteran services: notice.**  
**Status:** 7/15/2021-In committee: Referred to suspense file.  
**Location:** 7/15/2021-S. APPR. SUSPENSE FILE  
**Summary:** Current law requires every state agency that requests on any written form or written publication, or through its internet website, whether a person is a veteran, to request that information in a specified manner. This bill would require specified governmental agencies to include, at their next scheduled update, additional questions on their intake and application forms, except as provided, to determine whether a person is affiliated with the Armed Forces of the United States. The bill would require those agencies, through the intake or application form, to request permission from that person to transmit their contact information to the Department of Veterans Affairs so that the person may be notified of potential eligibility to receive state and federal veterans benefits.

Position Support

[AB 411](#) **(Irwin D) Veterans Housing and Homeless Prevention Bond Act of 2022.**  
**Status:** 5/20/2021-In committee: Hearing postponed by committee.  
**Location:** 5/5/2021-A. APPR. SUSPENSE FILE

**Summary:** Would enact the Veterans Housing and Homeless Prevention Bond Act of 2022 to authorize the issuance of bonds in an amount not to exceed \$600,000,000 to provide additional funding for the VHHPA. The bill would provide for the handling and disposition of the funds in the same manner as the 2014 bond act.

Position Support

**AB 459** (**Mathis R**) **Vehicles: registration fees: exceptions.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Current law defines a disabled veteran to include a person who, as a result of injury or disease suffered while on active service with the Armed Forces of the United States, has a disability that has been rated at 100% by the Department of Veterans Affairs or the military service from which the veteran was discharged, due to a diagnosed disease or disorder that substantially impairs or interferes with mobility. Current law exempts a disabled veteran from the payment of vehicle registration fees, as specified. This bill would extend a prorated discount on vehicle registration fees, as specified, to a partially disabled veteran, as defined.

Position Support

**AB 576** (**Maienschein D**) **Community colleges: apportionments: waiver of open course provisions: military personnel.**

**Status:** 6/30/2021-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar.

**Location:** 6/30/2021-S. APPR.

**Summary:** Current law waives open course provisions in statute or regulations of the board of governors for any governing board of a community college district for classes the district provides to inmates of certain facilities, and authorizes the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments. This bill would waive open course provisions in statute or regulations of the board of governors for any governing board of a community college district for community college courses the district provides to military personnel, their dependents, and authorized civilian employees on a military base, and would authorize the board of governors to include the units of full-time equivalent students generated in those community college courses for purposes of state apportionments.

Position Support

**AB 837** (**Rubio, Blanca D**) **Collection of tax: deployed military personnel.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Current law requires the Franchise Tax Board to administer the levy and collection of taxes pursuant to the Personal Income Tax Law and the Corporation Tax Law and establishes procedures for the collection of delinquent taxes. This bill would prohibit the board from imposing a levy on salary or wages payable to or received by, or place a lien on a bank account of, a member of the Armed Forces of the United States on active duty while deployed away from the individual's permanent duty station.

Position Support

**AB 933** (**Daly D**) **Prescription drug cost sharing.**

**Status:** 4/30/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 4/30/2021-A. 2 YEAR

**Summary:** The Knox-Keene Health Care Service Plan Act of 1975 provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, and makes a willful violation of the act a crime. Current law provides for the regulation of health insurers by the Department of Insurance. Current law limits the maximum amount an enrollee or insured may be

required to pay at the point of sale for a covered prescription drug to the lesser of the applicable cost-sharing amount or the retail price. This bill would require an enrollee's or insured's defined cost sharing for each prescription drug to be calculated at the point of sale based on a price that is reduced by an amount equal to 90% of all rebates received, or to be received, in connection with the dispensing or administration of the drug.

Position Support

**AB 1026** **(Smith R) Business licenses: veterans.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Would require the Department of Consumer Affairs and any board within the department to grant a 50% fee reduction for an initial license to an applicant who provides satisfactory evidence, as defined, the applicant has served as an active duty member of the United States Armed Forces or the California National Guard and was honorably discharged. This bill would authorize a board to adopt regulations necessary to administer these provisions.

Position Support

**AB 1151** **(Smith R) Driver's licenses: veteran designation.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Would direct the Department of Motor Vehicles to discontinue the fee for printing the word "VETERAN" on the face of a driver's licence or identification card by July 1, 2022, and would repeal that fee provision on January 1, 2023. The bill would also make technical and conforming changes.

