

HOUSE BILL 242

P1, O1

8lr2219
CF SB 53

By: ~~Delegate Simonaire~~ Delegates Simonaire, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

Introduced and read first time: January 18, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Maryland Veterans Service Animal Program Fund – Alteration of Program**

3 FOR the purpose of authorizing a designee of the Secretary of Veterans Affairs to
4 administer the Maryland Veterans Service Animal Program Fund; requiring the
5 Department of Veterans Affairs to publish the names of certain donors to the
6 Maryland Veterans Service Animal Program Fund who have authorized the
7 Department to publish their names; making a stylistic change; and generally
8 relating to the Maryland Veterans Service Animal Program Fund.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–957
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2017 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – State Government**

17 9–957.

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 or support dogs for use by
20 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.
- 29 (b) There is a Maryland Veterans Service Animal Program in the Department.

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

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

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

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

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

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

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

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

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

17 (iii) select an appropriate service dog or support dog for each Program
18 participant;

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

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

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

26 (i) be based in the State;

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

28 (iii) generate its own revenue and reinvest the proceeds of that
29 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 or support dog's mental or
9 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.