



California State Senate Committee on Veterans Affairs



2019 Summary of Legislation

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California State Senate

Senate Committee on Veterans Affairs

2019 Annual Summary and Status: Veteran and Military-Related Bills

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OUR MISSION

*To honor, legislate and advocate on behalf of all who have worn our nation's military uniform
and defended our nation – past, present, and future.*

Senate Committee on Veterans Affairs 2019 Legislative Summary

For more detailed information, you may look up a listed bill by going to the California Legislative Information page at <https://leginfo.legislature.ca.gov/>.

ASSEMBLY MEASURES

AB 230 (Brough)

Disabled Veteran Business Enterprises

This bill requires a prime contractor that entered into a subcontract with a DVBE to provide proof of payments for that work, upon request of the awarding department, as specified. Requires every state contract for which a DVBE participation is included in the bid to contain a provision requiring the contractor to comply with all rules, ordinances, and statutes that apply to the DVBE Program. Requires the prime contractor to use the DVBE subcontractors or suppliers proposed in the bid or proposal to the state unless a substitution is requested and approved, as specified. Clarifies that an awarding department shall not credit toward the department's 3% goal DVBEs that are not certified at the time of the award. Requires the Office of Small Business and Disabled Veteran Business Enterprise Services to coordinate with the Advocate. *Chaptered by Secretary of State - Chapter 676, Statutes of 2019*

AB 240 (Irwin)

Veterans' homes: lease of property

This bill would prohibit a lease or let from exceeding 5 years, unless the lessee is a local government or a nonprofit organization that provides services exclusively for veterans of the Armed Forces of the United States and their families, or the contract for the lease was executed before January 1, 2020. The bill would require each use, other than an easement, of real property held by the department for a home by a person or entity, other than the home or a resident of the home, to be in writing and meet certain criteria, including that it provide substantial and direct benefits to the home and its members and be appropriate and compatible with the nature of the home. The bill would additionally authorize the Director of General Services to lease any real property held by the department for a home, and not needed for any immediate purpose of the home, to any party for the development of housing, as specified. The bill would require that a lease for that purpose be on terms and conditions that the director deems to be in the best interests of the state, including the state's interest in developing housing.

Senate Inactive File

AB 308 (Muratsuchi & Smith)

Taxation: corporations: minimum franchise tax: limited liability companies: annual tax

This bill would extend the minimum franchise tax and annual tax exemptions for a corporation and a limited liability company that are small businesses solely owned by a deployed member of the United States Armed Forces for taxable years beginning on or after January 1, 2020, and before January 1, 2030.

Chaptered by Secretary of State - Chapter 421, Statutes of 2019

AB 361 (Voepel)

Military Department: support programs

This bill would name the support programs established by the Adjutant General the California Military Department Foundation. The bill would authorize the Adjutant General and the Military Department to enter into agreements with specified entities, including nonprofit and military or veteran foundations, to conduct California Military Department Support Fund activities, and to accept in-kind donations.

Chaptered by Secretary of State - Chapter 86, Statutes of 2019

AB 368 (Quirk-Silva)

Southern California Veterans Cemetery

This bill would instead authorize the department to locate the cemetery at either a specified site in the Orange County Great Park in the City of Irvine, or at a site known as the Golf Course Site, as specified. The bill would require the department, after completing acquisition studies of each site, to consult with the Department of General Services to determine which site to pursue based on specified factors, including, among other things, the availability of each location.

Chaptered by Secretary of State - Chapter 284, Statutes of 2019

AB 498 (Weber)

Business licensing: fees: exemptions: veterans

This bill would exempt a veteran who is honorably discharged or honorably relieved from the Armed Forces of the United States and is a resident of this state from paying any local business license fees for a business that sells or provides services if the veteran is the sole proprietor of the business. This bill would include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Chaptered by Secretary of State - Chapter 227, Statutes of 2019

AB 550 (Flora & Berman)

Veterans: Medical Foster Home Pilot Program

This bill would establish the Medical Foster Home Pilot Program until January 1, 2023, under which a United States Department of Veterans Affairs (USDVA) facility may establish a medical foster home that is not subject to licensure or regulation as a residential care facility for the elderly, a community care facility, or a residential care facility for persons with chronic, life-threatening illness, pursuant to specified federal requirements. The bill would require a USDVA facility establishing the home to agree to be subject to the jurisdiction of the California State Auditor, and would require a medical foster home caregiver or an individual, other than a veteran

resident, who is over 18 years of age and is residing in the medical foster home to be a registered independent home care aide, as specified. The bill would state the intent of the Legislature that the California State Auditor, in response to a request to the Joint Legislative Audit Committee, conduct an audit evaluating the pilot program created by this bill no sooner than January 1, 2021, as specified.