Position Support

**AB 1470** **(Mathis R) Ending Military Suicide Task Force.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Would require the Department of Health Care Services to establish an Ending Military Suicide Task Force to systematically reduce military suicides and to develop a plan to eliminate all military suicides in the state, as specified. Commencing June 1, 2023, the bill would require the task force to submit a specified report to the Governor and the Legislature on the state of veteran suicide prevention, as specified, including, among other things, an analysis of the plans, activities, strategies, and programs undertaken pursuant to the task force's recommendations and their effects on reducing military suicides in the state.

Position Support

**AB 1520** **(Levine D) Health care coverage: prostate cancer: screening.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-A. 2 YEAR

**Summary:** Would prohibit a health care service plan contract or a health insurance policy issued, amended, renewed, or delivered on or after January 1, 2022, from applying a deductible, copayment, or coinsurance to coverage for specified screening services for prostate cancer for an enrollee or insured who is 55 years of age or older or is 40 years of age or older and is high risk, as determined by their health care provider.

Position Support

**ACR 5** **(Mathis R) AMVETS 75th Anniversary.**

**Status:** 7/15/2021-Chaptered by Secretary of State- Chapter 93, Statutes of 2021

**Location:** 7/15/2021-A. CHAPTERED

**Summary:** This measure would commend AMVETS Department of California on its 75th year of

providing benefits and services to Veterans.  
Position Support

**ACR 13** **(Sevarto R) Tomb of the Unknown Soldier.**  
**Status:** 7/15/2021-From committee: Be adopted. To Consent Calendar.  
**Location:** 7/15/2021-A. CONSENT CALENDAR  
**Summary:** This measure would commemorate the 100th Anniversary of the Tomb of the Unknown Soldier at Arlington National Cemetery.

Position Support

**AJR 12** **(Stone D) Veterans' educational benefits.**  
**Status:** 7/7/2021-From committee: Be adopted. Ordered to Third Reading.  
**Location:** 7/7/2021-S. THIRD READING  
**Summary:** This measure would urge the United States Congress to revise the United States Code to remove the requirement that, to be eligible for GI benefits, a law school be accredited by a specialized accreditor and the overly broad restriction that graduates must be eligible to sit for a bar examination in any state.

Position Support

**SB 348** **(Grove R) Veterans' homes: closure.**  
**Status:** 7/7/2021-From committee: Do pass and re-refer to Com. on APPR.  
**Location:** 7/6/2021-A. APPR.  
**Summary:** Current law requires the master plan for the overall operation of the veterans' homes system be revised by the department every 5 years. Under current law, the master plan is required to discuss, among other things, the location of future facilities at or within the vicinity of United States Department of Veterans Affairs facilities, the closure of facilities, and the expansion of existing facilities or conversion of existing facilities to provide different levels of service. This bill would, in the event the department recommends or proposes to close a veterans' home, require the Secretary of Veterans Affairs to convene a taskforce that includes representatives from the department, elected officials from the community where the home is located, residents of the home, staff employed at the home, and local veterans groups.

Position Support

**SB 498** **(Umbert D) Funds for the provision of legal services to indigent persons: disabled veterans.**  
**Status:** 7/15/2021-Read third time. Passed.  
**Location:** 7/15/2021-S. CONCURRENCE  
**Summary:** Current law requires an attorney or law firm receiving or disbursing trust funds to establish and maintain an Interest On Lawyers' Trust Accounts (IOLTA) account in which the attorney or law firm is required to deposit or invest all specified client deposits or funds. Current law directs IOLTA account interest and dividends to be paid to the State Bar of California to be distributed for the provision of civil legal services to indigent persons in a prescribed order, including, after payment of administrative costs, 85% of remaining funds to qualified legal services projects. Current law defines terms for these purposes, including the definition of "indigent person." This bill would expand the definition of "indigent person" by increasing one measure of income eligibility from 125% to 200% of a specified poverty threshold. The bill would further require, for the purpose of that definition, that the income of a person who is disabled be determined after deducting disability compensation from the United States Veterans Administration paid to a veteran with a service-related disability.

Position Support

**SB 658** **(Grove R) Property tax: exemptions: disabled veterans.**  
**Status:** 5/20/2021-May 20 hearing: Held in committee and under submission.

