

HOUSE BILL 242

P1, O1

8lr2219
CF SB 53

By: **Delegate Simonaire**

Introduced and read first time: January 18, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Veterans Service Animal Program Fund – Alteration of Program**

3 FOR the purpose of authorizing a designee of the Secretary of Veterans Affairs to
4 administer the Maryland Veterans Service Animal Program Fund; requiring the
5 Department of Veterans Affairs to publish the names of certain donors to the
6 Maryland Veterans Service Animal Program Fund who have authorized the
7 Department to publish their names; making a stylistic change; and generally
8 relating to the Maryland Veterans Service Animal Program Fund.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–957
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2017 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – State Government**

17 9–957.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Eligible veteran” means an individual who:

20 (i) served on active duty in:

21 1. the armed forces of the United States;

22 2. the National Guard; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3. a reserve component of the armed forces of the United
2 States;

3 (ii) served in a capacity other than for training;

4 (iii) was discharged or released under conditions other than
5 dishonorable; and

6 (iv) 1. is a resident of the State; or

7 2. receives treatment or care from a Veterans'
8 Administration hospital in the State.

9 (3) “Fund” means the Maryland Veterans Service Animal Program Fund
10 established under subsection (f) of this section.

11 (4) “Nonprofit training entity” means a corporation, a foundation, or any
12 other legal entity that:

13 (i) is qualified under § 501(c)(3) of the Internal Revenue Code;

14 (ii) engages in the training of service dogs or support dogs for use by
15 veterans; and

16 (iii) has been selected by the Department to provide services under
17 this section.

18 (5) “Program” means the Maryland Veterans Service Animal Program
19 established under subsection (b) of this section.

20 (6) “Program participant” means an eligible veteran who participates in
21 the Program.

22 (7) “Successful Program participant” means a Program participant who
23 successfully completes the training protocol specified by a nonprofit training entity.

24 (b) There is a Maryland Veterans Service Animal Program in the Department.

25 (c) The purposes of the Program are to:

26 (1) refer eligible veterans who inquire about participation in the Program
27 to one or more nonprofit training entities;

28 (2) provide additional funding mechanisms to assist veterans participating
29 in the Program;

1 (3) encourage successful Program participants to assist in outreach and
2 referral of other eligible veterans who could benefit from participation in the Program;

3 (4) assist in the reduction of the Maryland veteran suicide rate; and

4 (5) identify potential capital projects and services to facilitate more
5 services for veterans in the State.

6 (d) (1) The Department shall select at least one nonprofit training entity to:

7 (i) implement a training protocol for the purposes of the Program
8 that will teach each Program participant methodologies, strategies, and techniques for
9 partnering with service dogs or support dogs;

10 (ii) select qualified Program participants from those eligible
11 veterans referred to the nonprofit entity under the Program;

12 (iii) select an appropriate service dog or support dog for each Program
13 participant;

14 (iv) facilitate each Program participant's training using the nonprofit
15 training entity's training protocol; and

16 (v) partner each successful Program participant with the service dog
17 or support dog on the Program participant's successful completion of the nonprofit training
18 entity's training protocol.

19 (2) To be eligible for selection under paragraph (1) of this subsection, a
20 nonprofit entity must:

21 (i) be based in the State;

22 (ii) serve the needs of the veteran population in the State; and

23 (iii) generate its own revenue and reinvest the proceeds of that
24 revenue in the growth and development of its programs.

25 (e) (1) A nonprofit training entity may disqualify a Program participant from
26 participation in the Program if the nonprofit training entity determines that the Program
27 participant's involvement in the Program:

28 (i) presents a danger to the Program participant's mental or
29 physical wellbeing;

30 (ii) has caused or may potentially cause harm to others, an animal,
31 or property;

- 1 (iii) presents a danger to the service dog's or support dog's mental or
2 physical well-being; or
- 3 (iv) does not meet the training requirement of the nonprofit.
- 4 (2) A Program participant may discontinue involvement in the Program for
5 any reason.
- 6 (f) (1) There is a Maryland Veterans Service Animal Program Fund.
- 7 (2) The Department shall use revenue from the Fund to pay a nonprofit
8 training entity.
- 9 (3) Revenue from the Fund may be used only to pay:
- 10 (i) a nonprofit training entity; and
- 11 (ii) administrative costs of the Program.
- 12 (4) The Secretary, **OR THE SECRETARY'S DESIGNEE**, shall administer
13 the Fund.
- 14 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §
15 7-302 of the State Finance and Procurement Article.
- 16 (ii) The State Treasurer shall hold the Fund separately, and the
17 Comptroller shall account for the Fund.
- 18 (6) The Fund consists of:
- 19 (i) revenue collected by the Department in the form of donations to
20 the Program;
- 21 (ii) money appropriated in the State budget to the Fund; and
- 22 (iii) any other money from any other source accepted for the benefit
23 of the Fund.
- 24 (7) The State Treasurer shall invest the money of the Fund in the same
25 manner as other State money may be invested.
- 26 (8) Any interest earnings of the Fund shall be credited to the General Fund
27 of the State.
- 28 (9) Expenditures from the Fund may be made only in accordance with the
29 State budget.

1 (10) Money expended from the Fund is supplemental to and is not intended
2 to take the place of funding that otherwise would be appropriated for the Program.

3 (g) (1) For the purpose of implementing this section, the Department may
4 accept gifts or grants for donation to the Fund.

5 (2) On or before October 1, 2018, and each October 1 thereafter, the
6 Department shall post and maintain on its [Web site] **WEBSITE** a list [of the names of the
7 persons who have] **CONTAINING THE NAMES OF ALL PERSONS WHO HAVE** donated to
8 the Fund in the previous year and [have not requested anonymity] **HAVE AUTHORIZED**
9 **THE DEPARTMENT TO PUBLISH THEIR NAMES ON ITS WEBSITE.**

10 (h) The Department shall adopt regulations to implement this section, including
11 regulations establishing procedures for the Department to:

12 (1) promote the Program to eligible veterans through the Department's
13 outreach methods;

14 (2) refer eligible veterans to selected nonprofit entities;

15 (3) receive donations for the Fund through a link placed in a prominent
16 location on the Department's [Web site] **WEBSITE**; and

17 (4) use revenue from the Fund to pay selected nonprofit entities for services
18 that are provided through the Program.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2018.