

SENATE BILL 53

P1, O1

8lr1183

(PRE-FILED)

By: **Senator Simonaire**

Requested: November 14, 2017

Introduced and read first time: January 10, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of repealing a requirement that a certain entity selected by the
4 Department of Veterans Affairs engage in the training of and pair certain veterans
5 with support dogs; authorizing a designee of the Secretary of Veterans Affairs to
6 administer the Maryland Veterans Service Animal Program Fund; requiring the
7 Department of Veterans Affairs to publish the names of certain donors to the
8 Maryland Veterans Service Animal Program Fund who have authorized the
9 Department to publish their names; making a stylistic change; making conforming
10 changes; and generally relating to the Maryland Veterans Service Animal Program
11 Fund.

12 BY repealing and reenacting, with amendments,
13 Article – State Government
14 Section 9–957
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2017 Supplement)

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

19 **Article – State Government**

20 9–957.

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

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

23 (i) served on active duty in:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. the armed forces of the United States;
- 2 2. the National Guard; or
- 3 3. a reserve component of the armed forces of the United

4 States;

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

6 (iii) was discharged or released under conditions other than
7 dishonorable; and

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

9 2. receives treatment or care from a Veterans'
10 Administration hospital in the State.

11 (3) "Fund" means the Maryland Veterans Service Animal Program Fund
12 established under subsection (f) of this section.

13 (4) "Nonprofit training entity" means a corporation, a foundation, or any
14 other legal entity that:

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

16 (ii) engages in the training of service dogs [or support dogs] for use
17 by veterans; and

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

20 (5) "Program" means the Maryland Veterans Service Animal Program
21 established under subsection (b) of this section.

22 (6) "Program participant" means an eligible veteran who participates in
23 the Program.

24 (7) "Successful Program participant" means a Program participant who
25 successfully completes the training protocol specified by a nonprofit training entity.

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

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

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

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

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

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

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

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

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

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

14 (iii) select an appropriate service dog [or support dog] for each
15 Program participant;

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

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

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

23 (i) be based in the State;

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

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

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

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

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

1 (9) Expenditures from the Fund may be made only in accordance with the
2 State budget.

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

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

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

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

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

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

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

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

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