**Location:** 5/10/2021-S. APPR. SUSPENSE FILE

**Summary:** Current property tax law, pursuant to the authorization of the California Constitution, provides a disabled veteran's property tax exemption for the principal place of residence of a veteran, the veteran's spouse, or the veteran and veteran's spouse jointly, and the unmarried surviving spouse of a veteran, as provided, if the veteran is blind in both eyes, has lost the use of 2 or more limbs, or is totally disabled as a result of injury or disease incurred in military service, or if the veteran has, as a result of a service-connected injury or disease, died while on active duty in military service. Current law exempts that part of the full value of the residence that does not exceed \$100,000, or \$150,000 if the household income of the claimant does not exceed \$40,000, as adjusted for inflation, as specified. This bill, for property tax lien dates occurring on or after January 1, 2022, would additionally provide a partial exemption for property owned by, and that constitutes the principal place of residence of, a veteran who is partially disabled, as defined, or the veteran's spouse or the veteran and the veteran's spouse jointly, under these provisions.

Position Support

[SB 661](#) **(Newman D) Veterans' farm and home loan program.**

**Status:** 7/7/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar.

**Location:** 7/7/2021-A. APPR.

**Summary:** Current law establishes the Department of Veterans Affairs, which is headed by the Secretary of Veterans Affairs. Current law requires the secretary, as head of the department and subject to the policies adopted by the California Veterans Board, to perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all provisions vested by law in the department. Current law defines "veteran" for the purposes of the various programs granting benefits to veterans. This bill would authorize the secretary to designate a deputy, employee, or other official in the department to act for them and to represent them at meetings. The bill would authorize the secretary to delegate powers and duties, as specified.

Position Support

[SB 665](#) **(Umberg D) Employment policy: voluntary veterans' preference.**

**Status:** 7/7/2021-From committee: Do pass and re-refer to Com. on APPR. (

**Location:** 7/6/2021-A. APPR.

**Summary:** The California Fair Employment and Housing Act (FEHA) provides that nothing in that act relating to discrimination on account of sex affects the right of an employer to use veteran status as a factor in employee selection or to give special consideration to Vietnam-era veterans. This bill would enact 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. The bill would require a private employer with a veterans' preference employment policy to annually report to the Department of Fair Employment and Housing the number of veterans hired or retained under the preference policy and any demographic information about those veterans that the employer is already required to report, as specified. The bill would require the department to report that information, in addition to the number of discrimination claims received based on an employer's veterans' preference employment policy, to specified legislative policy committees by July 1, 2025, and July 1, 2027.

Position Support

[SB 667](#) **(Roth D) Property taxation: disabled veterans' exemption: claims: executor and administrator of claimant's estate.**

**Status:** 7/6/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar.

**Location:** 7/6/2021-A. APPR.

**Summary:** Current property tax law, pursuant to the authorization of the California Constitution, provides a disabled veterans' property tax exemption for the principal place of residence of a veteran, the veteran's spouse, or the veteran and veteran's spouse jointly, and the unmarried surviving spouse of a veteran, as provided, if the veteran is blind in both eyes, has lost the use of 2 or more limbs, or is totally disabled as a result of injury or disease incurred in military service, or if the veteran has, as a result of a service-connected injury or disease, died while on active duty in military service. Existing property tax law requires any person claiming the disabled veterans' property tax exemption to file a claim, which is required to be filed under penalty of perjury, with the assessor giving any information required by the State Board of Equalization, as provided. This bill would authorize the executor or administrator of the claimant's estate to file a claim with the assessor in the manner described above.

Position Support

**SB 763**

**(Min D) Sentencing: members of military: trauma.**

**Status:** 5/25/2021-Failed Deadline (May be acted upon Jan 2022)

**Location:** 5/25/2021-S. 2 YEAR

**Summary:** Current law requires a court, if it concludes that a defendant convicted of a felony offense is or was a member of the United States military who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the defendant's military service, to consider that circumstance as a factor in mitigation when imposing a sentence. Current law allows a defendant who is currently serving a felony sentence and meets these criteria to petition for resentencing if those criteria were not considered at the time of sentencing and the person was sentenced prior to January 1, 2015. This bill would allow a defendant meeting these criteria to petition for recall of sentence and resentencing without regard to whether the defendant was sentenced prior to January 1, 2015.

Position Support

**SR 13**

**(Grove R) Relative to Women's Military History Week.**

**Status:** 3/15/2021-Read. Adopted.

**Location:** 3/15/2021-S. ADOPTED

**Summary:** This measure would resolve that the Senate hereby recognizes "Women Warriors" by proclaiming the week of March 14 to March 20, 2021, inclusive, as Women's Military History Week in California. The Senate encourages Californians to recognize the hard-fought contributions of women to our military and our freedom, the courageous sacrifices that women have made while serving our country, and the historic lifting of the ban on women in combat on January 24, 2013.

Position Support

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