

California Association of County Veterans Service Officers 2019 End of Year Legislative Report

Legislative Report

Thursday, October 21, 2019

By: Seth Reeb, Reeb Government Relations

Governor Newsom has signed 15 of the 16 veteran and military-related bills that were sent to his desk for a signature. The Legislature has adjourned for the 2019 legislative session and is set to return on January 6, 2020. This is a report on the status of all bills that we lobbied on your behalf in 2019. You can see below if a bill is a 2-year bill (the bill is still active and we can continue to work on it next year), died, was vetoed or signed by the Governor.

The Governor had three choices: Sign the bill into law, allow it to become law without a signature (if it was not signed by October 13, 2019) or veto it.

This year CACVSO supported, opposed, and monitored over 90 veteran and military related bills. CACVSO took a position on 32 bills. We were able to assist in getting 16 bills all the way through the process and to the Governor's desk.

This year CACVSO had two sponsored bills, AB 55 (E. Garcia); Local Assistance increase and AB 408 (Frazier); Disabled Veterans License Plate. AB 55 died in the Assembly Appropriations Committee and AB 408 was held in the Assembly Appropriations Committee with the ability to continue moving through the process in 2020 (2-year bill).

Bills signed by the Governor go into effect on January 1, 2020, unless otherwise stated in the bill.

SUMMARY OF 2019 LEGISLATION:

AB 21 (Obernolte R) Driver's licenses: veteran designation.

Status: Dead

Summary: Current law allows an in-person applicant for a driver's license or identification card to request the word "VETERAN" be printed on the face of the driver's license or identification card, subject to certain requirements, including, among others, verification of veteran status, as specified, and payment of a \$5 fee, which the department is authorized to increase by regulation, in an amount not to exceed \$15, as specified. Commencing July 1, 2019, existing law prohibits a fee from being charged for that request if certain criteria are met. This bill would make the payment of a fee by any veteran inoperative no later than July 1, 2020, and repeal the law on January 1, 2021, thereby indefinitely requiring the department to make a veteran designation on a verified applicant's license, without charge. The bill also would make technical and conforming changes.

Position: Support

1107 9th Street, Suite 620
Sacramento, California 95814

(916) 558-1926 PH
(916) 558-1932 FAX

AB 55 (Garcia, Eduardo D) Department of Veterans Affairs: veterans' services.

Status: Dead

Summary: Current law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance developed by the department. This bill would define a workload unit for purposes of these provisions to mean a specific claim activity that is used to allocate subvention funds to counties, which is approved by the department, and performed by county veterans service officers.

Position: Support/Sponsor

AB 160 (Voepel R) Employment policy: voluntary veterans' preference.

Status: 2-Year Bill

Summary: 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 provide that the granting of a veterans' preference pursuant to the bill, in and of itself, shall be deemed not to violate any local or state equal employment opportunity law or regulation, including, but not limited to, the antidiscrimination provisions of California Fair Employment and Housing Act (FEHA).

Position: Support

AB 169 (Lackey R) Guide, signal, and service dogs: injury or death.

Status: Signed by the Governor.

Summary: Under current law, it is an infraction or a misdemeanor for a person to permit a dog that is owned, harbored, or controlled by the person to cause injury to, or the death of, a guide, signal, or service dog, as defined, while the guide, signal, or service dog is in discharge of its duties. Current law makes a person who intentionally causes injury to, or the death of, a guide, signal, or service dog, while the dog is in discharge of its duties, guilty of a misdemeanor. This bill would delete, from both crimes, the requirement that the guide, signal, or service dog be in discharge of its duties when the injury or death occurs and would make these crimes applicable to the injury or death of dogs that are enrolled in a training school or program for guide, signal, or service dogs, as specified.

Position: No position taken

AB 230 (Brough R) Disabled veteran business enterprises.

Status: Signed by the Governor.