Vetoed by Governor.

AB 558 (Petrie-Norris)

State Bar of California: service members: legal services

This bill would instead require the State Bar to engage with military service providers, along with the other legal aid organizations, veteran service providers, and volunteer attorneys described above, to provide legal services to veterans and service members and their families who otherwise cannot afford legal services, and collaborate to improve access to and delivery of these services throughout the state. The bill would revise these provisions to include legislative findings on, among other things, the difficulty of veterans, service members, and their families in securing civil legal assistance.

Chaptered by Secretary of State - Chapter 303, Statutes of 2019

AB 581 (Levine)

Sentencing: members of military: trauma

Existing 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. Existing 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.

The bill would clarify that this relief is available whether or not there was argument or evidence about the defendant's condition at trial.

In committee: Held under submission.

AB 653 (Bloom & Kamlager-Dove)

State armories

This bill would authorize the Director of General Services, with the approval of the Adjutant General, to lease a portion of the West Los Angeles Armory to the County of Los Angeles. The bill would require the lease to be for a period of 5 years, and to include options for 4 extensions of 5 additional years each, as specified.

Chaptered by Secretary of State - Chapter 263, Statutes of 2019

AB 694 (Irwin)

Veterans Housing and Homeless Prevention Bond Act of 2019

This bill would enact the Veterans Housing and Homeless Prevention Bond Act of 2020 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. The bill would provide for the submission of the bond act to the voters at the November 3, 2020, statewide general election.

In committee: Held under submission

AB 761 (Nazarian)

State armories: homeless shelters

This bill would additionally authorize, at the sole discretion of the Adjutant General, the use of any armory deemed vacant by the Military Department throughout the year by the county or city in which the armory is located for the purpose of providing temporary shelter from hazardous weather conditions for homeless persons.

Chaptered by Secretary of State - Chapter 338, Statutes of 2019

AB 1257 (Salas)

Sales and use taxes: exemption: vehicle modifications: physically handicapped persons: veterans

This bill, on and after July 1, 2020, and before July 1, 2030, would specify that, for purposes of the exemptions described above, physically handicapped persons include eligible persons with a severe burn injury, as those terms are defined in existing federal law. The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law, and existing laws authorize districts, as specified, to impose transactions and use taxes in accordance with the Transactions and Use Tax Law, which generally conforms to the Sales and Use Tax Law. Amendments to the Sales and Use Tax Law are automatically incorporated into the local tax laws. Existing law requires the state to reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions. This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse any local agencies for sales and use tax revenues lost by them pursuant to this bill. This bill would take effect immediately as a tax levy.

Chaptered by Secretary of State - Chapter 317, Statutes of 2019

AB 1365 (V.A.)

Disabled Veteran Business Enterprise Program

This bill would require an awarding department to maintain all records of the information provided by the prime contractor pursuant to these provisions and to retain the records for a minimum of 6 years after collection. The bill would direct the awarding department to establish appropriate review procedures for those records to ensure the accuracy and completeness of the award amounts and paid amounts reported.

Chaptered by Secretary of State - Chapter 689, Statutes of 2019

AB 1376 (Ramos & Reyes)

Civil service: veterans' preference: background checks

This bill would amend veterans' preference provisions to require the Department of Human Resources to collaborate with specified state entities to establish a veterans' preference to be applied to employment opportunities within the field of cybersecurity that require a background check. The bill would require a state agency, as defined, that hires for a position in cybersecurity that requires a background check to apply the veterans' preference and to establish a uniform hiring policy for veterans who have held a security clearance in the last year and have left the military in good standing or were honorably discharged. The bill would request the Regents of the University of California to enact for the University of California veterans' preference provisions that are equivalent to the veterans' preference provisions added by the bill.

