

# SENATE BILL 53

P1, O1

(PRE-FILED)

8lr1183  
CF 8lr2219

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By: **Senator Simonaire**

Requested: November 14, 2017

Introduced and read first time: January 10, 2018

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 12, 2018

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## CHAPTER \_\_\_\_\_

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1           (a)   (1)   In this section the following words have the meanings indicated.
- 2                   (2)   “Eligible veteran” means an individual who:
- 3                           (i)   served on active duty in:
- 4                                   1.   the armed forces of the United States;
- 5                                   2.   the National Guard; or
- 6                                   3.   a reserve component of the armed forces of the United  
7 States;
- 8                           (ii)   served in a capacity other than for training;
- 9                           (iii)   was discharged or released under conditions other than  
10 dishonorable; and
- 11                           (iv)   1.   is a resident of the State; or
- 12   2.   receives treatment or care from a Veterans’  
13 Administration hospital in the State.
- 14                   (3)   “Fund” means the Maryland Veterans Service Animal Program Fund  
15 established under subsection (f) of this section.
- 16                   (4)   “Nonprofit training entity” means a corporation, a foundation, or any  
17 other legal entity that:
- 18                           (i)   is qualified under § 501(c)(3) of the Internal Revenue Code;
- 19                           (ii)   engages in the training of service dogs ~~for support dogs~~ for use  
20 by veterans; and
- 21                           (iii)   has been selected by the Department to provide services under  
22 this section.
- 23                   (5)   “Program” means the Maryland Veterans Service Animal Program  
24 established under subsection (b) of this section.
- 25                   (6)   “Program participant” means an eligible veteran who participates in  
26 the Program.
- 27                   (7)   “Successful Program participant” means a Program participant who  
28 successfully completes the training protocol specified by a nonprofit training entity.

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

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

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

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

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

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

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

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

13 (i) implement a training protocol for the purposes of the Program  
14 that will teach each Program participant methodologies, strategies, and techniques for  
15 partnering with service dogs ~~for support dogs~~;

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

18 (iii) select an appropriate service dog ~~for support dog~~ for each  
19 Program participant;

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

22 (v) partner each successful Program participant with the service dog  
23 ~~for support dog~~ on the Program participant's successful completion of the nonprofit  
24 training entity's training protocol.

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

27 (i) be based in the State;

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

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

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

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

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

8 (iii) presents a danger to the service dog's ~~for support dog's~~ mental  
9 or physical well-being; or

10 (iv) does not meet the training requirement of the nonprofit.

11 (2) A Program participant may discontinue involvement in the Program for  
12 any reason.

13 (f) (1) There is a Maryland Veterans Service Animal Program Fund.

14 (2) The Department shall use revenue from the Fund to pay a nonprofit  
15 training entity.

16 (3) Revenue from the Fund may be used only to pay:

17 (i) a nonprofit training entity; and

18 (ii) administrative costs of the Program.

19 (4) The Secretary, **OR THE SECRETARY'S DESIGNEE**, shall administer  
20 the Fund.

21 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §  
22 7-302 of the State Finance and Procurement Article.

23 (ii) The State Treasurer shall hold the Fund separately, and the  
24 Comptroller shall account for the Fund.

25 (6) The Fund consists of:

26 (i) revenue collected by the Department in the form of donations to  
27 the Program;

28 (ii) money appropriated in the State budget to the Fund; and

29 (iii) any other money from any other source accepted for the benefit  
30 of the Fund.

1           (7)    The State Treasurer shall invest the money of the Fund in the same  
2 manner as other State money may be invested.

3           (8)    Any interest earnings of the Fund shall be credited to the General Fund  
4 of the State.

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

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

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

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

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

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

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

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

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

25           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
26 October 1, 2018.