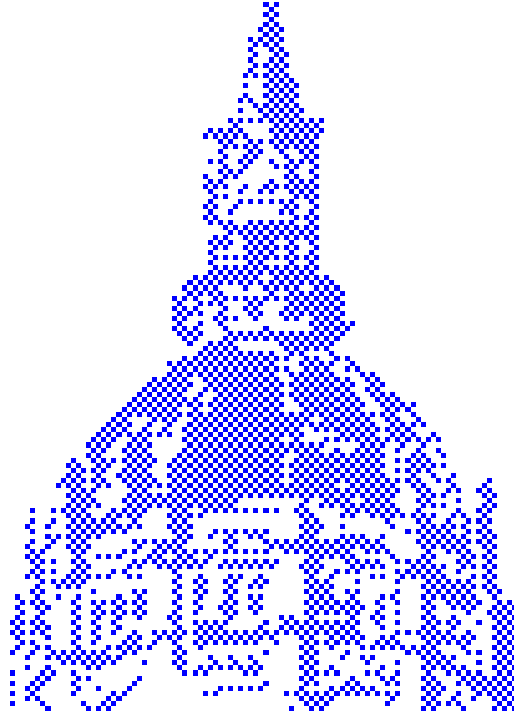




ACTS AFFECTING VETERANS AND THE MILITARY



2014-R-0168

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NOTICE TO READERS

This report provides highlights of new laws (public acts) affecting veterans and the military enacted during the 2014 legislative session. In each summary, we indicate the public act (PA) number.

Not all provisions of the acts are included here. Complete summaries of all 2014 public acts are available on OLR's webpage: <http://cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full texts of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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ABANDONED MEDALS IN A SAFE DEPOSIT BOX

By law, a banking or financial institution possessing abandoned personal property obtained from a safe deposit box must sell the property and give the state treasurer the sale proceeds, minus any charges that may be lawfully withheld.

[PA 14-217](#) (§ 55) creates an exception to the requirement for military medals. It bars the sale of these medals by requiring banks or financial institutions to transfer any such medal presumed abandoned to the Department of Veterans' Affairs' (DVA) custody. The treasurer may make certain information available to the public to help identify the original owner or his or her heirs or beneficiaries.

EFFECTIVE DATE: July 1, 2014

CLUB LIQUOR PERMIT FOR VETERAN ORGANIZATIONS

The law requires any organization holding a state liquor club permit to require a club member's guests to enter their names and addresses in a guest book, along with the member's signature and introduction date. [PA 14-114](#) waives the guest book requirements for members of

nationally chartered veterans' service organizations who enter an affiliated club that is not their home club.

EFFECTIVE DATE: October 1, 2014

DVA PERMANENT SUPPORTIVE HOUSING INITIATIVE COLLABORATION

[PA 14-46](#) adds DVA and the Developmental Services Department to the entities with which the Department of Mental Health and Addiction Services (DMHAS) must collaborate in administering the state's permanent supportive housing initiative. It also specifies that all homeless individuals and families are eligible for the initiative. By law, individuals and families who are at-risk of becoming homeless or who have special needs are also eligible.

EFFECTIVE DATE: July 1, 2014

EXCUSED ABSENCES FOR PARENT'S MILITARY DEPLOYMENT

[PA 14-198](#) requires any child age five to 18 enrolled in a public school to be granted 10 days of excused absence in any school year if his or her parent or legal guardian is an active-duty U.S. Armed Forces member who (1) has been called for, (2) is on leave from, or (3) has immediately returned from, deployment in a combat zone or combat-support posting. It also allows

local or regional boards of education to grant additional excused absences for such visits.

EFFECTIVE DATE: July 1, 2014

HOSPITAL FEE NOTICE FOR VETERANS

By law, mentally ill veterans and veterans needing medical or surgical care or treatment may apply for admission to certain hospitals and receive necessary food, clothing, care, and treatment at the state's expense if they do not have any adequate means of support. [PA 14-141](#) requires hospitals (1) to ask a patient, upon admission, if he or she is a veteran and (2) before submitting a bill to the state, take sufficient steps to determine that no other funds or means of payment are available to cover the cost of the rendered services.

EFFECTIVE DATE: October 1, 2014

INDIVIDUAL VETERANS' SERVICE CONTACT PERSON

By law, a municipality must designate a municipal employee as a veterans' service contact if it does not have a veterans' advisory committee and does not provide funding for a veterans' service officer. [PA 14-56](#) (§ 2) explicitly requires any municipality that shares an advisory committee with other municipalities to designate an employee to serve as the

contact person. A veterans' service contact person must, among other things, coordinate and work with veterans' organizations to provide assistance to veterans and their dependents.

EFFECTIVE DATE: Upon passage

PRETRIAL DIVERSIONARY PROGRAM AND VETERANS

By law, pretrial diversionary programs are available to criminal defendants who have committed certain crimes. The criteria and the service providers may differ if the defendant qualifies as a "veteran," which under prior law included veterans who were discharged or released under conditions other than dishonorable, and their surviving spouse, children, or parents. [PA 14-56](#) (§§ 3-5) limits these veteran-specific aspects for certain diversionary programs to only those veterans and treats their family members the same as nonveterans.

EFFECTIVE DATE: Upon passage

SOLDIERS', SAILORS', AND MARINES' FUND (SSMF) FUND OPERATION AND ADMINISTRATION

By law, SSMF is a trust fund, invested by the state treasurer, that uses the interest from its investment to provide certain benefits to qualified veterans and their families. [PA 13-247](#) (§§ 121-122), transfers the SSMF administration from a state agency (of

the same name) to the American Legion on July 1, 2014. The state treasurer will continue to serve as the fund's trustee and must invest the portions of the fund that are not required for disbursement.

[PA 14-217](#) (§§ 57-65, 210, & 259) makes several changes to SSMF, including setting new (1) minimum appropriations, (2) operations and procedures, (3) uses, and (4) audits.

The new law, among other things, (1) requires the treasurer to annually disburse at least \$2 million to the American Legion to be used to provide veterans benefits; (2) allows the fund's principal, to the extent interest accumulations are not enough, to pay for these benefits; and (3) prohibits during FY 15, a reduction of the \$635,000 appropriations to DVA for SSMF administration.

It also expands the allowable uses of the SSMF's funds to include furnishing veterans with (1) temporary income; (2) shelter; and (3) expenses for food, clothing, or shelter. Currently funds may be used to provide benefits such as food, clothing, medical, surgical, and funeral assistance to needy wartime veterans and their families.

EFFECTIVE DATE: July 1, 2014

UNAUTHORIZED WEARING OF MILITARY MEDALS (STOLEN VALOR)

In *U.S. v. Alvarez*, the U.S. Supreme Court ruled that the federal military medal misrepresentation

statute was unconstitutional because it violated a person's First Amendment right to free speech (132 S. Ct. 2537 (2012)). The plurality opinion stated that there is no general First Amendment exception for false statements, but acknowledged there are many laws punishing or criminalizing false statements that cause definite and identifiable harm (e.g., fraud).

[PA 14-56](#) (§ 1) limits the crime of falsely representing oneself as having a military medal to cases in which someone does so with the intent to fraudulently obtain money, property, or other tangible benefits. Under the act and prior law, violators are subject to a fine of between \$500 and \$1,000, up to six months imprisonment, or both.

EFFECTIVE DATE: October 1, 2014

VETERAN AND MILITARY OCCUPATIONAL LICENSE AND PERMIT WAIVERS

[PA 14-131](#) (as amended by [PA 14-56](#) and [PA 14-65](#)) requires various government entities to certify, waive, grant, or award certain licenses, registrations, examinations, training, or credit for veterans or armed forces or National Guard members (service members) with military experience or qualifications similar to those otherwise required.

For qualified service members, the new law requires the:

1. Police Officer Standards and Training Council to certify them as police officers;
2. Department of Motor Vehicles to waive certain examinations or tests for motor vehicle operator's licenses;
3. Department of Labor (DOL) to submit a recommendation for review, that waives the apprentice requirement, to the appropriate licensing board and Department of Consumer Protection to allow the applicants to sit for licensing exams;
4. Department of Emergency Services and Public Protection to waive security guard training;
5. higher education institutions to award college credit; and
6. Department of Public Health to certify them as emergency medical technicians.

The new law also requires these government entities to ask applicants if they are service members and submit an annual report to DOL and the Veterans' Committee on certain data associated with service members' applications. It also requires the DOL commissioner to, among other things, (1) review and revise state policies to ensure military training and experience are given proper recognition and (2) submit a report to the Veteran's Committee with the recommended policy changes.

Under the new law, a "veteran" is anyone discharged or released under conditions other than dishonorable

from active service in the armed forces (U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and any of their reserve components, including the Connecticut National Guard performing duty under Title 32 of federal law).

EFFECTIVE DATE: Upon passage for the reporting and data collection provision, July 1, 2014 for the higher education and labor commissioner assistance provisions, and October 1, 2014 for all other provisions.

VETERAN PREFERENCE FOR SECURITY DEPOSIT GUARANTEE PROGRAM

By law, the Department of Housing (DOH), through its Security Deposit Guarantee Program and within available appropriations, must provide security deposit guarantees (payment for any damages that occur) to financially eligible people living in emergency housing or receiving a government rental subsidy. [PA 14-217](#) (§ 72) requires the DOH commissioner to prioritize providing these guarantees to eligible veterans. The law allows her to establish priorities for providing guarantees to eligible applicants to administer the program within available appropriations.

EFFECTIVE DATE: July 1, 2014

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