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AB-1618 Veteran service providers. (2017-2018)

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Date Published: 10/02/2017 09:00 PM

Assembly Bill No. 1618

CHAPTER 416

An act to add Chapter 3.7 (commencing with Section 880) to Division 4 of the Military and Veterans Code, relating to veterans.

[Approved by Governor October 02, 2017. Filed with Secretary of State October 02, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1618, Cervantes. Veteran service providers.

Existing law establishes the Department of Veterans Affairs. Among other duties, the department is authorized to assist every veteran of any war of the United States and the dependent or survivor of every veteran in presenting and pursuing claims against the United States that the veteran may have arising from war service and in establishing the veteran's or dependent's right to privilege, preference, care, or compensation as provided for by federal or state law, as specified.

Existing law also authorizes the board of supervisors of a county to grant financial assistance, relief, and support to indigent veterans. Existing law requires an organization desiring to assist indigent veterans to first file with the board of supervisors of the county in which it is operating or intending to operate a verified statement setting forth specified information regarding the organization, including its financial condition.

This bill would establish a competitive grant program, to be administered by the department with existing funds, as defined, for purposes of awarding grant moneys to certified California veteran service providers for purposes of providing supportive services that improve the quality of life for veterans and their families, as specified. The bill would authorize the department to enter into memoranda of understanding with other state departments and agencies to implement these provisions. The bill would require competitive grants to be awarded in support of the state's strategic plan for providing veterans with transition assistance. The bill would require the department to adopt regulations to implement the program and to define criteria for supporting the state's strategic plan.

This bill would establish a certification process for California veteran service providers, as defined, applying for the competitive grants. The bill would require an applicant for certification to provide specified information to the department upon application and, after certification, on request and reasonable notice by the department.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 3.7 (commencing with Section 880) is added to Division 4 of the Military and Veterans Code, to read:

CHAPTER 3.7 Certified California Veteran Service Provider

880. (a) (1) The department shall use existing funds to fund a competitive grant program, to be administered by the department. For purposes of this section, "existing funds" means funding already appropriated to any state department or agency, other than the department, for the purpose of providing services to veterans. The department may enter into memoranda of understanding with other state departments and agencies to implement this section.

(2) The department may cover reasonable administrative costs of implementing this section using the funds available for the competitive grant program.

(b) (1) Competitive grants shall be awarded to certified California veteran service providers, as defined in Section 881, for purposes of providing supportive services that improve the quality of life for veterans and their families. Supportive services may include, but are not limited to, housing assistance, health services, including mental and behavioral health services, counseling, small business assistance, case management, employment assistance, and job placement.

(2) Only a certified California veteran service provider is eligible to be awarded funds under the competitive grant program.

(3) Competitive grants shall be awarded in support of the state's strategic plan for providing veterans with transitional assistance, as described in Section 90.

(c) The department shall, no later than July 1, 2019, develop regulations for the implementation of the program. These standards shall include, but not be limited to, the grant application criteria, application scoring process, data collection, and accountability for grant program expenditures and metrics for evaluation of grants made.

(d) Prior to awarding competitive grants under this section, the department shall develop regulations to define criteria for supporting the state's strategic plan.

881. (a) "Certified California veteran service provider" means an entity applying to the competitive grant program established pursuant to this chapter and that is certified by the department as having an established history of providing supportive services and that meets all of the following requirements:

(1) Provides supportive services as required by this chapter and regulations adopted pursuant to the chapter.

(2) Demonstrates, through the submission of appropriate supporting data, that the veteran service provider has the knowledge, experience, and cultural competency to provide supportive services to veterans and their families.

(3) Demonstrates, through audits and employment history, the fiscal and management capacity to capably perform supportive services to veterans and their families.

(4) Is a nonprofit organization that is exempt from federal income taxation as an organization described in Section 501(c)(3) or (c)(19) of the Internal Revenue Code.

(5) Demonstrates through the submission of appropriate supporting data that the entity has effectively served the needs of veteran or veterans and their families.

(6) Demonstrates that all required filings with the Secretary of State, the office of the Attorney General, and the Franchise Tax Board are current. Demonstrates that the entity meets or exceeds the provisions of Article 1.3 (commencing with Section 17510) of Chapter 1 of Part 3 of Division 7 of the Business and Professions Code and complies with the standards included in the Attorney General's Guide for Charities.

(b) A certified California veteran service provider shall provide to the department all of the following up-to-date documents upon application for certification and at any time during the certification period on request and reasonable notice by the department:

(1) Articles of incorporation and all amendments to the articles of incorporation.

(2) IRS Letter of Determination.

(3) Taxpayer identification number.

(4) Independent audit reports dating back three years.

(c) (1) In order to obtain certification as a certified California veteran service provider, the applicant shall apply to the department, in a form and manner as required by the department.

(2) Beginning July 1, 2019, the department shall begin processing and approving or rejecting all applications for certification on the basis of the requirements set forth in subdivision (a).

(d) The department shall maintain a list of certified California veteran service providers on its Internet Web site, including the type of supportive services provided by the providers.

(e) On or before April 1, 2019, the department shall provide the Senate and Assembly Committees on Veterans Affairs with a progress report on the status of the regulations required by subdivision (b) of Section 883.

882. For purposes of certification, the department may accept current certifications and licenses from any other state entity, agency, or department as supporting evidence of the applicant's qualifications under the requirements set forth in subdivision (a) of Section 881.

883. (a) (1) A certification approved by the department shall be valid for three years from the date the department accepts credentials for certification unless the department decertifies the certified California veteran service provider.

(2) Certification by the department may be used by other departments or state agencies for any other appropriate purpose.

(b) No later than July 1, 2019, the department shall adopt rules, procedures, and regulations as necessary to certify a veteran service provider, and to decertify a certified California veteran service provider prior to the expiration of a current certification when the certified California veteran service provider no longer meets the requirements set forth in Section 881.