

SENATE BILL NO. 40

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATOR REVAK

Introduced: 1/19/21

Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to veterans' benefits services and veterans' benefits appeal services."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 26.10 is amended by adding a new section to read:

4 **Sec. 26.10.085. Persons providing veterans' benefits services; disclosure.**

5 (a) A person that provides veterans' benefits services or veterans' benefits appeal
6 services to a veteran or a veteran's dependents, survivors, or personal representative
7 for compensation shall disclose to the veteran or veteran's dependents, survivors, or
8 personal representative that veterans' benefits services and veterans' benefits appeal
9 services are provided at no cost by the Department of Military and Veterans' Affairs.

10 (b) The disclosure required under (a) of this section must appear on an
11 agreement to provide veterans' benefits services or veterans' benefits appeal services.
12 The veteran or veteran's dependents, survivors, or personal representative shall
13 acknowledge receipt by signing and dating the disclosure, and the person providing
14 the services shall retain a copy of the signed acknowledgment. The adjutant general of
15 the Department of Military and Veterans' Affairs shall develop the disclosure required

1 under (a) of this section and publish the disclosure on the department's publicly
2 available Internet website.

3 (c) An advertisement for veterans' benefits services or veterans' benefits
4 appeal services must include the disclosure required under (a) of this section,
5 communicated in a clear and conspicuous manner.

6 (d) A person who violates this section shall forfeit compensation and is subject
7 to a civil penalty of not more than \$1,000 for each violation. Each day of continuing
8 noncompliance constitutes a separate violation. This subsection does not apply to an
9 owner or employee of a medium in which an advertisement appears or through which
10 an advertisement is disseminated.

11 (e) In this section,

12 (1) "advertisement" means a commercial message in a communications
13 medium that directly or indirectly promotes the solicitation of business, provides
14 information about veterans' benefits services or veterans' benefits appeal services, or
15 promotes a person who offers veterans' benefits services or veterans' benefits appeal
16 services;

17 (2) "veteran" means an individual who

18 (A) served in the

19 (i) armed forces of the United States, including a
20 reserve unit of the United States armed forces; or

21 (ii) Alaska Territorial Guard, the Alaska Army National
22 Guard, the Alaska Air National Guard, or the Alaska Naval Militia; and

23 (B) was separated from service under a condition that was not
24 dishonorable;

25 (3) "veterans' benefits" means a present or future gain or advantage to
26 a veteran or a veteran's dependents, survivors, or personal representative that results
27 from the beneficiary's veteran status;

28 (4) "veterans' benefits appeal services" means services performed to
29 assist a veteran or a veteran's dependents, survivors, or personal representative in
30 appealing a denial of federal or state veterans' benefits;

31 (5) "veterans' benefits services" means services provided to a veteran

1 or a veteran's dependents, survivors, or personal representative to assist the veteran or
2 dependent, survivor, or personal representative in obtaining federal or state veterans'
3 benefits.