

HOUSE BILL No. 5549

April 13, 2016, Introduced by Rep. Howell and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1946 (1st Ex Sess) PA 9, entitled

"An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,"

by amending section 2 (MCL 35.602).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 ~~Sec. 2. For the purposes of the administration of AS USED IN~~
2 ~~this act, a Michigan "veteran" as defined by Act No. 190 of the~~
3 ~~Public Acts of 1965, as amended, shall be deemed to be a person,~~
4 ~~male or female, whose~~ **MEANS AN INDIVIDUAL WHO MEETS ALL OF THE**
5 **FOLLOWING:**

6 **(A) IS A VETERAN AS DEFINED IN SECTION 1 OF 1965 PA 190, MCL**
7 **35.61.**

1 **(B) IS A LEGAL RESIDENT OF THIS STATE OR WAS A** legal residence
2 **RESIDENT OF THIS STATE** immediately prior to entering the service
3 ~~was in Michigan, who entered upon or was in active service in the~~
4 ~~armed forces of the United States, at any time for at least 180~~
5 ~~days from and after the date as defined by Act No. 190 of the~~
6 ~~Public Acts of 1965, as amended, being sections 35.61 and 35.62 of~~
7 ~~the Michigan Compiled Laws or Vietnam era, as determined for the~~
8 ~~purposes of administration of this act, whether by induction,~~
9 ~~enlistment, commission, warrant, or otherwise, and who has been~~
10 ~~honorably discharged, retired, or separated therefrom, or who has~~
11 ~~reverted to an inactive status therefrom under honorable~~
12 ~~conditions. However, former members of the women's auxiliary army~~
13 ~~corps who refused to accept transfer to or induction into the~~
14 ~~women's army corps shall not be deemed to be veterans within the~~
15 ~~meaning of this definition. A veteran who did not have legal~~
16 ~~residence in Michigan immediately prior to entering the military~~
17 ~~service may become eligible to benefits administered under this act~~
18 ~~after having established a legal residence in Michigan. A veteran~~
19 **UNITED STATES ARMED FORCES. HOWEVER, AN INDIVIDUAL** whose legal
20 residence was in Michigan ~~THIS STATE~~ prior to entering military
21 service will lose his rights under this act by leaving this state
22 **THE UNITED STATES ARMED FORCES DOES NOT MEET THE REQUIREMENT OF**
23 **THIS SUBDIVISION IF HE OR SHE LEAVES THIS STATE** for a period of
24 time exceeding 2 years. A person

25 **(C) HE OR SHE SERVED IN ACTIVE SERVICE IN THE UNITED STATES**
26 **ARMED FORCES DURING A PERIOD OF WAR AS DESCRIBED IN 38 CFR 3.2 FOR**
27 **AT LEAST 180 DAYS AND WAS HONORABLY DISCHARGED FROM THE UNITED**

1 **STATES ARMED FORCES. HOWEVER, AN INDIVIDUAL** who shall have been
2 separated **FROM THE UNITED STATES ARMED FORCES** for reason of
3 physical or mental disability incurred in the line of duty prior to
4 the completion of 180 days' service shall be considered a veteran
5 for the purpose of the administration of this act. World War II
6 shall be deemed to be that period from and after August 27, 1940,
7 to the inclusive date of June 30, 1946. Grants made to eligible
8 Michigan veterans between June 30, 1946, and the effective date of
9 this act are declared valid. A person otherwise qualified with at
10 least 90 days of service during World War I, Spanish American War
11 or Mexican Wars, as defined in Act No. 190 of the Public Acts of
12 1965, as amended, shall be deemed a veteran for the purposes of
13 this act. **IS CONSIDERED TO MEET THE REQUIREMENT OF THIS SUBDIVISION.**

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect
17 unless House Bill No. 5332 of the 98th Legislature is enacted into
18 law.