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AB-305 Veteran services: notice. (2021-2022)

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Assembly Bill No. 305

CHAPTER 376

An act to amend Section 11019.11 of, and to add Section 11019.12 to, the Government Code, relating to veterans.

[Approved by Governor September 17, 2022. Filed with Secretary of State September 17, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 305, Maienschein. Veteran services: notice.

Existing law requires every state agency that requests on any written form or written publication, or through its internet website, whether a person is a veteran, to request that information in a specified manner.

This bill would require specified governmental agencies to include, at their next scheduled update, additional questions on their intake and application forms, except as provided, to determine whether a person is affiliated with the Armed Forces of the United States. The bill would require those agencies, through the intake or application form, to request permission from that person to transmit their contact information to the Department of Veterans Affairs so that the person may be notified of potential eligibility to receive state and federal veterans benefits.

This bill would require the agencies to transmit to the Department of Veterans Affairs specified information regarding each person who has identified that they, or their spouse, legal partner, parent, or child, served in the Armed Forces of the United States and has consented to be contacted about military, veterans, family member, or survivor benefits. By requiring community college districts to comply with these requirements, this bill would impose a state-mandated local program.

This bill would request the Regents of the University of California to comply with the above-described provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 11019.11 of the Government Code is amended to read:

11019.11. (a) Except as provided in Section 11019.12, every state agency that requests on any written form or written publication, or through its internet website, whether a person is a veteran, shall request that information only in the following format: "Have you ever served in the United States military?"

(b) This section shall apply only to a written form or written publication that is newly printed on or after July 1, 2014.

SEC. 2. Section 11019.12 is added to the Government Code, to read:

11019.12. (a) Each agency named in subdivision (d) shall include all of the following on any intake or application form at the next scheduled update of their intake or application forms:

(1) An option for a person to indicate whether they are affiliated with the Armed Forces of the United States by asking both of the following in a manner that substantially conforms to the following format:

(A) "Have you ever served in the United States military?"

(B) "Are you the spouse, legal partner, parent, or child of a person who is serving in or who has served in the United States military?"

(2) An option for a person who identifies as being military affiliated, as provided in paragraph (1), to give their consent to be contacted regarding eligibility to receive state or federal veterans benefits by including the following statement:

"I consent to this agency transmitting my name, email address, mailing address, and mobile telephone number to the Department of Veterans Affairs only for the purpose of receiving additional information on veterans benefits for which I may be eligible. I understand that this consent is valid for 12 months.

(3) A statement of potential eligibility to receive state and federal services, with contact information for the Department of Veterans Affairs.

(b) (1) Each agency shall transmit to the Department of Veterans Affairs all of the following information, if provided, regarding each person who identified that they, or their spouse, legal partner, parent, or child, served in the Armed Forces of the United States since the last data transfer and consented to be contacted about military, veterans, family member, or survivor benefits, pursuant to subdivision (a):

(A) Full legal name.

(B) Email address.

(C) Mailing address.

(D) Mobile telephone number.

(2) After updating their intake or application forms pursuant to subdivision (a), each agency shall transmit to the Department of Veterans Affairs the information received pursuant to paragraph (1) at least annually.

(c) Information obtained by the Department of Veterans Affairs pursuant to this section shall be used only to assist individuals in accessing benefits and shall not be disseminated except as needed for that purpose.

(d) The following agencies shall abide by the requirements of this section:

(1) The California Community Colleges, and the Board of Governors of the California Community Colleges.

(2) The California Department of Aging.

(3) The State Department of Developmental Services.

(4) The California Housing Finance Agency.

(5) The California State University.

(6) The Department of Community Services and Development.

(7) The Department of Rehabilitation.

(8) The State Department of Health Care Services.

(9) The State Department of Social Services.

(10) The University of California, as set forth in subdivision (e).

(e) The Regents of the University of California are requested to comply with this section. This section shall apply to the University of California if the Regents adopt a resolution consenting to be subject thereto.

(f) (1) This section does not apply to intake or application forms that are provided to a person after any intake or application forms that have included the information required by this section or that are not developed centrally by the agencies listed in subdivision (d).

(2) For intake or application forms that are developed centrally, but require federal approval, the agencies listed in subdivision (d) shall request federal approval for changes made pursuant to subdivision (a).

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.