

Act No. 210
Public Acts of 2018
Approved by the Governor
June 25, 2018
Filed with the Secretary of State
June 26, 2018
EFFECTIVE DATE: September 24, 2018

STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018

Introduced by Reps. Wentworth, Albert, Hoitenga, Lower, Kahle, Calley, Hauck, Hornberger, Marino, Lucido, Hughes, Farrington, LaFave, Noble, Barrett, VanderWall, Bellino, Griffin, Crawford, Garcia, Webber, Kelly, Rendon, Whiteford, Graves, Brann, Roberts, Frederick, Sheppard, Victory, Allor, Lilly, Sabo, Glenn, Kosowski and Leutheuser

ENROLLED HOUSE BILL No. 5536

AN ACT to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," (MCL 35.621 to 35.624) by amending the title and by adding section 3a.

The People of the State of Michigan enact:

TITLE

An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; to create the county veteran service fund and to provide for contributions to and expenditures from that fund; and to transfer the powers and duties of the soldiers' relief commission in those counties.

Sec. 3a. (1) The county veteran service fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The Michigan veterans affairs agency shall be the administrator of the fund for auditing purposes.

(5) The Michigan veterans affairs agency shall create and operate a grant program that provides grants to counties for county veteran service operations. The Michigan veterans affairs agency shall make grants from the fund, upon appropriation, to each county department of veterans' affairs that meets the conditions listed in subsection (7) for the sole use of the county's veteran service operations. The total disbursement for each grant shall be determined by combining the following amounts:

(a) A base amount of \$25,000.00

(b) A per capita amount according to the number of veterans residing in each county. The amount in this subdivision shall be determined by dividing the amount remaining in the fund after accounting for all disbursements under subdivision (a) by the total number of veterans residing in this state and multiplying the resulting dollar amount by the number of veterans residing in the county receiving the grant. Population figures for veterans residing in this state and in each county of this state shall be obtained from the most recent Geographic Distribution of VA Expenditures (GDX) Report published by the United States Department of Veterans Affairs.

(6) If the amount remaining in the fund after accounting for all disbursements under subsection (5)(a) is less than the amount obtained by multiplying \$1,000.00 by the number of counties receiving grants, the Michigan veterans affairs agency shall not perform a calculation under subsection (5)(b) and shall not disburse the portion of grant funds described under that subsection.

(7) To be eligible for receiving a grant under subsection (5), within 1 year of the effective date of the amendatory act that added this section, and annually after that date, a county department of veterans' affairs must satisfy all of the following as certified in a form and manner prescribed by the Michigan veterans affairs agency:

(a) Maintain a minimum level of county funding for veteran service operations equal to the level of county funding for veteran service operations for the fiscal year preceding the effective date of the amendatory act that added this section.

(b) Establish remote access to the United States Department of Veterans Affairs computing systems and require county veteran service officers to obtain a PIV card.

(c) Submit quarterly reports to the Michigan veterans affairs agency in accordance with the reporting requirements determined by that agency.

(d) Provide no less than 20 hours per week toward veteran service operations.

(e) Submit financial reports to the Michigan veterans affairs agency on a regular basis, as determined by that agency, demonstrating that the county department of veterans' affairs expended the grant funds received under subsection (5) directly and solely on veteran service operations during the period of the report. If the Michigan veterans affairs agency determines, by audit or otherwise, that a county department of veterans' affairs expended the grant funds received under subsection (5) for purposes other than veteran service operations, the Michigan veterans affairs agency shall reduce the grant disbursement provided to the county department of veterans' affairs in the succeeding fiscal year by an amount equal to the total of all amounts improperly expended.

(8) As used in this section:

(a) "Accredited veteran service officer" means an individual who has met the qualifications for accreditation under 38 USC 5904 and 38 CFR 14.629.

(b) "County veteran service fund" or "fund" means the fund created in subsection (1).

(c) "PIV card" means a personal identity verification card issued by the United States Department of Veterans Affairs.

(d) "Veteran service operations" means assistance and programming to meet the needs of veterans in this state. Veteran service operations include, but are not limited to, providing advice, advocacy, and assistance to veterans, servicemembers, dependents, or survivors by an accredited veteran service officer to obtain United States Department of Veterans Affairs health, financial, or memorial benefits for which they are eligible.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor