

AMENDED IN SENATE JUNE 21, 2016

AMENDED IN ASSEMBLY MAY 18, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1029

Introduced by Assembly Member Frazier
(Coauthors: Assembly Members Brown and Mathis)

February 26, 2015

An act to add Article 8 (commencing with Section 999.75) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1029, as amended, Frazier. Veterans: service providers.

Existing law provides for certain services, protections, and benefits for veterans. Existing law establishes a 3-percent participation goal for disabled veteran business enterprises in state procurement.

This bill would allow entities meeting specified requirements to apply to the Department of Veterans Affairs to become certified California veteran service providers. The bill would require the department to maintain a list of certified California veteran service providers on its Internet Web site, including the type of supportive services provided by the providers. The bill would require that certification would remain valid for 3 years unless the entity is decertified by the department. The bill would require the department, no later than July 1, 2017, to adopt rules, procedures, and regulations as necessary to *certify an entity, and to decertify an entity if it no longer meets the requirements to be a certified California veteran service provider. The bill would require the*

department to adopt a fee to defray the department’s reasonable cost of certification not to exceed \$750.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares that it is
2 necessary to provide the public the means to determine which
3 charitable entities providing supportive services to veterans meet
4 certain minimum standards of cultural competency and financial
5 legitimacy.

6 (b) It is the intent of the Legislature to establish a voluntary
7 certification program whereby the Department of Veterans Affairs
8 will certify that certain charitable entities providing supportive
9 services to veterans meet minimum standards.

10 (c) It is further the intent of the Legislature that the Secretary
11 of the Department of Veterans Affairs consider whether it would
12 be beneficial to the people of the State of California to, in the
13 future, establish a uniform process for state contracting that
14 provides a preference to entities certified by the department
15 pursuant to Section 999.75 of the Military and Veterans Code
16 under a state contract or grant for supportive services to veterans
17 or their families.

18 SEC. 2. Article 8 (commencing with Section 999.75) is added
19 to Chapter 6 of Division 4 of the Military and Veterans Code, to
20 read:

21
22 Article 8. Veterans Preference For State Services Contracts
23

24 999.75. For purposes of this article, both of the following shall
25 apply:

26 (a) A “certified California veteran service provider” means an
27 entity that is certified by the department as having an established
28 history of providing supportive services and that meets all of the
29 following requirements:

30 (1) Provides at least ~~three~~ *two* of the following supportive
31 services: housing assistance, health services, mental health services,
32 small business assistance, employment services, and job training
33 services to veterans and their families.

1 (2) ~~Demonstrates~~—*Demonstrates, through the submission of*
2 *appropriate supporting data, that the veteran service provider has*
3 *the knowledge, experience, and cultural competency to provide*
4 *supportive services to veterans and their families.*

5 (3) Demonstrates through audits and employment history the
6 fiscal and management capacity to capably perform supportive
7 services to veterans and their families.

8 (4) Is a nonprofit organization that is exempt from federal
9 income taxation as an organization described in Section 501(c)(3)
10 or Section 501(c)(19) of the Internal Revenue Code.

11 (5) Demonstrates through the submission of appropriate
12 supporting data that the entity has effectively served the needs of
13 ~~veteran or veteran family clients.~~ *veterans and their families.*

14 (6) Demonstrates that all required filings with the Secretary of
15 State, the office of the Attorney General, and the Franchise Tax
16 Board are current. Demonstrates that the entity meets or exceeds
17 the provisions of Article 1.3 (commencing with Section 17510)
18 of Chapter 1 of Part 3 of Division 7 of the Business and Professions
19 Code and complies with the standards included in the Attorney
20 General's Guide for Charities.

21 (b) A certified California veteran service provider shall provide
22 to the department all of the following up-to-date documents upon
23 application for certification and at any time during the certification
24 period on request and reasonable notice by the department:

25 (1) Articles of incorporation and all amendments to the articles
26 of incorporation.

27 (2) IRS Letter of Determination.

28 (3) Taxpayer identification number.

29 (4) Independent audit reports dating back three years.

30 (c) (1) In order to obtain certification as a certified California
31 veteran service provider, the applicant shall apply to the
32 department, in a form and manner as required by the department.

33 (2) ~~Beginning July 1, 2017,~~ *January 1, 2018,* the department
34 shall begin processing and approving or rejecting all applications
35 on the basis of the requirements set forth in subdivision (a).

36 (d) The department shall maintain a list of certified California
37 veteran service providers on its Internet Web site, including the
38 type of supportive services provided by the providers.

39 (e) On or before April 1, 2017, the department shall provide the
40 Committee on Veterans Affairs in both houses of the Legislature

1 with a progress report on the status of the regulations required by
2 ~~subdivision (d)~~. *Section 999.76.*
3 999.76. (a) A certification approved by the department shall
4 be valid for three years from the date the department accepts
5 credentials for certification unless the department decertifies the
6 certified California veteran service provider.
7 (b) The department may accept current certifications and licenses
8 from any other state entity, agency, or department in order to
9 provide a certification of a certified California veteran service
10 provider pursuant to Section 999.75.
11 (c) The department may accept an organization's status as a
12 congressionally chartered veterans service organization as support
13 for certification of a certified California veteran service provider
14 pursuant to Section 999.75.
15 (d) No later than July 1, 2017, the department shall adopt rules,
16 procedures, and regulations as necessary to *certify a veteran service*
17 *provider; and to* decertify a certified California veteran service
18 provider prior to the expiration of a current certification when the
19 certified California veteran service provider no longer meets the
20 requirements set forth in Section 999.75.
21 (e) *The department shall adopt a fee to defray the department's*
22 *reasonable cost of certification, not to exceed seven hundred fifty*
23 *dollars (\$750).*