Summary: Current law states the intent of the Legislature that every state procurement authority meet or exceed a DVBE participation goal of a minimum of 3% of total contract value. Current law requires a department awarding a contract to, upon completion of that contract, require the prime contractor that entered into a subcontract with a DVBE to certify specified information to the awarding department, including, among other things, the amount each DVBE received from the prime contractor. This bill would require that information to include proof of payment for work done by the DVBE, upon request of the awarding department, and the amount and percentage of work the prime contractor committed to provide to one or more DVBEs under the contract.

Position: Support

AB 232 (Cervantes D) Veteran suicides: report and recommendations.

Status:2-Year Bill

Summary: Current law requires the State Department of Public Health to implement an electronic death registration system and to access data within the system to compile a report on veteran suicide in California that includes information on the veterans' ages, sexes, races or ethnicities, and methods of suicide. Current law requires the department to provide that report annually to the Legislature and the Department of Veterans Affairs. This bill would additionally require the report described above to include information on the veterans' locations of residency and death, length and locations of service, branches of service, and occupations and industries or businesses.

Position: Support

AB 290 (Wood D) Health care service plans and health insurance: third-party payments.

Status: Signed by the Governor.

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 also provides for the regulation of health insurers by the Department of Insurance. These provisions govern, among other things, procedures by health care service plans and insurers with respect to premium payments. This bill would require a health care service plan or an insurer that provides a policy of health insurance to accept payments from specified third-party entities, including an Indian tribe or a local, state, or federal government program.

Position: Oppose

AB 368 (Quirk-Silva D) Southern California Veterans Cemetery.

Status: Signed by the Governor.

Summary: Current law authorizes the Department of Veterans Affairs to acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery at the Bake Parkway site in Orange County. Current law makes honorably discharged veterans and their spouses and dependent children eligible for interment in the cemetery, as specified. 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.

Position: Support

AB 408 (Frazier D) Vehicles: disabled veterans.

Status:2-Year Bill

Summary: Would require the Department of Motor Vehicles to accept a certificate from a county veterans service officer or the Department of Veterans Affairs that certifies that the applicant for a special license plate or placard is a disabled veteran. The bill would change the definition of "disabled veteran" to instead refer to a veteran who has a combined service-connected disability rating of 100% or is rated permanently and totally disabled based on individual unemployability by the United States Department of Veterans Affairs or the military service from which the veteran was discharged, due to a diagnosis or diagnoses that substantially impair or interfere with mobility.

Position: Support/Sponsor

AB 427 (Brough R) Personal income taxes: exclusion: uniformed services: retirement pay.

Status: Dead

Summary: Would, for taxable years beginning on or after January 1, 2020, and before January 1,

2030, exclude from gross income specified amounts of retirement pay received by a taxpayer from the federal government for service performed in the uniformed services, as defined, during the taxable year.

Position: Support

AB 550 (Flora R) Veterans: Medical Foster Home Pilot Program.

Status: Vetoed by Governor

Summary: 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.

Position: Support

AB 558 (Petrie-Norris D) State Bar of California: service members: legal services.

Status: Signed by the Governor.

Summary: Would 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.

Position: Support

AB 581 (Levine D) Sentencing: members of military: trauma.

Status: 2-Year Bill

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

AB 634 (Salas D) Traffic control devices: roundabouts: memorial and dedication signs.

Status: Signed by the Governor.

Summary: Current law provides that the Department of Transportation has full possession and control of all state highways and associated property. The California Manual on Uniform Traffic Control Devices provides for 5 types of highway facilities that may be used for memorial or

dedication signing, including, among other things, freeways and highways. This bill would require that roundabouts be added as a type of highway facility that may be used for memorial or dedication signing.

Position: Support

AB 1257 (Salas D) Sales and use taxes: exemption: vehicle modifications: physically handicapped persons: veterans.

Status: Signed by the Governor.