In committee. Held under submission

AB 1588 (Gloria & Gray)

Drinking water and wastewater operator certification programs

This bill would require the board to evaluate opportunities to issue a water treatment operator certificate or water distribution operator certificate by reciprocity, or a wastewater certificate by examination waiver, to persons who performed duties comparable to those duties while serving in the United States military, as specified. The bill would require the board to evaluate opportunities to award experience and education credits to persons who performed duties comparable to the duties of an operator at a water treatment facility, water distribution system, or wastewater treatment plant while serving in the United States military. The bill would require the board, if it identifies opportunities and where appropriate, to issue those certificates by reciprocity or examination waiver to those persons or to award experience or education credits to those persons.

Chaptered by Secretary of State - Chapter 760, Statutes of 2019

AB 1809 (Cervantes)

Disabled veteran business enterprises

This bill, commencing March 1, 2020, and until March 1, 2024, would authorize a state agency to award a contract for services or information technology that has an estimated value of between \$5,000 and \$500,000 to a certified small business, including a microbusiness, or to a DVBE, as long as the agency obtains price quotations from 2 or more certified small businesses or 2 or more DVBEs. The bill would specify that a certified small business or DVBE that utilizes this process as an alternative to the competitive bidding requirements may not also receive the small business preference or the DVBE participation incentive, as specified.

Assembly Appropriations Committee

AJR 20 (Patterson)

State veterans cemeteries: Hmong veterans

This measure would urge the United States Congress and the President of the United States to permit states to extend burial and memorial benefits to Hmong veterans at state veterans cemeteries.

Senate Veterans Affairs Committee

SENATE MEASURES

SB 245 (Chang)

Public animal shelters: adoption fees: veterans

Prohibits a public animal shelter from charging an adoption fee for a dog or cat if the person adopting the dog or cat presents to the public animal shelter a current and valid driver's license or identification card with the word "VETERAN" printed on its face pursuant to the above-described provision. The bill also authorizes a public animal shelter to limit the number of dogs and cats adopted from that public animal shelter by an eligible veteran to one dog and cat each 6-month period.

Chapter 205, Statutes of 2019

SB 289 (Archuleta)

Medi-Cal: home- and community-based services: military

This bill requires an active duty military service member's dependent child or spouse on the waiting list for specified waiver programs to retain waiting list status when the military service member receives a military order to transfer to another state, as specified. This bill requires the dependent child or spouse, who was enrolled in a waiver program and returns to the state, to be reenrolled in the waiver program if there is an open slot or be placed first on the waiting list and if specified conditions are met. This bill authorizes a dependent child or spouse to apply for specified waiver programs when a military service member residing in another state receives a military order to move to this state.

Chapter 846, Statutes of 2019

SB 292 (Rubio)

Independent insurance adjusters

This bill waives the license renewal requirement for independent insurance adjuster licensees serving in the military.

Assembly Committee on Insurance (2 yr bill)

SB 312 (Leyva)

Veterans: service dog assistance

This bill requires the Department of Veterans Affairs (CalVet), to establish a program to provide assistance to cover costs including, among other things: the purchase, training, and equipment for a dog to veterans with post-traumatic stress disorder (PTSD).

Assembly Committee on Veterans Affairs (2 yr bill)

SB 364 (Stone)

Property taxation: senior and disabled veterans

The bill would require the State Board of Equalization to, on an annual basis beginning January 1, 2021, and until January 1, 2031, review the effectiveness of these tax benefits, as provided, and to submit a report of their review to the Legislature. The bill would require, for these purposes, each county assessor to make information available to the State Board of Equalization upon request. By changing the manner in which local tax officials calculate the taxable value of real property owned by senior veterans, and by requiring county assessors to make information

available to the State Board of Equalization, this bill would impose a state-mandated local program.

Assembly Revenue and Taxation Committee

SB 481 (Umberg)

State military: inspector general

This bill revises the role of the Inspector General (IG) of the California Military Department (CMD) be an advisor to the Governor and responsive (rather than subordinate) to The Adjutant General (TAG). This bill also updates the California Military Whistleblower Protection Act and includes disciplinary actions against any member of the CMD who intentionally violates its protections and revises specified reporting timelines regarding allegations and complaints received by the IG.

Chapter 704, Statutes of 2019

SB 500 (Morrell)

Veterans: education

This bill would require the department to establish an education assistance program to provide housing and tuition assistance to disabled veterans attending graduate school in the State of California if their eligibility for federal education assistance has expired. The bill would, upon appropriation by the Legislature, require the department to provide tuition assistance and a housing allowance to disabled veterans while they attend specified graduate schools in the State of California, as specified. The bill would additionally require the department, upon appropriation by the Legislature, to provide a housing allowance to a disabled veteran in a graduate internship or fellowship program that earns credits toward a graduate degree.

Held in Assembly Appropriations

SB 501 (Hurtado)

Armories: Reedley Armory

This bill would remove the authorization to sell the Reedley Armory.

Assembly Committee on Veterans Affairs

SB 562 (Morrell)

Property taxation: exemption: principal residence: veterans and their unmarried surviving spouses

This bill, for the 2020–21 fiscal year to the 2029–30 fiscal year, inclusive, would increase these exemption amounts to \$200,000, or \$250,000 if the household income of the claimant does not exceed \$65,000, as adjusted for inflation. The bill would require county assessors to report to the State Board of Equalization on the use of the increased property tax exemption and for the board to consolidate this information in a report to the Legislature. By adding to the duties of county assessors in this regard, the bill would impose a state-mandated local program.

Assembly Committee on Revenue and Taxation

SB 588 (Archuleta)

Public contracts: Disabled Veteran Business Enterprise Program

This bill would require an awarding department, on a contract entered into on or after January 1, 2020, to withhold \$10,000, or the full payment if it is less than \$10,000, from the final payment on a contract until that certification is received by the awarding department. The bill would require the awarding department to give a prime contractor that fails to meet those certification requirements 15 to 30 calendar days to cure the defect. The bill would require the awarding department to permanently deduct \$10,000 from the final payment, or the full payment if it is less than \$10,000, from a contract with a contractor who does not comply with those requirements within the specified time period. The bill would exempt specified contractors from these provisions. The bill would require the Legislative Analyst's Office to complete an assessment and report of the DVBE program, as specified, and submit that report to the Legislature on or before January 1, 2023. This bill would incorporate additional changes to Section 999.5 of the Military and Veterans Code proposed by AB 230 to be operative only if this bill and AB 230 are enacted and this bill is enacted last.

Ordered to Inactive File

SB 644 (Glazer)

Tenancy: security deposit: active military personnel

This bill lowers the amount that a landlord can charge service members, as defined, for a security deposit on residential rental housing.

Chaptered by Secretary of State. Chapter 602, Statutes of 2019

SB 663 (Jones)

Property taxation: exemptions: veterans' organizations

Existing law requires the state to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation. This bill would provide that, notwithstanding those provisions, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill. This bill would take effect immediately as a tax levy.

Assembly Appropriations

SB 719 (Hueso)

Veterans: exemption from reservation fees to use state park facilities

Existing law requires the Department of Parks and Recreation to issue a park pass for free use of all park facilities in the state park system to a veteran of war, as defined, in which the United States has been, or may be, engaged, and who meets criteria, such as having been honorably discharged from service. This bill would additionally exempt these veterans from any requirement to pay a reservation fee for those facilities.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 725 (Rubio)

Veterans rental housing

This bill would require the department to establish a rental housing assistance program to provide financial assistance to veterans seeking rental housing, based on the needs of the veterans. The bill would require the department to coordinate the program with existing state and federal veterans services and to provide detailed information about the program in a publication, as specified. The bill would additionally appropriate an unspecified sum to the department for the purposes of establishing this program.

Assembly Veterans Affairs

SJR 9 (Archuleta)

Military and veterans

This measure would urge the United States Congress to act favorably in regard to legislation to award the Congressional Gold Medal to the 201st Fighter Squadron of the Mexican Expeditionary Air Force.

Senate Veterans Affairs Committee

SJR 7 (Glazer)

Military and veterans

This measure would urge the United States Congress to act favorably in regard to legislation to award the Congressional Gold Medal to the Merrill's Marauders.

Chaptered by Secretary of State. Res. Chapter 102, Statutes of 2019

SR 52 (Hurtado)

The widow's tax

The resolution states the California Senate urges the Senate of the United States to act favorably in regard to legislation to end the deduction of survivor benefit plan annuities from Dependency and Indemnity Compensation paid to survivors of fallen service members, also known as the widow's tax.

Senate Veterans Affairs Committee



**California State Senate
Committee on Veterans Affairs**

1020 N Street, Room 251
Sacramento, CA 95814

office 916.651.1503

fax 916.445.6595

web svet.senate.ca.gov