Summary: Current law exempts from sales and use taxes, in the case of a sale of a modified vehicle for physically handicapped persons to a disabled person who is eligible to be issued a distinguishing license plate or placard for parking purposes, the gross receipts attributable to that portion of the vehicle that has been so modified. Current regulations implementing those provisions provide that physically handicapped persons include disabled persons, as specified, which existing law defines as, among others, persons with a diagnosed disease or disorder which substantially impairs or interferes with mobility. Current federal law provides various benefits to disabled veterans, including assistance with the purchase of an automobile and adaptive equipment. 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.

Position: Support

AB 1258 (Salas D) Personal income taxes: exclusion: servicemembers.

Status: Dead

Summary: Would, for taxable years beginning on or after January 1, 2020, and before January 1, 2030, would exclude from gross income active duty pay received by a servicemember while on active duty in this state and military retirement pay received during the applicable time period, as defined, after being honorably discharged.

Position: Support

AB 1343 (Eggman D) Private postsecondary education: California Private Postsecondary Education Act of 2009.

Status: 2-Year Bill

Summary: Would, beginning January 1, 2023, prohibit a private postsecondary educational institution from enrolling residents of California not already enrolled as of that date, unless the institution meets either the requirement that no more than 85% of the institution's tuition revenue, determined as specified, is derived from student financial aid provided by a federal agency, or not less than 50% of the institution's tuition revenue is dedicated to a combination of student instruction and student support, as defined in regulations adopted by the bureau no later than July 1, 2022, as specified.

Position: Support

AB 1376 (Ramos D) Civil service: veterans' preference: background checks.

Status: 2-Year Bill

Summary: 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.

Position: Support

AB 1588 (Gloria D) Drinking water and wastewater operator certification programs.

Status: Signed by the Governor.

Summary: Current law requires the State Water Resources Control Board to issue a water treatment operator certificate and water distribution operator certificate by reciprocity to any person holding a valid, unexpired, comparable certification issued by another state, the United States, prescribed territories or tribal governments, or a unit of any of these. Current law requires the board to classify types of wastewater treatment plants for the purpose of determining the levels of competence necessary to operate them. 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.

Position: Support

AB 1808 (Cervantes D) Public contracts: goods and services: installation of carpet, resilient flooring, and synthetic turf.

Status: 2-Year Bill

Position: Watch

Notes 1: Bill was amended to no longer deal with veterans issues.

AB 1809 (Cervantes D) Disabled veteran business enterprises.

Status: 2-Year Bill

Summary: 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.

Position: Support

SB 222 (Hill D) Discrimination: veteran or military status.

Status: Signed by the Governor.

Summary: Would state findings and declarations of the Legislature regarding the importance of housing for veterans and its priority, and declare that housing discrimination on the basis of veteran or military status is against public policy. This bill contains other related provisions and other existing laws.

Position: Support

SB 245 (Chang R) Public animal shelters: adoptions: veterans.

Status: Signed by the Governor.

Summary: Would prohibit 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 would authorize 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.

Position: Support

SB 289 (Archuleta D) Medi-Cal: home- and community-based services: military.

Status: Signed by the Governor.

Summary: Current federal law provides for various home- and community-based services (HCBS), as part of a waiver or a state plan amendment under the Medicaid program, to promote coverage and services that enable an individual who would otherwise be institutionalized to live at home or in the community. This bill would require the retention of placement on the waiting list for, or the reenrollment in, specified HCBS waiver programs for an individual who is a dependent child or spouse of an active duty military service member and who transfers out of state with the military service member on official military orders, if the individual subsequently reestablishes residence in this state and meets other specified procedural requirements.

Position: Support

SB 312 (Leyva D) Veterans: service dog assistance.

Status: 2-Year Bill

Summary: Would require the Department of Veterans Affairs, upon appropriation by the Legislature, to establish a competitive grant program to provide assistance for the cost of service dogs to veterans with post-traumatic stress disorder. The bill would award grants to certified veteran service dog providers, as defined, that provide services including, among other things, the purchase of the dog, training of the dog, and equipment for the dog. The bill would additionally require the Department of Veterans Affairs to publicize the program, as specified. The bill would require the department to, on and after December 1, 2021, accept and either approve or reject applications to certify veteran service dog providers.

Position: Support

SB 364 (Stone R) Property taxation: senior and disabled veterans.

Status: Dead

Summary: The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value, as defined, of that property, and provides that the full cash value base may be adjusted each year by the inflationary rate not to exceed 2% for any given year. Current property tax law implementing this constitutional authority provides that the taxable value of real property is the lesser of its base year value compounded annually by an inflation factor not to exceed 2%, as provided, or its full cash value. Current property tax law also provides that the taxable value of a manufactured home is the lesser of its base year value compounded annually by an inflation factor not to exceed 2% or its full cash value. This bill, for any assessment year commencing on or after January 1, 2020, and before January 1, 2030, would provide that the inflation factor shall not apply to the principal place of residence, including a manufactured home, of a qualified veteran, as defined, who is 65 years of age or older on the lien date, was honorably discharged from military service, and meets specified requirements.

Position: Support

SB 500 (Morrell R) Veterans: education.

Status: 2-Year Bill

Summary: This bill would require the Department of Veterans Affairs 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.

Position: Support

SB 534 (Bradford D) Insurers: minority, women, LGBT, veteran, and disabled veteran business enterprises.

Status: Signed by the Governor.

Summary: Current law requires each admitted insurer with premiums written equal to or in excess of \$100,000,000 to provide information to the Insurance Commissioner on all of its community development investments and community development infrastructure investments in California. This bill would require those insurers to also report to the commissioner on their minority, women, LGBT, veteran, and disabled veteran-owned business procurement efforts, as specified. Under the bill, a failure to report the information by the reporting deadline would subject the admitted insurer to civil penalties to be fixed and enforced by the commissioner, as provided.

Position: Support

SB 562 (Morrell R) Property taxation: exemption: principal residence: veterans and their unmarried surviving spouses.

Status: Dead

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. 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.

Position: Support

SB 588 (Archuleta D) Public contracts: Disabled Veteran Business Enterprise Program.

Status: 2-Year Bill

Summary: 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. This bill contains other existing laws.

Position: Support

SB 663 (Jones R) Property taxation: exemptions: veterans' organizations.

Status: Dead

Summary: Current property tax law establishes a veterans' organization exemption under which property is exempt from taxation if, among other things, that property is used exclusively for charitable purposes and is owned by a veterans' organization. This bill would provide that the veterans' organization exemption 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. The bill would also provide that the exemption shall not apply to any portion of a property that consists of a bar where alcoholic beverages are served.

Position: Support

SB 725 (Rubio D) Veterans rental housing.

Status: Dead

Summary: Current law creates the Veterans Housing and Homeless Prevention Act of 2014, to provide for the acquisition, construction, rehabilitation, and preservation of affordable multifamily supportive housing, affordable transitional housing, affordable rental housing, or related facilities for veterans and their families to allow veterans to access and maintain housing stability. 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.

Position: Support

Links to information relating to legislation (audio/ video/text):

I am sharing the following information for two reasons.

1. I want to make you are all aware of the information related to the work that Reeb Government Relations does here at the State Capitol.
2. I strongly believe in the public being informed as to what laws are being passed here in California. I would like to encourage everyone to check out the videos and see your legislators in action. (Senate, Assembly Floor sessions and Committee on Veterans Affairs).

I am including links to where you can watch legislators in action in the last few weeks of the legislative session for 2109. Also, I will include links to where you can see how your legislators have voted on specific bills.

- Watch live hearings: <http://www.calchannel.com/live-webcast/>
- Watch Video on demand: <http://www.calchannel.com/video-on-demand/>
- Bill info, votes, Committee Analysis: <http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>
 - For example, you can type in SB 663; where you will be able to see specific information about the current form of the bill. In the right-hand corner, you will see (Version) and you can see if and how the bill has been amended (changed) through the year if you would like that detailed information.

For more information contact :

Ted Puntillo
Chairman, Legislative Committee
tepuntillo@solanocounty.com

Seth Reeb
Reeb Government Relations
Legislative Advocate
sethreeb@comcast.net